ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1971

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

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1971

ACTS AND RESOLVES

OF

MASSACHUSETTS

1971

The General Court, which was chosen November 3, 1970, assembled on Wednesday, the sixth day of January, 1971, for its first annual session.

The oaths of office were taken and subscribed by His Excellency FRANCIS W. SARGENT and His Honor DONALD R. DWIGHT, on Thursday, the seventh day of January, in the presence of the two Houses assembled in convention.

ACTS.

Chap. 1. AN ACT ESTABLISHING THE ADVISORY BOARD ON LEGISLATIVE COMPENSATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the establishment of an advisory board on legislative compensation and for a report by said board on or before the third Wednesday in February 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 by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by adding, under the caption ADVISORY BOARD ON LEGISLATIVE COMPENSATION, the following section: —

Section 162. There shall be an advisory board on legislative compensation, consisting of seven members each of whom shall be appointed by the governor for a term coterminous with that of the governor. Said board shall study the adequacy of the salaries and expenses of members of the general court and shall, in each odd numbered year, report its recommendations to the general court on or before the first Wednesday in November by filing the same with the clerk of the house of representatives. The members of said board shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the performance of their duties. The board shall be provided with suitable quarters in the state house or elsewhere in the city of Boston.

SECTION 2. Notwithstanding the provisions of section one hundred and sixty-two of chapter six of the General Laws, added by section one of this act, said board shall, in addition to the report required to be filed on or before the first Wednesday of November in the year nineteen hundred and seventy-one, make a report together with its recommendations on or before the third Wednesday of February in said year.

Approved January 26, 1971.

Chap. 2. AN ACT INCREASING THE AMOUNT OF MONEY WHICH MAY BE EXPENDED BY THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY FOR LAND USE PLANNING AND THE ECONOMIC DEVELOPMENT OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 1 of chapter 425 of the acts of 1963 is hereby amended by striking out, in line 4, the word "twenty" and inserting in place thereof the word: — thirty.

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

Approved February 4, 1971.

Chap. 3. AN ACT AUTHORIZING CITIES, TOWNS AND DISTRICTS TO LEASE CERTAIN HOSPITAL AND LABORATORY EQUIPMENT FOR PERIODS NOT EXCEEDING FIVE YEARS.

Be it enacted, etc., as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by inserting after the paragraph inserted by chapter 381 of the acts of 1966 the following paragraph: —

For leasing complex hospital and laboratory equipment having a value in excess of ten thousand dollars for periods not exceeding five years. *Approved February 4, 1971.*

Chap. 4. AN ACT RELATIVE TO THE RENOVATION OF THE PRESENT COURT HOUSE OF THE FIRST DISTRICT COURT OF BARNSTABLE.

Be it enacted, etc., as follows:

Section 1 of chapter 771 of the acts of 1967 is hereby amended by inserting after the word "alter", in line 6, the words: —, renovate, repair, furnish and equip. *Approved February 4, 1971.*

Chap. 5. AN ACT INCREASING THE SALARY OF THE CLERK OF THE THIRD DISTRICT COURT OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out *Class III*, as appearing in section 2 of chapter 815 of the acts of 1970, and inserting in place thereof the following class: —

Class III. The fourth district court of Plymouth, and third district court of southern Worcester.

SECTION 2. *Class IV* of said paragraph (1) of said section 79 of said chapter 218, as so appearing, is hereby amended by inserting after the word "Plymouth,", in line 12, the following line: — third district court of Plymouth,. *Approved February 4, 1971.*

Chap. 6. AN ACT PROVIDING THAT THE QUESTION OF TRANSFERRING CERTAIN FUNDS OF THE TOWN OF DRACUT TO THE SECONDARY LEVEL SCHOOL BUILDING COMMITTEE SHALL BE PLACED ON THE OFFICIAL BALLOT OF SAID TOWN IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

SECTION 1. The following question shall be placed upon the official ballot to be used for the election of town officers at the annual town meeting to be held in the town of Dracut in the current year: — "Shall the sum of twenty-five thousand dollars, which sum was appropriated for plans for an addition to the senior high school under the provisions of Article 46 at the annual town meeting held in the year nineteen

hundred and seventy, be transferred to the secondary level school building committee, to be expended by said committee for engineering, architectural, administrative and legal services for the planning and construction of a new senior high school for the town of Dracut?" If a majority of the votes in answer to said question is in the affirmative, said sum shall be so transferred, but not otherwise.

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

Approved February 8, 1971.

Chap. 7. AN ACT AUTHORIZING THE CITY OF MELROSE TO GRANT RETROACTIVE PAY RAISES TO CERTAIN MEMBERS OF ITS POLICE FORCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the city of Melrose may grant a pay raise to members of its police force, excluding the chief of police, which raise may be retroactive to the first of July, nineteen hundred and seventy and may appropriate money for the payment thereof.

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

Approved February 8, 1971.

Chap. 8. AN ACT RELATIVE TO THE COMPENSATION OF ASSISTANT TOWN CLERKS IN CERTAIN TOWNS.

Be it enacted, etc., as follows:

Section 19 of chapter 41 of the General Laws is hereby amended by striking out the last two sentences and inserting in place thereof the following two sentences: — In towns of under five thousand inhabitants no person appointed as assistant clerk shall receive any salary for services as such from the town, but his compensation, if any, for such services shall be paid by the clerk, to whom all fees received by the assistant shall be paid. In towns having five thousand or more inhabitants an assistant clerk appointed under authority of this section shall not be subject to chapter thirty-one.

Approved February 8, 1971.

Chap. 9. AN ACT DESIGNATING THE SKATING RINK ON GORE STREET IN THE CITY OF CAMBRIDGE AS THE REVEREND ROMANO SIMONI SKATING RINK.

Be it enacted, etc., as follows:

The skating rink on Gore street in the city of Cambridge shall be designated as the Reverend Romano Simoni skating rink in memory of Reverend Romano Simoni, O.F.M., former pastor of St. Francis of Assisi church in said city. A suitable marker bearing said designation shall be attached thereto by the metropolitan district commission.

Approved February 8, 1971.

Chap. 10. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE FIRST DISTRICT COURT OF BARNSTABLE.

Be it enacted, etc., as follows:

The first sentence of section 62 of chapter 218 of the General Laws, as appearing in chapter 841 of the acts of 1969, is hereby amended by inserting after the word "Norfolk", in line 28, the words: —, the first district court of Barnstable,. *Approved February 8, 1971.*

Chap. 11. AN ACT DESIGNATING STATE HIGHWAY ROUTE 53 IN THE TOWN OF HANOVER AS THE RICHARD CARDINAL CUSHING HIGHWAY.

Be it enacted, etc., as follows:

The state highway route 53 in the town of Hanover shall be known and designated as the Richard Cardinal Cushing highway, in memory of Richard Cardinal Cushing. Suitable markers bearing said designation shall be erected thereon by the department of public works in compliance with the standards of said department.

Approved February 10, 1971.

Chap. 12. AN ACT AUTHORIZING THE TOWN OF BEDFORD TO APPROPRIATE MONEY ANNUALLY IN ANTICIPATION OF THE CELEBRATION OF THE TWO HUNDRED AND FIFTIETH ANNIVERSARY OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The town of Bedford may appropriate money annually, from and including the year nineteen hundred and seventy to and including the year nineteen hundred and seventy-nine, for the celebration of the two hundred and fiftieth anniversary of the town of Bedford.

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 the town for said celebration. Any and all such sums received by the town treasurer shall be kept separate and apart from all other funds of the town and the principal and interest thereof may, from time to time, be expended for the purposes of said celebration by or upon the authorization of the board of selectmen. Any surplus remaining in said special fund after said celebration is concluded shall be transferred by said treasurer into the treasury of the town.

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

Approved February 11, 1971.

Chap. 13. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS IN THE TOWN OF READING.

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 Reading shall cause to be placed on the official ballot used in the town of Reading by the registered voters of the town of Reading at the annual town meeting to be held in the year nineteen hundred and seventy-one the following question, to wit:

"Shall the town of Reading grant licenses for the sale of alcoholic beverages to be consumed on the premises to legally chartered clubs within the boundaries of said town?"

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-two, the sale in said town of all alcoholic beverages to be drunk on the premises of clubs as defined in section one of said chapter one hundred and thirty-eight. 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 Reading 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:

"Shall the town of Reading grant licenses for the sale of alcoholic beverages to be consumed on the premises to legally chartered clubs within the boundaries of said town?"

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 as defined in section one of said chapter one hundred and thirty-eight. 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 11, 1971.

Chap. 14. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS AND VETERANS' ORGANIZATIONS IN THE TOWN OF STONEHAM.

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 Stoneham shall cause to be placed on the official ballot used in the town of Stoneham by

the registered voters of the town of Stoneham at the annual town meeting, or at any special town meeting, to be held in the year nineteen hundred and seventy-one the following question, to wit:

Shall licenses be granted in the town of Stoneham 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-two, 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 Stoneham 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 Stoneham 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 11, 1971.

Chap. 15. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS AND VETERANS' ORGANIZATIONS IN THE TOWN OF WINCHESTER.

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 Winchester shall cause to be placed on the official ballot used in the town of Winchester by the

registered voters of said town at the annual town meeting, or at any special town meeting, to be held in the year nineteen hundred and seventy-one the following question, to wit:

Shall licenses be granted in the town of Winchester 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-two, the sale in said town of all alcoholic beverages to be drunk on the premises of clubs and war 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 Winchester 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 Winchester 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 subdivision 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 11, 1971.

Chap. 16. AN ACT REMOVING THE TOWN OF GEORGETOWN FROM THE IPSWICH RIVER WATERSHED DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 682 of the acts of 1966 is hereby amended by striking out, in line 4, the word ", Georgetown".

SECTION 2. The town of Georgetown is hereby removed from the Ipswich River Watershed District, established by section one of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-six, and its membership in the district advisory board is terminated.

SECTION 3. No assessment shall be levied upon said town of Georgetown on account of membership in the Ipswich River Watershed District after June the thirtieth, nineteen hundred and seventy-one.

Approved February 11, 1971.

Chap. 17. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF NORTHERN NORFOLK.

Be it enacted, etc., as follows:

Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out in *Class IV*, as appearing in section 2 of chapter 815 of the acts of 1970, the line reading "district court of northern Norfolk," and by inserting in *Class V*, as so appearing, after the line reading "district court of East Norfolk,", the following line: — district court of northern Norfolk,. *Approved February 11, 1971.*

Chap. 18. AN ACT PROVIDING FOR AN ASSISTANT CLERK IN THE FOURTH DISTRICT COURT OF PLYMOUTH.

Be it enacted, etc., as follows:

The first paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 585 of the acts of 1970, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Assistant clerks with salaries payable by the county may be appointed in the central district court of northern Essex, the municipal court of the Charlestown district, the municipal court of the Brighton district, the district court of western Hampden, the district court of Newton, the district court of northern Norfolk, the district court of Chicopee, the municipal court of Brookline, the district court of Fitchburg, the first district court of southern Middlesex, the first district court of Barnstable, the second district court of Barnstable, the district court of western Norfolk, the fourth district court of Bristol, the third district court of Plymouth, the fourth district court of Plymouth, the district court of Peabody, the first district court of northern Worcester, the first district court of northern Middlesex and in courts the judicial districts of which have, according to national or state census last preceding, a population of sixty thousand or more. *Approved February 11, 1971.*

Chap. 19. AN ACT INCREASING THE FEES FOR DOG LICENSES.

Be it enacted, etc., as follows:

Section 139 of chapter 140 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 35 of the acts of 1962, and inserting in place thereof the following sentence: — The fee for every license shall, except as otherwise provided, be three dollars for a male dog and six dollars for a female dog, unless a certificate of a registered veterinarian who performed the operation that said female dog has been spayed and has thereby been deprived of the power of propagation has been shown to the town clerk, in which case the fee shall be three dollars. *Approved February 11, 1971.*

EMERGENCY LETTER — March 11, 1971 at 2:10 P.M.

Chap. 20. AN ACT AUTHORIZING MEMBERS OF LINCOLN SUDBURY REGIONAL SCHOOL DISTRICT SCHOOL COMMITTEE TO BE ELECTED AT LARGE AND VALIDATING CERTAIN PROCEEDINGS TAKEN IN SAID DISTRICT AND IN THE TOWNS OF LINCOLN AND SUDBURY.

Be it enacted, etc., as follows:

SECTION 1. Lincoln Sudbury Regional School District may by amendment to its regional school district agreement approved by a majority vote at town meetings in the member towns of Lincoln and Sudbury provide that members of the regional district school committee may be elected at large from the district at elections called and held generally as provided in clause (*n*) of section sixteen of chapter seventy-one of the General Laws, so far as applicable, and may also provide for such elections to be combined with and held at the same time and place as the annual town elections in said member towns, provided that such town elections are held on the same date.

SECTION 2. The amendment to the Lincoln Sudbury Regional District School Agreement providing for the election of members of the regional district school committee at large from the district and the proceedings taken at town meetings held in the town of Lincoln on June 16, 1970 and in the town of Sudbury on October 26, 1970 in approving said amendment are hereby ratified, validated and confirmed to the same extent as though this act had been in full force and effect at the time of said proceedings.

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

Approved February 16, 1971.

Chap. 21. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO USE CERTAIN PARK LAND FOR STREET PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of New Bedford is hereby authorized to use for street purposes certain land situated at the intersection of Ashley boulevard and Brooklawn street in said city, being a portion of Brooklawn Park, and held by said city for park purposes, said land being bounded and described as follows:

Beginning at the intersection of the easterly line of Ashley Boulevard and the southerly line of Brooklawn Street;

Thence easterly in said southerly line of Brooklawn Street a distance of forty and 99/100 (40.99) feet to a point;

Thence southwesterly in a curved line having a radius of fifty (50) feet a distance of forty-three and 17/100 (43.17) feet to a point in the easterly line of Ashley Boulevard;

Thence northerly in said easterly line of Ashley Boulevard a distance of seventeen and 76/100 (17.76) feet to the point of beginning, containing 229.36 square feet.

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

Approved February 17, 1971.

Chap. 22. AN ACT AUTHORIZING THE CITY OF EVERETT TO GRANT RETROACTIVE PAY RAISES TO CERTAIN MEMBERS OF THE PUBLIC WORKS, CEMETERY, PLAYGROUND AND PARK DEPARTMENTS.

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 the following departments: Public works, cemetery, playground and parks and excluding all administrative, clerical, executive, professional and casual employees and excluding certain other employees as set forth in case No. MCR–605 of the labor relations commission of the commonwealth, which raise may be retroactive to October the first, nineteen hundred and sixty-nine.

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

Approved February 17, 1971.

Chap. 23. AN ACT AUTHORIZING THE TOWN OF ROCHESTER TO ACQUIRE, ADMINISTER AND MAINTAIN THE PROPERTY OF A CERTAIN CEMETERY LOCATED THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Rochester 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 a private cemetery and known as Woodside Cemetery, bounded and described as follows:

Beginning in the Westerly line of County Street, sometimes known as "Briggs' Lane" and in the boundary line between the towns of Wareham and Rochester, at a point 203.28 feet Southerly from town bound No. 40, and in the boundary line of land now or formerly of Herbert E. Dustin, said point being at or near the old cemetery fence; thence North 72° 55′ 10″ West 280.94 feet to a stake at the northwest corner of the cemetery; thence, in line of other land of Herbert E. Dustin, South 25° West, 7 rods and 8½ feet, (124 feet) to a point near an angle in said fence; thence South 33° 52′ East 39.35 feet, in the line of land now or formerly of Hiram and Hannah Gould, to a stone post near another angle in said fence; thence South 73° East 178.5 feet to a point near a corner in the said fence, and in the line of land formerly of Edmund F. Peck, this point being a corner of premises of The East Rochester Congregational Church; thence North 13° East 99 feet to a point near another corner in said fence, this is also another corner of said church premises; thence South 72° 55′ 10″ East 100 feet in the line of the said church premises to the westerly line of County Street and the aforesaid town boundary line; thence Northeast in the said town and highway boundary line 49.5 feet to the point of beginning.

and thereafter to hold, administer and maintain said land and cemetery for cemetery purposes, subject to all rights, heretofore existing in any burial lots located within said cemetery. Upon the acquisition of said land by said town, said cemetery shall be and become a public burial ground, place or cemetery.

SECTION 2. Insofar as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive all funds or other property held in trust for the perpetual care of the lots in said cemetery and for other purposes, and also any property devised and bequeathed to said cemetery under the will of any person living at the time of said acquisition or under the will of any deceased person not then probated. Interest and dividends accruing on funds deposited in trust with any savings bank as authorized by law, or with any other banking institution, for the benefit of said cemetery, or any burial lot therein, may, after the acquisition by the town, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purposes of said trusts.

SECTION 3. All property and property rights acquired by said town, under authority of this act, shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided that all rights which any persons have acquired in said cemetery or any lots therein shall remain in force to the same extent as if this act had not been passed and such acquisition had not occurred. Any records of said cemetery received by the town shall be delivered to the clerk of said town and he may certify copies thereof.

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

Approved February 17, 1971.

Chap. 24. AN ACT EXTENDING THE TIME FOR THE MAKING OF THE ANNUAL LISTS BY REGISTRARS OF VOTERS AND PROVIDING THAT THE PERSONS MAKING SAID LISTS SHALL AT THE SAME TIME TAKE THE CENSUS REQUIRED IN NINETEEN HUNDRED AND SEVENTY-ONE AS THE BASIS FOR DETERMINATION OF SINGLE REPRESENTATIVE DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith that the time during which the registrars of voters shall make the annual lists be extended, and that the making of said lists and the taking of the state census required in the current year may be done at the same time, 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 mayor of each city and board of selectmen of each town shall cause to be taken therein the census of inhabitants required by Article XCII of the Amendments of the Constitution of the Commonwealth. For such purpose mayors and boards of selectmen may make use of the facilities and services of boards of registrars, police or such other persons as they may appoint.

Notwithstanding the provisions of section four of chapter fifty-one of the General Laws, the street listing, so-called, required by said section may be taken in January, February, March or April of the current year, and, where possible, boards of registrars of voters may as-

certain at the same time the name, age or date of birth, occupation, nationality if not a citizen of the United States, and place of residence of every inhabitant of the commonwealth.

In taking said census the secretary of the commonwealth shall have the same powers, duties and assistance as are granted him under the General Laws for the taking of the decennial census.

Approved February 17, 1971.

Chap. 25. AN ACT PROVIDING FOR THE EXTENSION OF THE BOUNDARIES OF THE OXFORD-ROCHDALE SEWER DISTRICT TO INCLUDE CERTAIN LAND IN THE TOWN OF OXFORD.

Be it enacted, etc., as follows:

Section 1 of chapter 250 of the acts of 1957 is hereby amended by striking out, in lines 6 to 9, inclusive, the words "the intersection of said town line with the north right-of-way of the new Massachusetts Turnpike; thence westerly along said north right-of-way line to its intersection with" and inserting in place thereof the words: — interstate route 20; thence westerly along said interstate route 20 to.

Approved February 17, 1971.

Chap. 26. AN ACT REMOVING THE LIMITATION OF THE COMPENSATION OF WORK RELEASE SUPERVISORS IN HOUSES OF CORRECTION.

Be it enacted, etc., as follows:

Section 86F of chapter 127 of the General Laws, inserted by section 1 of chapter 821 of the acts of 1967, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph: —

The sheriff shall appoint a work release supervisor, whose duties shall consist of participant screening, employer interviewing, collection of monies, keeping of records, procurement of positions and similar duties assigned by the sheriff. *Approved February 17, 1971.*

Chap. 27. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF ARMISTICE DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15Q the following section: —

Section 15R. The governor shall annually issue a proclamation calling for a proper observance of November the eleventh as Armistice Day, in lasting recognition of the service and sacrifice of those sons and daughters of Massachusetts who served in the armed forces of the United States during World War I and in thanksgiving for the termination of hostilities on Armistice Day, November the eleventh, nineteen hundred and eighteen. *Approved February 17, 1971.*

Chap. 28. AN ACT ABOLISHING THE BOARD OF FIRE ENGINEERS OF THE TOWN OF SAUGUS AND PROVIDING FOR THE APPOINTMENT OF A CHIEF OF THE FIRE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 17 of the acts of 1947 is hereby amended by striking out section 20 and inserting in place thereof the following section: —

Section 20. Appointment of Chief of the Fire Department. — The town manager shall appoint a qualified person to be known as the chief of the fire department. The person so appointed shall possess all the powers and rights and be subject to all the duties and liabilities conferred or imposed by sections forty-two, forty-three and forty-four of chapter forty-eight of the General Laws or by any other applicable provision of law; provided, that in the performance of his duties, he shall be subject to the general supervision and direction of the town manager.

SECTION 2. Nothing in this act shall affect the tenure of the incumbent of the office of chief of the Saugus fire department on the effective date of this act, who shall continue to serve in such office without interruption of civil service or other rights. Said incumbent shall be subject to the general supervision and direction of the town manager to the same extent, and shall have the same powers and duties, as though he had been appointed by him.

SECTION 3. Upon the effective date of this act the board of fire engineers of the town of Saugus shall be abolished and the terms of office of the members thereof shall be terminated.

Approved February 17, 1971.

Chap. 29. AN ACT MAKING CERTAIN CORRECTIVE CHANGES RELATIVE TO THE ENFORCEMENT OF THE LAW RELATING TO THE MARKING, ADVERTISING AND STORING OF APPLES.

Be it enacted, etc., as follows:

Section eight of chapter one hundred and twenty-eight of the General Laws is hereby repealed. *Approved February 17, 1971.*

Chap. 30. AN ACT RELATIVE TO THE DAMAGING OF MACHINERY OR EQUIPMENT USED IN THE TRANSMISSION OF WATER FOR AGRICULTURAL PURPOSES.

Be it enacted, etc., as follows:

Section 138A of chapter 266 of the General Laws, inserted by chapter 56 of the acts of 1969, is hereby amended by striking out, in line 2, the word "and" and inserting in place thereof the word: — or, — so as to read as follows: —

Section 138A. Whoever wilfully, intentionally and without right damages or renders unusable machinery or 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 February 17, 1971.*

Chap. 31. AN ACT PROVIDING FOR THE DESIGNATION OF AN ASSISTANT CLERK OF THE COURTS FOR THE COUNTY OF NORFOLK TO PERFORM THE DUTIES OF CLERK PERTAINING TO THE CRIMINAL PROCEEDINGS IN THE SUPERIOR COURT FOR SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 221 of the General Laws is hereby amended by inserting after section 6C, inserted by chapter 593 of the acts of 1970, the following section: —

Section 6D. The clerk of the courts for the county of Norfolk may designate, subject to removal by the court or by the clerk, one of the assistant clerks for said county, appointed under section five, to perform, under the direction of said clerk, the duties of clerk pertaining to the criminal proceedings in said court, who shall receive from said county, in addition to the salary paid to him as an assistant clerk under section five, a sum equivalent to ten per cent of the salary of the clerk.

SECTION 2. This act shall take effect as of January the first, nineteen hundred and seventy-one. *Approved February 17, 1971.*

Chap. 32. AN ACT FURTHER REGULATING THE POWERS AND DUTIES OF THE AGENTS OF THE MASSACHUSETTS SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS.

Be it enacted, etc., as follows:

Section 9 of chapter 129 of the General Laws, as amended by section 10 of chapter 332 of the acts of 1943, is hereby further amended by inserting after the word "slaughtered", in line 4, the words: — , any pet shop where animals, birds, fish or reptiles are sold, or exhibited, or for sale, and any stable where horses are kept for hire.

Approved February 17, 1971.

Chap. 33. AN ACT AUTHORIZING THE TOWN OF ROCKLAND TO APPOINT A CERTAIN PERSON AS A PERMANENT INTERMITTENT MEMBER OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any law or rule to the contrary regulating the maximum age of police officers, Daniel Jackson may be appointed as a permanent intermittent police officer in the town of Rockland provided he meets all other requirements for certification and appointment to such position, and provided further that there is no person on the eligible list willing to accept appointment as a permanent intermittent police officer in the police department of said town on the effective date of this act. *Approved February 17, 1971.*

Chap. 34. AN ACT PROVIDING FOR THE ENGROSSMENT OF ACTS AND RESOLVES UNDER THE DIRECTION OF THE COMMITTEES ON RULES OF THE TWO BRANCHES, ACTING CONCURRENTLY.

Be it enacted, etc., as follows:

Chapter 3 of the General Laws is hereby amended by striking out section 23, as amended by chapter 347 of the acts of 1941, and inserting in place thereof the following section: —

Section 23. Bills and resolves passed to be engrossed by the general court, and bills for which initiative petitions are completed under the constitution of the commonwealth, shall, under the direction of the committees on rules of the two branches, acting concurrently, be fairly engrossed in such manner and by utilizing such equipment as said committees shall determine. The enacting clause of bills for which initiative petitions are completed shall be in the form prescribed by section three of chapter four. The state secretary shall cause the acts and resolves of each session to be neatly and strongly bound in separate volumes of convenient size and lettered on the back with a designation of the contents and the legislative year. If acts or resolves are becoming illegible, he shall cause copies thereof, similar to the originals, to be prepared and shall attest them. Such attested copies shall have the same force and effect as the originals. *Approved February 17, 1971.*

Chap. 35. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO ESTABLISH THE JOHN F. KENNEDY MEMORIAL TRUST FUND.

Be it enacted, etc., as follows:

The town of Barnstable is hereby authorized to establish the John F. Kennedy Memorial Trust Fund from coins collected from the fountain at the Kennedy Memorial in said town. Said trust fund shall be administered by seven trustees, three of whom shall be the selectmen of said town, one of whom shall be the chairman of the park and recreation commission and three of whom shall be appointed by the within named four other trustees. Said trustees shall have broad general powers to use the income and principal at their discretion in the field of youth activities within said town. Said funds shall be invested in the manner provided by section fifty-four of chapter forty-four of the General Laws.

Approved February 17, 1971.

Chap. 36. AN ACT REQUIRING CERTAIN DEALERS IN SCRAP COPPER WIRE TO KEEP RECORDS OF EACH PURCHASE OF COPPER WIRE.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by adding the following section: —

Section 142. Whoever is in the business of purchasing copper line wire or scrap copper wire shall enter in a book kept for that purpose a description of the same, the quantity purchased, the purchase price and a name and address of the seller. Said book shall at all times be open to the inspection of the chief of police of a city or town or any other

officer having similar duties or any officer authorized by either of them, or a state police officer. Whoever violates any provision of this section shall be punished by a fine of not more than fifty dollars.

Approved February 17, 1971.

Chap. 37. AN ACT REQUIRING THE SUBMISSION OF CERTAIN INFORMATION RELATING TO HOME RULE CHARTERS WITH THE ATTORNEY GENERAL.

Be it enacted, etc., as follows:

SECTION 1. The last sentence of subsection (*c*) of section 9 of chapter 43B of the General Laws, added by section 3 of chapter 786 of the acts of 1970, is hereby amended by adding after the word "affairs", in line 2, the words: — and to the attorney general.

SECTION 2. Section 12 of said chapter 43B is hereby amended by striking out the first paragraph, as amended by section 6 of said chapter 786, and inserting in place thereof the following paragraph: —

Certificates in quadruplicate shall be prepared setting forth any charter that has been adopted or revised and any charter amendments approved and shall be signed by the city or town clerk. One such certificate shall be deposited in the office of the secretary of the commonwealth, one shall be deposited in the office of community affairs, one shall be deposited in the office of the attorney general and the other shall be recorded in the records of the city or town and deposited in its archives. All courts may take judicial notice of charters and charter amendments of cities and towns. *Approved February 17, 1971.*

Chap. 38. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-ONE 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 four hundred and eighty of the acts of nineteen hundred and seventy for the fiscal year ending June the thirtieth, nineteen hundred and seventy-one, 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

0115-0010 } The unexpended balance remaining in item 0115-0010 of section two
0115-0000 } of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby transferred and made available for the purposes of the following item: —

0115-0000 For the office of the senate committee on rules, prior appropriation continued, including not more than eight permanent positions.

House of Representatives.

Item

0127–0000 For clerical and other expenses of the members of the house of representatives, including not more than one permanent position **$65,000**

Sergeant-at-Arms.

0136–0000 Item 0136–0000 of section two of chapter four hundred and fifty-two of the acts of nineteen hundred and sixty-nine is hereby amended by adding the following: — ; provided, that the accounts payable funds reserved for the payment of encumbrances in this item are hereby extended until June the thirtieth, nineteen hundred and seventy-two.

Executive.

Governor.

0411–9004 Item 0411–9004 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 the accounts payable funds reserved for the payment of encumbrances in this item are hereby extended to June the thirtieth, nineteen hundred and seventy-one.

Executive Office for Administration and Finance.

Central Services Division.

8071–77 Item 8071–77 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by inserting after the word "system", the second time it appears in line two, the words: — and the demolition and removal of obsolete boilers and certain associated equipment.

Group Insurance Commission.

0454–1000 For administration of the group insurance program, including not more than forty permanent positions . . . **$52,998**

Other Boards and Commissions serving under the Governor and Council.

Soldiers' Home in Massachusetts.

0471–9032 Item 0471–9032 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by inserting after the word "building", in line two, the words: — and the headquarters building.

Department of Natural Resources.

Division of Fisheries and Game.

It is hereby provided that federal funds received as reimbursements under the following item is to be credited as income to the Inland Fisheries and Game Fund.

1070–0093 Item 1070–0093 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out, in lines one and two, the words "four hundred and fifty-two of the acts of nineteen hundred and sixty-nine" and inserting in place thereof the words: — four hundred and eighty of the acts of nineteen hundred and seventy.

Inland Fisheries and Game Fund 100.0%

Department of Labor and Industries.

Division of Industrial Accidents.

Item

1650–1901 For expenses of impartial examinations, including previous fiscal years **$22,907**

Department of Public Welfare.

1901–1000 For care and maintenance of children under the jurisdiction of the division of child guardianship; provided, that notwithstanding the provisions of any law to the contrary, no increase in the rate paid to any institution or school shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for said increase; and, provided further, that said commissioner shall notify in writing the house and senate committees on ways and means thirty days prior to the effective date of said increase, including prior year expenses **$3,349,582**

1901–1120 For a special study to determine the status and effect of foster care programs in the commonwealth and the purposes and operation of the legal processes of adoption and termination of parental rights; provided, that the governor shall appoint an advisory commission to assist the department in the study, appropriation expires June the thirtieth, nineteen hundred and seventy-two . . . **70,000**

1903–2000 For a program of aid to families with dependent children; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenses **36,000,000**

1905–2000 For an old age assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenditures **13,750,000**

1906–2000 For a program of general relief, including prior year charges; provided, that notwithstanding the provisions of any law to the contrary, no increase in the budgetary standard allowance, so-called, shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for said increase; and, provided further, that said commissioner shall notify in writing the house and senate committees on ways and means thirty days prior to the effective date of said increase **8,652,078**

1907–2000 For a totally and permanently disabled persons program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenditures **7,087,500**

Department of Community Affairs.

Division of Community Services.

532–1011 Item 2532–1011 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: — For expenses of a community development training program; provided, that federal funds not exceeding eighty-five thousand dollars may be expended for the purposes of this item, to be in addition to the amount appropriated; and, provided further, that expenditures from this item shall be contingent upon prior approval of the proper federal authorities and assurance by such authorities that the federal allocation for this purpose will be not less than eighty-five thousand dollars and that expenditures from state funds available for this purpose shall not exceed eighty-five thousand dollars.

Department of Public Works.

Highway Activities.

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:

Item		
6030-7201	For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals	**$4,000,000**
	Highway Fund	100.0%

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

Approved February 24, 1971.

Chap. 39. AN ACT AUTHORIZING THE CITY OF WORCESTER TO BORROW MONEY FOR THE PURCHASE OF BUSES FOR USE IN PUBLIC TRANSPORTATION IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 573 of the acts of 1970 is hereby amended by adding the following section: —

Section 2. To implement section one of this act the city of Worcester may from time to time incur indebtedness to an amount not exceeding six hundred fifty thousand dollars for the purchase, sale or leasing of buses, and may issue bonds or notes therefor. Each authorized issue shall constitute a separate loan and each such loan shall be payable in not more than ten years from its date. The provisions of chapter forty-four of the General Laws shall not apply to any indebtedness incurred under this section.

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

Approved February 26, 1971.

Chap. 40. AN ACT AUTHORIZING THE CITY OF PEABODY TO ACQUIRE A CERTAIN PARCEL OF LAND WITH THE BUILDINGS THEREON FOR ITS DEPARTMENT OF PUBLIC WORKS AND PROVIDING FOR THE BORROWING OF MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The city of Peabody is hereby authorized to acquire by eminent domain or by gift, purchase or otherwise a certain parcel of land with the buildings thereon and may remodel, renovate, equip and furnish said buildings and may maintain the same as a garage and repair shop for its department of public works. Said parcel of land is located on Berry street in said city and is shown as Lot #6 on Map #75 of the board of assessors.

SECTION 2. For the purposes set forth in section one, the city of Peabody may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, five hundred thousand dollars and may issue bonds or notes of the city therefor which shall bear on their face the words Peabody Public Works Department Garage Loan, Act of 1971. Each authorized issue shall constitute a separate loan, and such

loans shall be payable 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 or requirement contained in section seven thereof.

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

Approved February 26, 1971.

Chap. 41. 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 the first, nineteen hundred and seventy-three the application or operation of any provision of chapter one hundred and forty-nine of the General Laws or of any rule or regulation made thereunder, regulating, limiting or prohibiting the employment of women, or of minors over the age of sixteen, or both. The commissioner shall exercise this authority when he finds, after opportunity has been given to interested parties to be heard, that an emergency exists or that conditions of hardship in an industry, branch of an industry or individual establishment require or justify the suspension of any provision of such laws, rules or regulations. Suspensions issued by the commissioner shall prescribe, and may be either granted or limited to, one or more particular departments, operations or occupations within an establishment, or a particular industry or branch of an industry. The 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 February 26, 1971.

Chap. 42. AN ACT TO CHANGE THE NAME OF THE NORFOLK AND BRISTOL SENATORIAL DISTRICT TO THE NORFOLK, BRISTOL AND PLYMOUTH SENATORIAL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 57 of the General Laws, as most recently amended by section 1 of chapter 498 of the acts of 1970, is hereby further amended by striking out, in line 2, under the heading *Second* the words "Norfolk and Bristol" and inserting in place thereof the words: — Norfolk, Bristol and Plymouth.

SECTION 2. Section 3 of said chapter 57, as most recently amended by section 2 of said chapter 498, is hereby further amended by striking out the heading *Norfolk and Bristol* and inserting in place thereof the words: — *Norfolk, Bristol and Plymouth.*

Approved February 26, 1971.

Chap. 43. AN ACT FURTHER REGULATING THE DATES FOR FILING APPLICATIONS FOR PARI-MUTUEL RACING.

Be it enacted, etc., as follows:

Section 2 of chapter 128A of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 1 of chapter 295 of the acts of 1959, and inserting in place thereof the following paragraph: —

Such application, except an application for a license to conduct a horse or a dog racing meeting in connection with a state or county fair, shall be filed with the commission on or before the first day of October of the calendar year preceding the calendar year for which application requests a license to be issued under this chapter; and the commission shall grant or dismiss such application not later than the fifteenth day of November next following; provided, however, that an application for a license to conduct a horse or dog racing meeting in connection with a state or county fair shall be filed with the commission on or before the first day of April of the calendar year for which such application requests a license to be issued under this chapter; and the commission shall grant or dismiss such application not later than the thirtieth day of April thereafter; and provided, further, that a supplementary application by a licensee for a subsequent license in the calendar year for which a license had theretofore been issued to such licensee and relating to the same premises as were specified in the previously issued license, and supplementary applications by a licensee for additional licenses under section four, may be filed with the commission at any time prior to the expiration of said calendar year for which a license had theretofore been issued to said licensee; and the commission shall grant or dismiss such applications within thirty days of the date of filing. Such applications shall be signed and sworn to, if made by an individual, by such individual, if made by two or more individuals or a partnership, by one of such individuals or by a member of such partnership, as the case may be, if made by a trust, by a trustee of such trust, and, if made by an association or corporation, by the president or vice president thereof. The commission may prescribe forms to be used in making such applications. *Approved February 26, 1971.*

Chap. 44. AN ACT PROVIDING FOR THE APPOINTMENT OF TWO COURT OFFICERS IN THE WORCESTER JUVENILE COURT.

Be it enacted, etc., as follows:

Section 62 of chapter 218 of the General Laws is hereby amended by striking out the second sentence, added by section 1 of chapter 93 of the acts of 1970, and inserting in place thereof the following sentence: — In the Boston juvenile court six court officers may be appointed; in the Worcester juvenile court two court officers may be appointed.

Approved February 26, 1971.

Chap. 45. AN ACT DESIGNATING THE OVERPASS ON STATE HIGHWAY ROUTE 28 AND OVER STATE HIGHWAY ROUTE 213 IN THE TOWN OF METHUEN AS THE JAMES STANLEY OVERPASS.

Be it enacted, etc., as follows:

The overpass on state highway route 28 and over state highway route 213 in the town of Methuen shall be known and designated as the James Stanley overpass in memory of James Stanley, who served as president of the Methuen Board of Trade for ten years, working in the interest of the development of business and highways in the community. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved February 26, 1971.

Chap. 46. AN ACT DESIGNATING A CERTAIN BRIDGE TO BE CONSTRUCTED ON INTERSTATE HIGHWAY ROUTE 195 IN THE TOWN OF WAREHAM AS THE CHARLES W. PARKER, JR. BRIDGE.

Be it enacted, etc., as follows:

The bridge numbered W–6–51 to be constructed on interstate highway route 195 in the town of Wareham shall upon its completion be known and designated as the Charles W. Parker, Jr. bridge in memory of Charles W. Parker, Jr., who was killed in action while a member of the armed forces of the United States during World War II. A suitable marker bearing such 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 Highway Administration.

Approved February 26, 1971.

Chap. 47. AN ACT DESIGNATING A CERTAIN BRIDGE TO BE CONSTRUCTED ON INTERSTATE ROUTE 195 IN THE TOWN OF MARION AS THE FRANCIS T. TWOMEY BRIDGE.

Be it enacted, etc., as follows:

The bridge numbered M–5–6 to be constructed on interstate highway route 195 in the town of Marion shall upon its completion be known and designated as the Francis T. Twomey bridge in memory of Sergeant Francis T. Twomey, who was killed in action while a member of the armed forces of the United States during World War II. A suitable marker bearing such 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 Highway Administration.

Approved February 26, 1971.

Chap. 48. AN ACT DESIGNATING A CERTAIN BRIDGE TO BE CONSTRUCTED ON INTERSTATE HIGHWAY ROUTE 195 IN THE TOWN OF WAREHAM AS THE OTTO E. KUMPUNEN, JR. BRIDGE.

Be it enacted, etc., as follows:

The bridge numbered W–6–50 to be constructed on interstate highway route 195 in the town of Wareham shall upon its completion be known

and designated as the Otto E. Kumpunen, Jr. bridge in memory of Otto E. Kumpunen, Jr., who was killed in action while a member of the armed forces of the United States during World War II. A suitable marker bearing such 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 Highway Administration.

Approved February 26, 1971.

Chap. 49. AN ACT DESIGNATING A CERTAIN BRIDGE TO BE CONSTRUCTED ON INTERSTATE HIGHWAY ROUTE 195 IN THE TOWNS OF MARION AND WAREHAM AS THE VERNE W. ROBINSON BRIDGE.

Be it enacted, etc., as follows:

The bridge numbered W-6-47/M-5-8 to be constructed on interstate highway route 195 in the towns of Marion and Wareham shall upon its completion be known and designated as the Verne W. Robinson bridge in memory of First Lieutenant Verne W. Robinson, who was killed in action while a member of the armed forces of the United States during World War II. A suitable marker bearing such designation shall be attached thereto by the department of public works in compliance with standards of said department and as authorized by the Federal Highway Administration. *Approved February 26, 1971.*

Chap. 50. AN ACT DESIGNATING A CERTAIN BRIDGE TO BE CONSTRUCTED ON INTERSTATE HIGHWAY ROUTE 195 IN THE TOWN OF MARION AS THE CLIFTON D. GIBBS BRIDGE.

Be it enacted, etc., as follows:

The bridge numbered M-5-7 to be constructed on interstate highway route 195 in the town of Marion shall upon its completion be known and designated as the Clifton D. Gibbs bridge in memory of Private Clifton D. Gibbs, who was killed in action while a member of the armed forces of the United States during World War II. A suitable marker bearing such 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 Highway Administration.

Approved February 26, 1971.

Chap. 51. AN ACT DESIGNATING THE OVERPASS ON NEPONSET STREET OVER INTERSTATE HIGHWAY ROUTE 95 IN THE TOWN OF NORWOOD AS THE JOHN A. ABDALLAH OVERPASS.

Be it enacted, etc., as follows:

The overpass on Neponset street over interstate highway route 95 in the town of Norwood shall be known and designated as the John A. Abdallah overpass, in memory of John A. Abdallah, a former selectman of said town. A suitable marker bearing said designation shall be attached thereto by the department of public works in compliance with the standards of said department and as authorized by the Federal Highway Administration. *Approved February 26, 1971.*

Chap. 52. AN ACT INCREASING THE MAXIMUM AMOUNT OF NINETY PER CENT MORTGAGE LOANS BY SAVINGS BANKS AND CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 6A of section 35 of chapter 168 is hereby amended by striking out the fifth sentence, as amended by section 2 of chapter 278 of the acts of 1969, and inserting in place thereof the following sentence: — No loan of this class shall be made or acquired for a sum in excess of thirty-six thousand dollars.

SECTION 2. Subsection 3A of section 24 of chapter 170 of the General Laws is hereby amended by striking out clause (*a*), as amended by chapter 185 of the acts of 1968, and inserting in place thereof the following clause: —

(*a*) a loan made under this subsection shall not exceed thirty-six thousand dollars. *Approved February 26, 1971.*

Chap. 53. AN ACT PROVIDING FOR COLLECTIVE PURCHASES BY POLITICAL SUBDIVISIONS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 7 of the General Laws is hereby amended by striking out section 22A, added by chapter 269 of the acts of 1968, and inserting in place thereof the following section: —

Section 22A. Notwithstanding any contrary provision of law relative to collective purchasing, but subject, however, to all other laws regulating public purchases and competitive bidding, the commonwealth and one or more cities, towns, districts, counties or authorities, or two or more cities, towns, districts, counties or authorities, hereinafter called political subdivisions, subject to such procedural rules and regulations as may be prescribed by the state purchasing agent, may join together for the purpose of obtaining and accepting competitive bids on similar items of material, supplies or equipment, which they intend to buy, so as to enable them to procure a volume low price on such items. Each such political subdivision, on whose behalf a bid is obtained, shall accept sole responsibility for its share of such purchase. *Approved February 26, 1971.*

Chap. 54. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW MONEY FOR THE PURPOSE OF RECONSTRUCTING BRIDGES.

Be it enacted, etc., as follows:

Clause (4) of section 7 of chapter 44 of the General Laws, as appearing in section 1 of chapter 206 of the acts of 1965, is hereby amended by inserting after the word "construction", in line 1, the words: — or reconstruction. *Approved February 26, 1971.*

Chap. 55. AN ACT PROHIBITING THE EXHIBITION FOR HIRE OF AN ALBINO PERSON.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by striking out section 33, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 33. Whoever exhibits for hire an albino person, a minor or insane person who is deformed or a person who has an appearance of deformity produced by artificial means shall be punished by a fine of not more than five hundred dollars. *Approved February 26, 1971.*

Chap. 56. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ASSISTANT CLERK FOR THE FIRST DISTRICT COURT OF EASTERN WORCESTER.

Be it enacted, etc., as follows:

The second sentence of the first paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 585 of the acts of 1970, is hereby amended by inserting after the word "Worcester,", in line 11, the words: — the first district court of Eastern Worcester,. *Approved February 26, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 3, 1971.

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 56 of the Acts of 1971, entitled "AN ACT PROVIDING FOR THE APPOINTMENT OF AN ASSISTANT CLERK FOR THE FIRST DISTRICT COURT OF EASTERN WORCESTER." and the enactment of which received my approval on February 26, 1971, should take effect forthwith.

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

That this position may be filled immediately to assist in expediting the business of this court.

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

OFFICE OF THE SECRETARY, BOSTON, March 4, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at one o'clock and twenty 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 fifty-six of the acts of nineteen hundred and seventy-one.

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

Chap. 57. AN ACT PROVIDING FOR THE OFFER BY CITIES AND TOWNS OF A REWARD FOR INFORMATION LEADING TO THE ARREST AND CONVICTION OF A PERSON MAKING A FALSE ALARM OF FIRE.

Be it enacted, etc., as follows:

Section 10 of chapter 276 of the General Laws is hereby amended by adding the following paragraph: —

The aldermen or the selectmen may offer a reward of fifty dollars for information leading to the arrest and conviction of a person making or circulating or causing to be made or circulated a false alarm of fire.

Approved February 26, 1971.

Chap. 58. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE SECOND DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

The first sentence of section 62 of chapter 218 of the General Laws, as appearing in chapter 841 of the acts of 1969, is hereby amended by inserting after the word "Middlesex", in line 21, the words: — , in the second district court of eastern Middlesex, — and by striking out, in line 27, the words "the second district court of eastern Middlesex,".

Approved February 26, 1971.

Chap. 59. AN ACT FURTHER REGULATING THE DISTRIBUTION OF VOTING LISTS IN CITIES AND TOWNS.

Be it enacted, etc., as follows:

Section 55 of chapter 51 of the General Laws is hereby amended by striking out the fifth sentence, as appearing in chapter 255 of the acts of 1950, and inserting in place thereof the following sentence: — All first voting lists shall be printed and available for public distribution not later than the first day of July in state election years.

Approved February 26, 1971.

Chap. 60. AN ACT AUTHORIZING TRAPPING BY CERTAIN MINORS WHEN ACCOMPANIED BY AN ADULT.

Be it enacted, etc., as follows:

Section 14 of chapter 131 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 802 of the acts of 1967, and inserting in place thereof the following paragraph: —

Nothing in this section or any other provision of law shall prohibit a minor twelve to fourteen years of age, inclusive, from participating in the hunting of birds and mammals or in trapping when accompanied by a duly licensed adult and, in the case of trapping, within sight of such adult; provided, that the bag limit established by law or regulation for one person shall not be exceeded; and provided, further, that only one firearm shall be used in such hunting. Not more than one such minor shall at any one time accompany one adult, and such minors shall not be required to be licensed.

Approved February 26, 1971.

Chap. 61. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO GRANT SALARY INCREASES TO THE MEMBERS OF THE FIRE DEPARTMENT OF SAID CITY RETROACTIVELY TO JUNE THE FIRST, NINETEEN HUNDRED AND SEVENTY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the city of Somerville is hereby authorized to appropriate and pay to the members of the fire department of said city, including the chief of said department, the pay raise contained in an ordinance enacted by said city in the year nineteen hundred and seventy, which pay raise shall be retroactive to June the first, nineteen hundred and seventy pursuant to a collective bargaining agreement entered into by said city with the duly recognized bargaining agency of said department. *Approved February 26, 1971.*

Chap. 62. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO GRANT SALARY INCREASES TO THE MEMBERS OF THE POLICE DEPARTMENT RETROACTIVELY TO JUNE THE FIRST, NINETEEN HUNDRED AND SEVENTY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the city of Somerville is hereby authorized to appropriate and pay to the members of the police department of said city, including the chief of police, the pay raise contained in an ordinance enacted by said city in the year nineteen hundred and seventy, which pay raise shall be retroactive to June the first, nineteen hundred and seventy pursuant to a collective bargaining agreement entered into by said city with the duly recognized bargaining agency of said department. *Approved February 26, 1971.*

Chap. 63. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR GLEN B. CLOUGH, INCUMBENT OF THE OFFICE OF CHIEF ENGINEER OF THE HYANNIS FIRE DISTRICT.

Be it enacted, etc., as follows:

Glen B. Clough, incumbent of the office of chief engineer of the Hyannis Fire District, shall hold said office during good behavior until he reaches age sixty-five, unless incapacitated by physical or mental disability from performing the duties thereof. Said incumbent shall not, prior to reaching said age, be lowered in compensation, suspended or removed, except for just cause after a hearing by the prudential committee and for reasons specifically given him in writing.

Approved February 26, 1971.

Chap. 64. AN ACT FURTHER REGULATING THE MAXIMUM REMUNERATION FOR CERTAIN CITY AND TOWN CLERKS WHO ARE ALSO MEMBERS OF BOARDS OF REGISTRARS OF VOTERS.

Be it enacted, etc., as follows:

SECTION 1. Section 19G of chapter 41 of the General Laws, as amended by chapter 5 of the acts of 1968, is hereby further amended by

adding after the word "year", in line 8, the words: — , except as provided in section nineteen H.

SECTION 2. Said chapter 41 is hereby further amended by inserting after section 19G the following section: —

Section 19H. Notwithstanding the limitation contained in section nineteen G, in a city or town which accepts this section the total amount of additional compensation payable to its clerk who also serves as a member of its board of registrars of voters shall not exceed two thousand dollars. *Approved February 26, 1971.*

Chap. 65. AN ACT AUTHORIZING A CANDIDATE FOR PUBLIC OFFICE TO EXAMINE VOTING MACHINES.

Be it enacted, etc., as follows:

Section 35 of chapter 54 of the General Laws, as amended by section 5 of chapter 310 of the acts of 1943, is hereby further amended by inserting after the eleventh sentence the following two sentences: — A candidate for public office whose name appears on said machine or his representative duly authorized in writing shall likewise be permitted to examine and check the figures on the back of a voting machine before the polls open to determine that its figures are properly registered. Polling places shall be open one half-hour before voting begins for the purpose of permitting such candidates to examine said machines.

Approved February 26, 1971.

Chap. 66. AN ACT TO BROADEN THE SCOPE OF THE LAW PROVIDING ANNUAL COST OF LIVING SALARY ADJUSTMENTS FOR CERTAIN EMPLOYEES OF THE COMMONWEALTH, AND TO REVISE THE PROCEDURE FOR MAKING SUCH ADJUSTMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a revision and broadening of the law establishing an annual cost of living salary adjustment 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 inserting after the salary schedule, as most recently amended by section 1 of chapter 547 of the acts of 1969, the following paragraph: —

The director of personnel and standardization shall annually determine the percentum difference between the average cost of living for the next preceding calendar year and the average cost of living for the calendar year next preceding the calendar year during which the weekly rates prescribed in the above salary schedule were last revised, both as shown by the United States Consumer Price Index for such years, and shall prepare and submit to the general court a report of such determination within a reasonable time after said Index for the next preceding calendar year has become available. Whenever such determination indicates a percentum increase or decrease of at least three percentum, such report shall be accompanied by a recommendation for legislation

to provide a corresponding percentum increase or decrease in the salaries of all employees in the service of the commonwealth and paid from the treasury thereof, including wages paid to blind workers by the Massachusetts commission for the blind, as provided in section one hundred and forty-three of chapter six of the General Laws, but excluding salaries fixed by statute, except those salaries fixed in accordance with the provisions of chapter seven hundred and sixty-six of the acts of nineteen hundred and sixty-nine, and compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services – Non-employees", such increase or decrease to take effect as of the beginning of the first payroll period of the calendar year in which said report is so submitted; provided, however, that no decrease shall be recommended which would reduce any salary in the general salary schedule or any other salary affected by the provisions of this paragraph below that in effect on December the thirty-first, nineteen hundred and sixty-nine; and provided, further, that all such weekly rates, as so increased or decreased, shall be rounded, as necessary, to produce weekly rates which are evenly divisible by the sum of five cents.

SECTION 2. Notwithstanding the provisions of paragraph (1) of section forty-six of chapter thirty of the General Laws, as amended by section one of this act, the report prepared and submitted to the general court by the director of personnel and standardization in the year nineteen hundred and seventy-one shall consist of his determination of the percentum difference between the average cost of living for the year nineteen hundred and seventy and the average cost of living for the year nineteen hundred and sixty-nine, and any recommended legislation accompanying said report shall provide for an adjustment in salaries based on said percentum difference.

SECTION 3. Section two A of chapter five hundred and forty-seven of the acts of nineteen hundred and sixty-nine is hereby repealed.

SECTION 4. This act shall take effect as of January the first, nineteen hundred and seventy-one. *Approved March 2, 1971.*

Chap. 67. AN ACT RELATIVE TO THE LIMITATION ON THE PERIOD FOR WHICH CERTAIN SKILLED PERSONS MAY BE COMPENSATED FOR EMERGENCY SERVICES PERFORMED BY THEM AT THE SOLDIERS' HOMES AFTER THEIR RETIREMENT.

Be it enacted, etc., as follows:

Section 91 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 747 of the acts of 1968, and inserting in place thereof the following sentence: — The limitation of one year for emergency service, as set forth in the preceding sentence, shall not apply to such emergency service by a physician or registered nurse in the departments of mental health or public health, or in any of the institutions of said departments, or at the Soldiers' Home in Massachusetts or the Soldiers' Home in Holyoke, and any such physician or nurse may at the end of each period of such service, upon like certification, be reappointed for another period not to exceed one year; provided, however, that such emergency service shall not exceed five years in the aggregate.

Approved March 2, 1971.

Chap. 68. AN ACT DESIGNATING THE INTERSECTION OF EAST OX BOW ROAD AND STATE HIGHWAY ROUTE 2 IN THE TOWN OF CHARLEMONT AS THE GENERAL "HAP" ADAMS MEMORIAL INTERSECTION.

Be it enacted, etc., as follows:

The intersection of East Ox Bow road and state highway route 2 in the town of Charlemont shall be known and designated as the General "Hap" Adams Memorial intersection in memory of Brigadier General Carroll E. Adams, Jr., who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. A suitable marker bearing said designation shall be erected and maintained thereon by the department of public works. *Approved March 2, 1971.*

Chap. 69. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF THE BIRTHDAY OF MARTIN LUTHER KING, JR.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15R, inserted by chapter 27 of the acts of 1971, the following section: —

Section 15S. The governor shall annually issue a proclamation setting apart the fifteenth day of January as Martin Luther King, Jr. Day and recommending that said day be observed by the people in an appropriate manner. *Approved March 2, 1971.*

Chap. 70. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF EARTH DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 14B the following section: —

Section 14C. The governor shall annually issue a proclamation setting apart the fourth Monday in April as Earth Day, calling to the attention of all citizens of the desirability of protecting our natural environment from pollution or destruction. *Approved March 2, 1971.*

Chap. 71. AN ACT AUTHORIZING CITIES AND TOWNS TO CONTRACT FOR THE PURCHASE OF DATA PROCESSING SERVICES FOR PERIODS NOT EXCEEDING THREE YEARS.

Be it enacted, etc., as follows:

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

For the purchase of data processing services in the absence of a lease or purchase of data processing equipment. Contracts for such purchase may be made for periods not exceeding three years.

Approved March 4, 1971.

Chap. 72. AN ACT AUTHORIZING THE TOWN OF WILMINGTON TO REFUND A CERTAIN SUM OF MONEY COLLECTED BY SAID TOWN ON PERSONAL PROPERTY EXEMPT FROM LOCAL TAXATION.

Be it enacted, etc., as follows:

SECTION 1. The town of Wilmington is hereby authorized to refund to Wales Co., a corporation organized under the laws of Rhode Island, the sum of twenty-six thousand three hundred and fifty dollars and seventy cents, the same being the amount collected by said town from said corporation as taxes in the year nineteen hundred and sixty-nine upon certain personal property in said town which was exempt from local taxation.

SECTION 2. Any action taken by the town of Wilmington at its annual town meeting held in the current year or at any adjourned session thereof, pursuant to the authority contained in this act, is hereby validated and confirmed as though this act were in full force and effect on the date of the posting of the warrant for such meeting.

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

Approved March 8, 1971.

Chap. 73. AN ACT AUTHORIZING THE TOWN OF PEPPERELL TO HOLD TOWN MEETINGS IN THE NORTH MIDDLESEX REGIONAL SCHOOL BUILDING IN THE TOWN OF TOWNSEND.

Be it enacted, etc., as follows:

SECTION 1. The town of Pepperell, with the approval of the North Middlesex Regional School District Committee, may hold town meetings or any adjournments thereof at the North Middlesex Regional school building in the town of Townsend, provided that any meeting for the election by official ballot of federal, state or other officials shall be held within the town of Pepperell.

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

Approved March 8, 1971.

Chap. 74. AN ACT INCREASING THE PENALTY FOR MISUSE OF THE FLAG OF THE UNITED STATES OR OF MASSACHUSETTS.

Be it enacted, etc., as follows:

Section 5 of chapter 264 of the General Laws, as appearing in section 1 of chapter 117 of the acts of 1941, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Whoever publicly burns or otherwise mutilates, tramples upon, defaces or treats contemptuously the flag of the United States or of Massachusetts, whether such flag is public or private property, or whoever displays such flag or any representation thereof upon which are words, figures, advertisements or designs, or whoever causes or permits such flag to be used in a parade as a receptacle for depositing or collecting money or any other article or thing, or whoever exposes to public view, manufactures, sells, exposes for sale, gives away or has in his possession for sale or to give away or for use for any purpose, any article or substance, being an article of merchandise or a receptacle of merchandise

or articles upon which is attached, through a wrapping or otherwise, engraved or printed in any manner, a representation of the United States flag, or whoever uses any representation of the arms or the great seal of the commonwealth for any advertising or commercial purpose, shall be punished by a fine of not less than one hundred dollars or by imprisonment for not more than one year, or both.

Approved March 8, 1971.

Chap. 75. AN ACT DESIGNATING A CERTAIN PORTION OF INTERSTATE HIGHWAY ROUTE 290 AS THE STATE POLICE MEMORIAL HIGHWAY.

Be it enacted, etc., as follows:

Except as provided in chapter six hundred and twenty-five of the acts of nineteen hundred and sixty-two, that portion of interstate highway route 290, within the commonwealth, shall be designated and known as the State Police Memorial highway. Suitable markers bearing said designation shall be erected thereon by the department of public works, as authorized by the Federal Highway Administration.

Approved March 8, 1971.

Chap. 76. AN ACT RELATIVE TO PUBLIC HEARINGS ON SUPPLEMENTARY APPLICATIONS FOR RACING MEETINGS.

Be it enacted, etc., as follows:

Section 3 of chapter 128A of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 805 of the acts of 1963, and inserting in place thereof the following paragraph: —

If any application for a license, filed as provided by section two, shall be in accordance with the provisions of this chapter, the commission, after reasonable notice and a public hearing in the city or town wherein the license is to be exercised, may issue a license to the applicant to conduct a racing meeting, in accordance with the provisions of this chapter, at the race track specified in such application; provided, that if the commission has already taken action on an application for any calendar year, after such notice and public hearing, no other public hearing need be held on any other application from the same applicant relating to the same premises filed prior to the expiration of said year; and provided, further, that on an application for a license to conduct a horse or dog racing meeting in connection with a state or county fair the applicant shall show a certificate from the commissioner of agriculture that (1) such fair is a state or county fair as defined in section one, (2) such fair has been operating for each of the five consecutive years immediately preceding the date of filing such application and had received for each of said five consecutive years assistance from the agricultural purposes fund, (3) such fair is properly qualified as hereinafter in this paragraph provided and (4) the location where such racing meeting is to be held is annually approved by him and by the board of agriculture; and provided, further, that on an application for a license to conduct a horse or dog racing meeting in connection with a

state or county fair by an applicant to whom a prior license to conduct such a racing meeting at the race track specified in said application has been granted by the commission, no hearing need be held, unless a request, signed by at least one per cent of the registered voters of the city or town in which the track is located, is filed with the commission not later than thirty days following the granting of said license. In determining whether a fair is properly qualified under this paragraph, the commissioner of agriculture shall consider the number of days such fair has operated each previous year, the area of the land used for fair purposes, the number of entries in agricultural show events in previous years, the number and value of prizes offered in such events and whether or not the granting of a racing license would tend to promote the agricultural purposes of the fair. *Approved March 8, 1971.*

Chap. 77. AN ACT DESIGNATING A CERTAIN BRIDGE TO BE CONSTRUCTED ON INTERSTATE HIGHWAY ROUTE 195 IN THE TOWN OF WAREHAM AS THE GEORGE M. HUNTER BRIDGE.

Be it enacted, etc., as follows:

The bridge numbered W-6-53 to be constructed on interstate highway route 195 in the town of Wareham shall upon its completion be known and designated as the George M. Hunter bridge in memory of George M. Hunter who was killed in action while a member of the armed forces of the United States during World War II. A suitable marker bearing such 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 Highway Administration.

Approved March 8, 1971.

Chap. 78. AN ACT INCREASING THE NUMBER OF ASSISTANT CLERKS OF THE COURTS FOR THE COUNTY OF MIDDLESEX.

Be it enacted, etc., as follows:

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

Middlesex, not more than ten assistant clerks, subject to approval of a justice of the supreme judicial or superior court.

Approved March 8, 1971.

Chap. 79. AN ACT INCREASING THE PENALTY FOR LITTERING OR THE DISPOSAL OF REFUSE OR RUBBISH ON OR NEAR HIGHWAYS OR COASTAL OR INLAND WATERS.

Be it enacted, etc., as follows:

Section 16 of chapter 270 of the General Laws, as most recently amended by section 1 of chapter 134 of the acts of 1970, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Whoever places, throws, deposits or discharges, or causes to be placed, thrown, deposited or dis-

charged, any trash, refuse, rubbish or debris on a public highway or within twenty yards thereof, or in or upon coastal or inland waters, as defined in section one of chapter one hundred and thirty-one, respectively, or within twenty yards of any such water, or on property of another without permission of the owner thereof, shall be punished by a fine of not more than two hundred dollars. *Approved March 8, 1971.*

Chap. 80. AN ACT DESIGNATING THE BRIDGE OVER WEST BROADWAY IN THE CITY OF GARDNER AS THE RAYMOND C. BEAUREGARD BRIDGE.

Be it enacted, etc., as follows:

The bridge on state highway route 2 over west Broadway in the city of Gardner shall be known and designated as the Raymond C. Beauregard Bridge, in memory of Raymond C. Beauregard, who was prominent in civic affairs in said city. A suitable marker bearing such designation shall be attached thereto by the department of public works.

Approved March 8, 1971.

Chap. 81. AN ACT INCREASING THE AMOUNT ALLOWED FOR THE DETENTION AND SUPPORT OF PERSONS COMMITTED TO A MUNICIPAL LOCKUP.

Be it enacted, etc., as follows:

Section 36 of chapter 40 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 176 of the acts of 1956, and inserting in place thereof the following sentence: — For the expenses of detention and support of each person committed, shown by the officer's return to have been actually detained in the lockup, there may be charged upon the precept, if any, and paid to the town, five dollars for each day or fraction thereof. *Approved March 8, 1971.*

Chap. 82. AN ACT PROVIDING FOR THE APPOINTMENT OF TWO COURT OFFICERS IN THE SPRINGFIELD JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. Section 61 of chapter 218 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: — Court officers in district and juvenile courts shall be appointed by the justice of the court or, in the case of the municipal court of the city of Boston, by a majority of the justices, and may likewise be removed for any cause considered by such justice or majority to be sufficient, and any vacancy caused by removal or otherwise may likewise be filled.

SECTION 2. Section 62 of said chapter 218 is hereby amended by striking out the second sentence, as amended by chapter 44 of the acts of 1971, and inserting in place thereof the following sentence: — In the Boston juvenile court six court officers may be appointed; in the Worcester juvenile court two court officers may be appointed; and in the Springfield juvenile court two court officers may be appointed.

Approved March 8, 1971.

Chap. 83. AN ACT EMPOWERING CITIES AND TOWNS TO PROVIDE BY ORDINANCE OR BY-LAW FOR REMOVING FROM WAYS THEREIN VEHICLES INTERFERING WITH COLLECTION OF REFUSE.

Be it enacted, etc., as follows:

Section 21 of chapter 40 of the General Laws is hereby amended by inserting after clause (16) the following clause: —

(16A) For authorizing the board or officer having charge of the collection of garbage and refuse, for the purpose of facilitating such collection, to remove, or cause to be removed, to some convenient place in the city or town, including in such term a public garage, from any portion of a public way therein or from any private way therein open to public use any vehicle parked contrary to a sign within one hundred feet banning parking at such time and place, and for imposing liability for the cost of such removal, and of the storage charges, if any, resulting therefrom, upon the owner of such vehicle. *Approved March 8, 1971.*

Chap. 84. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO USE A CERTAIN PARCEL OF PARK LAND FOR PARKING PURPOSES.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the town of Weymouth is hereby authorized to transfer from the control of its park commissioners to the control of its board of selectmen a certain parcel of land to be used for parking purposes and generally known as the town Marina and shown on the Atlas of the town of Weymouth dated January 1, 1969 as Lot 5, Block 3 of Sheet 2, said land having been purchased by the town of Weymouth for park purposes.

Approved March 8, 1971.

Chap. 85. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO EXPEND A CERTAIN SUM OF MONEY FOR THE PURPOSE OF PROMOTING THE RECREATIONAL, VACATION AND CONVENTION, COMMERCIAL AND INDUSTRIAL RESOURCES OF SAID COUNTY.

Be it enacted, etc., as follows:

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

SECTION 2. The county commissioners of Essex county may, for the purpose of promoting the recreational, vacation and convention, commercial and industrial resources of said county, expend such sums, not exceeding fifty thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than three times the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners may expend such sums for advertising in newspapers, magazines and the like for booklets, posters and facilities guides, for all forms of advertising, for information booths and the staffing thereof within the

county, for displays or booths and the staffing thereof maintained at fairs, expositions or travel shows outside the county, for such other promotional activities as may be reasonably necessary to effectuate the purposes of this act and the processing of inquiries resulting from such promotional activities. In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 3. This act shall take effect upon its acceptance during the current year by the county commissioners of Essex county, but not otherwise. *Approved March 8, 1971.*

Chap. 86. AN ACT POSTPONING THE EFFECTIVE DATE OF THE LAW RELATIVE TO THE IMPOSITION OF FINANCE CHARGES IN CERTAIN REVOLVING CREDIT AGREEMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to postpone forthwith the effective date of chapter eight hundred and twenty-two of the acts of nineteen hundred and seventy, 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 822 of the acts of 1970 is hereby amended by striking out the word "April" and inserting in place thereof the word: — June, — so as to read as follows: —

Section 6. This act shall take effect on June the first, nineteen hundred and seventy-one.

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

Approved March 9, 1971.

Chap. 87. AN ACT FURTHER REGULATING DOG RACING MEETINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is in part to extend immediately the time within which dog racing meetings may be held, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 128A of the General Laws is hereby amended by striking out clause (*e*), as most recently amended by chapter 116 of the acts of 1958, and inserting in place thereof the following clause: —

(*e*) Such dog racing meetings may be held only between the first day of April and the thirtieth day of November, both dates inclusive, in any year.

SECTION 2. Said section 3 of said chapter 128A is hereby further amended by striking out clause (*g*), as appearing in section 3 of chapter 374 of the acts of 1934, and inserting in place thereof the following clause: —

(*g*) No licenses shall be issued for more than an aggregate of two hundred and seventy-five racing days in any one year nor for more than one hundred and fifty racing days in any one county at all dog racing meetings combined, not including dog racing meetings at state and county fairs. *Approved March 10, 1971.*

Chap. 88. AN ACT AUTHORIZING THE TOWN OF SHERBORN TO HOLD TOWN MEETINGS AT THE DOVER-SHERBORN REGIONAL SCHOOL IN DOVER.

Be it enacted, etc., as follows:

SECTION 1. The town of Sherborn may hold town meetings or any adjournments thereof at the Dover-Sherborn Regional School within the town of Dover, provided that any meeting for the election by official ballot of federal, state, county or other officials shall be held within the town of Sherborn.

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

Approved March 11, 1971.

Chap. 89. AN ACT ALLOWING CREDIT UNDER THE MALDEN RETIREMENT SYSTEM TO HERBERT L. JACKSON FOR CERTAIN SERVICE RENDERED BY HIM AS AN ELECTED OFFICIAL OF THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Herbert L. Jackson, a councillor in the city of Malden and a member of the Malden retirement system, shall be entitled to count as creditable service for purposes of retirement, as a member of said system, the time spent and served by him as a councilman for the city of Malden during the period from January the first, nineteen hundred and forty-six to December the thirty-first, nineteen hundred and fifty; provided, that before the date any retirement allowance becomes effective for him, he pays into the annuity savings fund of said system such amount as the Malden retirement board may determine as being equal to that which he would have paid into said fund, based upon an annual earning of two thousand dollars, had his service as such councilman been creditable service under the Malden retirement system, with interest thereon.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden. *Approved March 11, 1971.*

Chap. 90. AN ACT PROVIDING FOR THE ARREST OF VIOLATORS OF CERTAIN CREDIT CARD LAWS WITHOUT A WARRANT.

Be it enacted, etc., as follows:

SECTION 1. Section 37B of chapter 266 of the General Laws, inserted by chapter 832 of the acts of 1969, is hereby amended by adding the following paragraph: —

Whoever is discovered by a police officer in the act of violating this section, while such officer is lawfully at or within the place where such violation occurs, may be arrested without a warrant by such police officer.

SECTION 2. Section 37C of said chapter 266, as so inserted, is hereby amended by adding the following paragraph: —

Whoever is discovered by a police officer in the act of violating this section, while such officer is lawfully at or within the place where such violation occurs, may be arrested without a warrant by such police officer.

Approved March 11, 1971.

Chap. 91. AN ACT FURTHER REGULATING THE TAKING OF LOBSTERS OR EDIBLE CRABS IN CERTAIN WATERS OF DUKES COUNTY.

Be it enacted, etc., as follows:

Section 37 of chapter 130 of the General Laws, as most recently amended by chapter 152 of the acts of 1960, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

In the waters of Marblehead and Swampscott in Essex county, and in the waters of Gosnold in Dukes County, no such pot, trap or other contrivance shall be buoyed otherwise than separately and plainly.

Approved March 11, 1971.

Chap. 92. AN ACT AUTHORIZING THE ISSUANCE BY SAVINGS BANKS AND COOPERATIVE BANKS OF MORTGAGE-BACKED SECURITIES GUARANTEED BY THE UNITED STATES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 3 of section 34 of chapter 168 of the General Laws is hereby amended by striking out the third sentence, as amended by section 2 of chapter 804 of the acts of 1960, and inserting in place thereof the following sentence: — In determining the maximum amount of mortgage limits specified in this paragraph (*a*) there shall be included loans on leases authorized by paragraph 6 of section thirty-eight and (*b*) there shall be excluded (*i*) mortgages taken on the sale of foreclosed real estate as provided by section fifty-four, (*ii*) mortgages taken pursuant to the authority contained in paragraph 13 of section thirty-five and (*iii*) mortgages backing any security in the issuance of which such corporation participates pursuant to section sixty-six A.

SECTION 2. Said chapter 168 is hereby further amended by inserting after section 66 the following section: —

Section 66A. Any such corporation may issue or participate with other persons in the issuance of mortgage-backed securities which are guaranteed as to principal and interest by the United States or by an agency of the United States and are backed in whole or in part by mortgages held by such corporation, and in connection therewith may enter into and perform such agreements relating to the custody and servicing of such mortgages and to other matters as may be required pursuant to applicable regulation of any such agency.

SECTION 3. Chapter 170 of the General Laws is hereby amended by inserting after section 27 the following section: —

Section 27A. Any such corporation may issue or participate with other persons in the issuance of mortgage-backed securities which are guaranteed as to principal and interest by the United States or by an agency of the United States and are backed in whole or in part by mort-

gages held by such corporation, and in connection therewith may enter into and perform such agreements relating to the custody and servicing of such mortgages and to other matters as may be required pursuant to applicable regulation of any such agency. *Approved March 11, 1971.*

Chap. 93. AN ACT PROVIDING FOR THE APPOINTMENT OF A SECOND ASSISTANT CLERK IN THE DISTRICT COURT OF WESTERN NORFOLK.

Be it enacted, etc., as follows:

The third sentence of the first paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 585 of the acts of 1970, is hereby amended by inserting after the word "Norfolk", in line 20, the words: —, the district court of western Norfolk.

Approved March 11, 1971.

EMERGENCY LETTER — April 15, 1971 at 12:10 P.M.

Chap. 94. AN ACT CLARIFYING THE MEMBERSHIP STATUS IN A RETIREMENT SYSTEM OF CERTAIN MEMBERS OF RETIREMENT BOARDS.

Be it enacted, etc., as follows:

Clause (i) of paragraph (*a*) of subdivision (1) of section 3 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 751 of the acts of 1970, and inserting in place thereof the following sentence: — Any member in service shall continue as such during any period of authorized leave of absence with pay or during any period of authorized leave of absence without pay if such leave is due to his mental or physical incapacity for duty or if such authorized leave of absence without pay is for not more than one year or is to permit such member to perform his duties as a member of a retirement board. *Approved March 11, 1971.*

Chap. 95. AN ACT RELATIVE TO THE HOURS OF EMPLOYMENT OF WOMEN IN RESTAURANTS.

Be it enacted, etc., as follows:

The first paragraph of section 56 of chapter 149 of the General Laws is hereby amended by inserting before the last sentence the following sentence: — This section shall not apply to any woman employed in a restaurant. *Approved March 11, 1971.*

Chap. 96. AN ACT AUTHORIZING THE STATE RACING COMMISSION TO MAKE RULES AND REGULATIONS PROHIBITING THE ATTENDANCE OF MINORS AT DOG AND HORSE RACING MEETINGS.

Be it enacted, etc., as follows:

Section 9 of chapter 128A of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 3 of chapter 374 of the acts of 1934, and inserting in place thereof the following paragraph: —

The commission shall have full power to prescribe rules, regulations and conditions under which all horse or dog races at horse or dog racing meetings shall be conducted in the commonwealth and may by rule or regulation prohibit licensees from admitting minors to dog or horse racing meetings. *Approved March 11, 1971.*

Chap. 97. AN ACT PROVIDING THAT THE DIRECTOR OF CIVIL DEFENSE BE A MEMBER OF AN EMERGENCY COMMISSION RELATIVE TO THE NECESSARIES OF LIFE.

Be it enacted, etc., as follows:

Section 9H of chapter 23 of the General Laws, as most recently amended by section 4 of chapter 261 of the acts of 1939, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Whenever the governor shall determine that an emergency exists in respect to food or fuel, or any other common necessary of life, including the providing of shelter, or any two or more of such necessaries of life, he may, by a writing signed by him, designate the adjutant general, the director of civil defense, the commissioner of labor and industries and the commissioner of public safety to act as an emergency commission, and thereupon the commission shall have, with respect to the necessary or necessaries of life as to which the emergency exists, all the powers and authority granted by the Commonwealth Defense Act of nineteen hundred and seventeen, being chapter three hundred and forty-two of the General Acts of nineteen hundred and seventeen, to persons designated or appointed by the governor under section twelve of said chapter three hundred and forty-two; and the governor may revoke such written authority at any time. *Approved March 18, 1971.*

Chap. 98. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION ICE SKATING RINK IN THE CITY OF CAMBRIDGE AS THE DONALD J. KELLY SKATING RINK.

Be it enacted, etc., as follows:

The metropolitan district commission ice skating rink to be constructed in that part of the city of Cambridge, known as North Cambridge, shall, upon completion, be known and designated as the Donald J. Kelly skating rink, in memory of Donald J. Kelly, whose enthusiasm for the sport of ice hockey contributed greatly to the development of this sport in the city of Cambridge. A suitable marker bearing said designation shall be placed thereon by said commission.
Approved March 18, 1971.

Chap. 99. AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT CLERK OF COURTS FOR THE COUNTY OF BRISTOL.

Be it enacted, etc., as follows:

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

Bristol, a third assistant, a fourth assistant, a fifth assistant and a sixth assistant, subject to removal by the court or by the clerk.

Approved March 18, 1971.

Chap. 100. AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT CLERK IN THE DISTRICT COURT OF SPRINGFIELD.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws is hereby amended by inserting after the ninth paragraph the following paragraph:—

A sixth assistant clerk with salary payable by the county may be appointed, subject to the approval of the county commissioners, in the district court of Springfield. *Approved March 18, 1971.*

Chap. 101. AN ACT PROVIDING FOR AN ADDITIONAL ASSISTANT CLERK IN THE DISTRICT COURT OF EAST NORFOLK.

Be it enacted, etc., as follows:

Section 10 of chapter 218 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 585 of the acts of 1970, and inserting in place thereof the following paragraph:—

Fifth assistant clerks with salaries payable by the county may be appointed in the municipal court of the Dorchester district and in the district court of East Norfolk. *Approved March 18, 1971.*

Chap. 102. AN ACT INCREASING THE SALARY OF THE CLERK OF THE DISTRICT COURT OF EASTERN HAMPDEN.

Be it enacted, etc., as follows:

SECTION 1. *Class I* of paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out the line reading "district court of eastern Hampden,".

SECTION 2. Said paragraph (1) of said section 79 of said chapter 218 is hereby further amended by striking out *Class II*, as appearing in section 2 of chapter 675 of the acts of 1970, and inserting in place thereof the following class:—

Class II. The district court of Chicopee,
district court of Dukes county,
district court of eastern Essex,
district court of eastern Hampden,
second district court of Essex,
district court of Nantucket,
district court of Natick,
district court of Newburyport and
second district court of eastern Worcester.

Approved March 18, 1971.

Chap. 103. AN ACT CHANGING THE NAME OF THE DIVISION OF MOTORBOATS IN THE DEPARTMENT OF PUBLIC WORKS TO THE DIVISION OF MARINE AND RECREATIONAL VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 16 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 20 of chapter 766 of the acts of 1969, and inserting in place thereof the following paragraph:—

There shall be within the registry of motor vehicles a division of marine and recreational vehicles. The governor shall appoint, for a term coterminous with his term, an officer to be known as the director of the division of marine and recreational vehicles who shall be the executive and administrative head of the division. The director shall receive a salary of fourteen thousand six hundred dollars, which shall be paid out of the recreational boating fund.

SECTION 2. Said section 12 of said chapter 16 is hereby further amended by striking out the third paragraph, as appearing in section 1 of chapter 821 of the acts of 1963, and inserting in place thereof the following paragraph:—

A certificate of award of number issued by the director of the division of marine and recreational vehicles shall become valid on the effective date thereof notwithstanding the fact that the director who issued the same ceased to hold said office prior to said effective date.

SECTION 3. Section 1 of chapter 90B of the General Laws is hereby amended by striking out the definitions of "Director" and "Division", as appearing in section 2 of chapter 275 of the acts of 1960, and inserting in place thereof the following two definitions:—

"Director",—the director of the division of marine and recreational vehicles.

"Division",—the division of marine and recreational vehicles in the registry of motor vehicles.

SECTION 4. Section 20 of said chapter 90B, added by section 2 of chapter 589 of the acts of 1970, is hereby amended by striking out the definition of "Law enforcement officer" and inserting in place thereof the following definition:—

"Law enforcement officer", the director or his authorized agents, the registrar or his authorized agents, police officers, fish and game wardens, enforcement officers of the department of natural resources, members of the state police, and city, town and metropolitan district commission police officers, or employees of the commonwealth having police powers on public lands.

SECTION 5. Nothing in this act shall be construed as affecting the term of office for which the incumbent of the office of director of the division of motorboats was appointed. *Approved March 18, 1971.*

Chap. 104. AN ACT REPEALING THE LAW PLACING THE OFFICE OF ASSISTANT CITY CLERK OF THE CITY OF WALTHAM UNDER CIVIL SERVICE AND PROVIDING THAT A MEMBER OF THE CITY COUNCIL OF SAID CITY MAY BE ELECTED AS ASSISTANT CITY CLERK.

Be it enacted, etc., as follows:

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

SECTION 2. Notwithstanding the provisions of section eight of chapter thirty-nine of the General Laws and any other provision of law to the contrary, the city council of the city of Waltham may elect one of its members as acting assistant city clerk of said city; provided that upon being elected to said office he shall resign as a member of the city council.

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

Approved March 22, 1971.

Chap. 105. AN ACT INCREASING THE SALARY OF THE CLERK OF THE FOURTH DISTRICT COURT OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (1) of section 79 of chapter 218 of the General Laws is hereby amended by striking out *Class III,* as amended by section 1 of chapter 5 of the acts of 1971, and inserting in place thereof the following class:—

Class III. The third district court of southern Worcester.

SECTION 2. *Class IV* of said paragraph (1) of said section 79 of said chapter 218, as appearing in section 2 of chapter 815 of the acts of 1970, is hereby amended by inserting after the line reading "second district court of Plymouth," the following line:—fourth district court of Plymouth,.

Approved March 22, 1971.

Chap. 106. AN ACT AUTHORIZING PUBLIC HEARINGS TO BE CONDUCTED BY A SINGLE MEMBER OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION IN CONNECTION WITH ALLEGED VIOLATIONS IN THE FIELD OF EDUCATION.

Be it enacted, etc., as follows:

Paragraph (*e*) of section 3 of chapter 151C of the General Laws is hereby amended by inserting after the first sentence the following sentence:—The commission through the chairman may appoint a single commissioner to hold public hearings.

Approved March 23, 1971.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, March 23, 1971.

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 106 of the Acts of 1971 entitled "AN ACT AUTHORIZING PUBLIC HEARINGS TO BE CONDUCTED BY A SINGLE MEMBER OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION IN CONNECTION WITH ALLEGED VIOLATIONS IN THE FIELD OF EDUCATION." and the enactment of which received my approval on March 23, 1971, 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 enable the Massachusetts Commission Against Discrimination immediately to benefit from this procedure in order to reduce its substantial backlog of cases with greater efficiency.

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

OFFICE OF THE SECRETARY, BOSTON, March 23, 1971.

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

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

Chap. 107. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE AMOUNT OF MONEY WHICH MAY BE EXPENDED FOR PROMOTING THE RECREATIONAL ADVANTAGES OF BARNSTABLE COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter seventy-one of the acts of nineteen hundred and seventy is hereby repealed.

SECTION 2. The first sentence of section 2 of chapter 69 of the acts of 1967 is hereby amended by striking out, in line 3, the word "seventy-five" and inserting in place thereof the words:—one hundred and twenty-five.

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

Approved March 23, 1971.

Chap. 108. AN ACT AUTHORIZNG LOCAL LICENSING AUTHORITIES IN SUFFOLK COUNTY TO ALLOW DANCING UNTIL TWO O'CLOCK ANTEMERIDIAN ON SUNDAYS ON THE PREMISES OF LICENSEES AUTHORIZED TO SELL ALCOHOLIC BEVERAGES UNTIL SAID HOUR.

Be it enacted, etc., as follows:

Section 33 of chapter 138 of the General Laws is hereby amended by striking out the last sentence, added by chapter 437 of the acts of 1968, and inserting in place thereof the following sentence:—The local

licensing authorities may, notwithstanding any provision of chapter one hundred and thirty-six or one hundred and forty to the contrary, authorize any licensee under section twelve, who is authorized to sell alcoholic beverages on Sundays between the hours of twelve midnight and one o'clock antemeridian or two o'clock antemeridian, to allow dancing during said one or two hour period, as the case may be, in which he is so authorized to sell alcoholic beverages.

Approved March 23, 1971.

Chap. 109. 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 medicine" and inserting in place thereof the following words:—limited registration for the practice of medicine. *Approved March 23, 1971.*

Chap. 110. AN ACT IMPOSING A PENALTY FOR FAILURE TO FILE AN ACCIDENT REPORT INVOLVING A MOTORBOAT.

Be it enacted, etc., as follows:

Section 14 of chapter 90B of the General Laws is hereby amended by striking out subsection (b), as appearing in section 2 of chapter 275 of the acts of 1960, and inserting in place thereof the following subsection:—

(*b*) whoever violates any provision of section five, seven, subsection (b) of section nine or section twelve or of any rule or regulation pertaining thereto shall be punished by a fine of not less than ten nor more than fifty dollars. *Approved March 23, 1971.*

Chap. 111. AN ACT RELATIVE TO THE AUTHORITY OF OFFICERS OF FOREIGN CORPORATIONS TO CONVEY REAL ESTATE.

Be it enacted, etc., as follows:

Section 8 of chapter 155 of the General Laws is hereby amended by adding the following sentence:—The provisions of this section shall apply to foreign corporations, as defined in section one of chapter one hundred and eighty-one, as well as to corporations included within section one of this chapter. *Approved March 23, 1971.*

Chap. 112. AN ACT FURTHER REGULATING THE WORKING HOURS OF WATCHMEN IN CERTAIN HOTELS.

Be it enacted, etc., as follows:

Section 45 of chapter 143 of the General Laws, as most recently amended by section 2 of chapter 690 of the acts of 1963, is hereby amended by striking out, in line 4, the word "nine" and inserting in place thereof the word:—eleven, and by striking out, in said line 4, the word "six" and inserting in place thereof the word:—seven.

Approved March 23, 1971.

Chap. 113. AN ACT PROVIDING THAT CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS MAY ORGANIZE PROFESSIONAL CORPORATIONS.

Be it enacted, etc., as follows:

Section 1 of chapter 156A of the General Laws is hereby amended by striking out paragraph (b), as amended by section 32 of chapter 443 of the acts of 1970, and inserting in place thereof the following paragraph:—

(b) "Professional Service", the personal service performed by registered physicians and surgeons, podiatrists, physical therapists, certified public accountants, public accountants, dentists, veterinarians and optometrists, all of whom are registered under chapter one hundred and twelve, and by attorneys-at-law admitted to practice in the courts of the commonwealth under chapter two hundred and twenty-one. *Approved March 23, 1971.*

Chap. 114. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE FIRST DISTRICT COURT OF ESSEX.

Be it enacted, etc., as follows:

Section 62 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 58 of the acts of 1971, and inserting in place thereof the following sentence:—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 second district court of eastern 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 district court of Newton, the first district court of Barnstable, the third district court of southern Worcester, the district court of Northern Norfolk, the second district court of Plymouth and the first district court of Essex 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 March 23, 1971.

Chap. 115. AN ACT PROVIDING CERTAIN BENEFITS FOR POLICE OFFICERS IN CITIES AND TOWNS DURING THE TIME SUCH OFFICERS ARE ATTENDING LAW ENFORCEMENT AND RELATED COURSES AT ACCREDITED DEGREE GRANTING INSTITUTIONS OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 108L the following section:—

Section 108M. A city or town which employs a permanent police officer who is enrolled as a student in good standing in a police, law enforcement, criminal justice or police career oriented course of study at a college or university accredited by the New England Association of Colleges and Secondary Schools, Inc., or the board of higher education, shall, subject to the approval of the appointing authority, and chief of police or any other officer having similar duties, pay said police officer his full weekly salary during the normal thirty-two weeks such college or university is in session; provided, that he is enrolled for at least sixteen hours of classroom instruction, works twenty-four hours a week on regular duty as a police officer in said city or town and during regularly scheduled school vacations works his regular tour of duty; and provided, further, that he is studying for a baccalaureate, master's or higher degree. Each officer who is enrolled in a college or university under the provisions of this section shall enter into an agreement providing that he shall remain in full-time employment as a police officer in such city or town after completion of such course of study for as many years as he has been aided under this section.

Approved March 23, 1971.

Chap. 116. AN ACT TO PROVIDE COST OF LIVING SALARY ADJUSTMENTS FOR CERTAIN EMPLOYEES OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a cost of living salary adjustment 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 547 of the acts of 1969, and inserting in place thereof the following:—

GENERAL SALARY SCHEDULE

Effective December 27, 1970

(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	$93.65	$96.65	$99.65	$102.65	$105.65	$108.65	$111.65
II	96.35	99.35	102.35	105.35	108.35	111.35	114.35
III	99.45	102.85	106.25	109.65	113.05	116.45	119.85
IV	103.45	106.85	110.25	113.65	117.05	120.45	123.85
V	106.50	110.20	113.90	117.60	121.30	125.00	128.70
VI	111.90	115.60	119.30	123.00	126.70	130.40	134.10
VII	116.60	120.65	124.70	128.75	132.80	136.85	140.90
VIII	121.00	125.40	129.80	134.20	138.60	143.00	147.40
IX	128.05	132.75	137.45	142.15	146.85	151.55	156.25
X	135.15	140.20	145.25	150.30	155.35	160.40	165.45
XI	142.20	147.60	153.00	158.40	163.80	169.20	174.60
XII	150.65	156.35	162.05	167.75	173.45	179.15	184.85
XIII	161.75	167.80	173.85	179.90	185.95	192.00	198.05
XIV	171.90	178.95	186.00	193.05	200.10	207.15	214.20
XV	183.00	190.70	198.40	206.10	213.80	221.50	229.20
XVI	194.45	203.10	211.75	220.40	229.05	237.70	246.35
XVII	207.95	217.00	226.05	235.10	244.15	253.20	262.25
XVIII	219.30	229.10	238.90	248.70	258.50	268.30	278.10
XIX	232.15	242.70	253.25	263.80	274.35	284.90	295.45
XX	246.20	257.10	268.00	278.90	289.80	300.70	311.60
XXI	259.00	270.70	282.40	294.10	305.80	317.50	329.20
XXII	273.35	285.80	298.25	310.70	323.15	335.60	348.05
XXIII	288.80	301.65	314.50	327.35	340.20	353.05	365.90
XXIV	303.15	316.70	330.25	343.80	357.35	370.90	384.45
XXV	317.50	331.85	346.20	360.55	374.90	389.25	403.60
XXVI	330.35	345.40	360.45	375.50	390.55	405.60	420.65
XXVII	345.85	361.35	376.85	392.35	407.85	423.35	438.85
XXVIII	360.20	376.45	392.70	408.95	425.20	441.45	457.70
XXIX	376.00	392.95	409.90	426.85	443.80	460.75	477.70
XXX	393.35	411.10	428.85	446.60	464.35	482.10	499.85
XXXI	409.20	427.70	446.20	464.70	483.20	501.70	520.20
XXXII	426.60	445.85	465.10	484.35	503.60	522.85	542.10
XXXIII	443.95	463.95	483.95	503.95	523.95	543.95	563.95

SECTION 2. The salaries of all employees in the service of the commonwealth and paid from the treasury thereof, including wages paid to blind workers by the Massachusetts commission for the blind, as provided in section one hundred and forty-three of chapter six of the General Laws, but excluding salaries fixed by statute, or salaries payable to employees holding offices or positions which are allocated to the salary schedule appearing in paragraph (1) of section forty-six of chapter thirty of the General Laws, and other than compensation payable to persons whose services are coded in accordance with the expenditure code manual under the subsidiary title "03 Services—Non-Employees", shall be increased over the rates payable as of December the twenty-sixth, nineteen hundred and seventy by an amount equal to six per cent thereof.

SECTION 3. The first sentence of section 22 of chapter 6 of the General Laws, as most recently amended by section 1 of chapter 766 of the acts of 1969, is hereby further amended by striking out, in line 4, the words "sixteen thousand" and inserting in place thereof the words:—sixteen thousand nine hundred and sixty.

SECTION 4. The next to the last sentence of section 43 of said chapter 6, as most recently amended by section 2 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "eleven thousand four hundred" and inserting in place thereof the words:—twelve thousand and eighty-four,—and by striking out, in line 3, the words "nine thousand seven hundred" and inserting in place thereof the words:—ten thousand two hundred and eighty-two.

SECTION 5. The first sentence of the third paragraph of section 48 of said chapter 6, as most recently amended by section 3 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "nine thousand one hundred" and inserting in place thereof the words:—nine thousand six hundred and forty-six,—and by striking out, in line 3, the words "seven thousand seven hundred" and inserting in place thereof the words:—eight thousand one hundred and sixty-two.

SECTION 6. The first sentence of the third paragraph of section 56 of said chapter 6, as most recently amended by section 4 of said chapter 766, is hereby further amended by striking out, in line 2, the words "fifteen thousand nine hundred" and inserting in place thereof the words:—sixteen thousand eight hundred and fifty-four,—and by striking out, in line 3, the words "seven thousand eight hundred" and inserting in place thereof the words:—eight thousand two hundred and sixty-eight.

SECTION 7. The second sentence of section 75 of said chapter 6, as most recently amended by section 7 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "seventeen thousand two hundred" and inserting in place thereof the words:—eighteen thousand two hundred and thirty-two.

SECTION 8. The second sentence of the second paragraph of section 129 of said chapter 6, as amended by section 8 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "sixteen thousand" and inserting in place thereof the words:—sixteen thousand nine hundred and sixty.

SECTION 9. The second sentence of section 4 of chapter 7 of the General Laws, as most recently amended by section 9 of said chapter 766, is hereby further amended by striking out, in line 2, the words "twenty-seven thousand six hundred" and inserting in place thereof the words:—twenty-nine thousand two hundred and fifty-six.

SECTION 10. The first sentence of section 4A of said chapter 7, as amended by section 10 of said chapter 766, is hereby further amended by striking out, in line 5, the words "twenty-three thousand five hundred" and inserting in place thereof the words:—twenty-four thousand nine hundred and ten,—and by striking out, in line 9, the words "twenty-three thousand five hundred" and inserting in place thereof the words:—twenty-four thousand nine hundred and ten.

SECTION 11. The last sentence of the second paragraph of section 2 of chapter 13 of the General Laws, as most recently amended by section 11 of said chapter 766, is hereby further amended by striking out, in line 2, the words "twenty-three thousand five hundred" and inserting in place thereof the words:—twenty-four thousand nine hundred and ten.

SECTION 12. The fourth sentence of section 2A of said chapter 13, as most recently amended by section 12 of said chapter 766, is hereby further amended by striking out, in line 1, the words "thirteen thousand" and inserting in place thereof the words:—thirteen thousand seven hundred and eighty,—and by striking out, in line 2, the words "twelve thousand" and inserting in place thereof the words:—twelve thousand seven hundred and twenty.

SECTION 13. The first sentence of section 8 of said chapter 13, as most recently amended by section 13 of said chapter 766, is hereby further amended by striking out, in lines 2 and 3, the words "nine thousand one hundred" and inserting in place thereof the words:—nine thousand six hundred and forty-six.

SECTION 14. Section 41 of said chapter 13, as most recently amended by section 14 of said chapter 766, is hereby further amended by striking out, in lines 2 and 3, the words "six thousand four hundred" and inserting in place thereof the words:—six thousand seven hundred and eighty-four,—by striking out, in line 4, the words "five thousand seven hundred" and inserting in place thereof the words:—six thousand and forty-two,—and by striking out, in lines 9 and 10, the words "five thousand seven hundred" and inserting in place thereof the words:—six thousand and forty-two.

SECTION 15. Section 44 of said chapter 13, as most recently amended by section 15 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "seven thousand eight hundred" and inserting in place thereof the words:—eight thousand two hundred and sixty-eight,—and by striking out, in line 3, the words "seven thousand one hundred" and inserting in place thereof the words:—seven thousand five hundred and twenty-six.

SECTION 16. The second sentence of the third paragraph of section 2 of chapter 14 of the General Laws, as most recently amended by section 16 of said chapter 766, is hereby further amended by striking out, in line 2, the words "twenty-three thousand five hundred" and inserting in place thereof the words:—twenty-four thousand nine hundred and ten,—and by striking out, in lines 3 and 4, the words "eighteen thousand two hundred" and inserting in place thereof the words:—nineteen thousand two hundred and ninety-two.

SECTION 17. The seventh sentence of section 1 of chapter 16 of the General Laws, as amended by section 17 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "twenty-six thousand one hundred" and inserting in place thereof the words:—twenty-seven thousand six hundred and sixty-six,—and by striking out, in line 3, the words "twenty thousand five hundred" and inserting in place thereof the words:—twenty-one thousand seven hundred and thirty.

SECTION 18. The third sentence of section 9 of said chapter 16, as most recently amended by section 19 of said chapter 766, is hereby

further amended by striking out, in line 2, the words "nineteen thousand nine hundred" and inserting in place thereof the words:—twenty-one thousand and ninety-four.

SECTION 19. The third sentence of section 12 of said chapter 16, as amended by section 20 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "fourteen thousand six hundred" and inserting in place thereof the words:—fifteen thousand four hundred and seventy-six.

SECTION 20. The third sentence of section 2 of chapter 17 of the General Laws, as most recently amended by section 21 of said chapter 766, is hereby further amended by striking out, in line 2, the words "twenty-eight thousand seven hundred" and inserting in place thereof the words:—thirty thousand four hundred and twenty-two.

SECTION 21. The fourth sentence of section 3 of chapter 18 of the General Laws, as amended by section 23 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "twenty-eight thousand five hundred" and inserting in place thereof the words:—thirty thousand two hundred and ten.

SECTION 22. The fourth sentence of section 4 of said chapter 18, as amended by section 24 of said chapter 766, is hereby further amended by striking out, in line 2, the words "twenty-five thousand one hundred" and inserting in place thereof the words:—twenty-six thousand six hundred and six,—and by striking out, in lines 3 and 4, the words "twenty thousand five hundred" and inserting in place thereof the words:—twenty-one thousand seven hundred and thirty.

SECTION 23. The sixth paragraph of section 2 of chapter 19 of the General Laws, as amended by section 25 of said chapter 766, is hereby further amended by striking out, in line 1, the words "thirty-seven thousand" and inserting in place thereof the words:—thirty-nine thousand two hundred and twenty.

SECTION 24. The second sentence of section 2 of chapter 20 of the General Laws, as most recently amended by section 26 of said chapter 766, is hereby further amended by striking out, in line 2, the words "sixteen thousand three hundred" and inserting in place thereof the words:—seventeen thousand two hundred and seventy-eight.

SECTION 25. Section 5 of said chapter 20, as most recently amended by section 27 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "nine thousand four hundred" and inserting in place thereof the words:—nine thousand nine hundred and sixty-four.

SECTION 26. The second sentence of section 3A of chapter 21 of the General Laws, as most recently amended by section 28 of said chapter 766, is hereby further amended by striking out, in line 2, the words "twenty thousand five hundred" and inserting in place thereof the words:—twenty-one thousand seven hundred and thirty.

SECTION 27. The second sentence of section 2 of chapter 22 of the General Laws, as amended by section 29 of said chapter 766, is hereby further amended by striking out, in line 2, the words "nineteen thousand nine hundred" and inserting in place thereof the words:—twenty-one thousand and ninety-four.

SECTION 28. The second sentence of section 2 of chapter 23 of the General Laws, as most recently amended by section 30 of said chapter

766, is hereby further amended by striking out, in line 2, the words "eighteen thousand one hundred" and inserting in place thereof the words:—nineteen thousand one hundred and eighty-six,—and by striking out, in lines 3 and 4, the words "ten thousand eight hundred" and inserting in place thereof the words:—eleven thousand four hundred and forty-eight.

SECTION 29. Paragraph (*b*) of section 9I of said chapter 23, as most recently amended by section 31 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "twenty-one thousand six hundred" and inserting in place thereof the words:—twenty-two thousand eight hundred and ninety-six.

SECTION 30. The eighth sentence of paragraph (*b*) of section 9N of said chapter 23, as most recently amended by section 32 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "thirteen thousand seven hundred" and inserting in place thereof the words:—fourteen thousand five hundred and twenty-two,—and by striking out, in line 3, the words "twelve thousand six hundred" and inserting in place thereof the words:—thirteen thousand three hundred and fifty-six.

SECTION 31. The first sentence of section 9P of said chapter 23, as most recently amended by section 33 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "sixteen thousand three hundred" and inserting in place thereof the words:—seventeen thousand two hundred and seventy-eight,—and by striking out, in line 3, the words "ten thousand three hundred" and inserting in place thereof the words:—ten thousand nine hundred and eighteen.

SECTION 32. The first paragraph of section 15 of said chapter 23, as most recently amended by section 34 of said chapter 766, is hereby further amended by striking out, in lines 3, the words "eighteen thousand two hundred" and inserting in place thereof the words:—nineteen thousand two hundred and ninety-two,—and by striking out, in line 4, the words "seventeen thousand one hundred" and inserting in place thereof the words:—eighteen thousand one hundred and twenty-six.

SECTION 33. The fourth sentence of section 1 of chapter 23A of the General Laws, as amended by section 35 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "twenty-two thousand eight hundred" and inserting in place thereof the words:—twenty-four thousand one hundred and sixty-eight.

SECTION 34. The fourth sentence of section 1 of chapter 23B of the General Laws, as amended by section 36 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "twenty-one thousand six hundred" and inserting in place thereof the words:—twenty-two thousand eight hundred and ninety-six.

SECTION 35. The fifth sentence of section 2 of chapter 25 of the General Laws, as most recently amended by section 37 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "eighteen thousand one hundred" and inserting in place thereof the words:—nineteen thousand one hundred and eighty-six,—and by striking out, in line 3, the words "thirteen thousand one hundred" and inserting in place thereof the words:—thirteen thousand eight hundred and eighty-six.

SECTION 36. The second sentence of section 2 of chapter 26 of the General Laws, as amended by section 38 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "nineteen thousand nine hundred" and inserting in place thereof the words:—twenty-one thousand and ninety-four.

SECTION 37. The second sentence of section 6 of said chapter 26, as amended by section 39 of said chapter 766, is hereby further amended by striking out, in line 1, the words "twenty thousand eight hundred" and inserting in place thereof the words:—twenty-two thousand and forty-eight.

SECTION 38. The third sentence of section 1 of chapter 27 of the General Laws, as most recently amended by section 40 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "twenty-three thousand five hundred" and inserting in place thereof the words:—twenty-four thousand nine hundred and ten.

SECTION 39. The first sentence of section 2 of said chapter 27, as most recently amended by section 41 of said chapter 766, is hereby further amended by striking out, in line 6, the words "thirteen thousand seven hundred" and inserting in place thereof the words:—fourteen thousand five hundred and twenty-two.

SECTION 40. The second paragraph of section 4 of said chapter 27, as most recently amended by section 42 of said chapter 766, is hereby further amended by striking out, in line 1, the words "nineteen thousand nine hundred" and inserting in place thereof the words:—twenty-one thousand and ninety-four,—and by striking out, in lines 2 and 3, the words "fifteen thousand four hundred" and inserting in place thereof the words:—sixteen thousand three hundred and twenty-four.

SECTION 41. Section 2 of chapter 28 of the General Laws, as most recently amended by section 43 of said chapter 766, is hereby further amended by striking out, in lines 1 and 2, the words "twenty-three thousand five hundred" and inserting in place thereof the words:—twenty-four thousand nine hundred and ten,—and by striking out, in line 3, the words "seven thousand six hundred" and inserting in place thereof the words:—eight thousand and fifty-six.

SECTION 42. The fourth sentence of the first paragraph of section 1 of chapter 58A of the General Laws, as most recently amended by section 44 of said chapter 766, is hereby further amended by striking out, in line 2, the words "nineteen thousand nine hundred" and inserting in place thereof the words:—twenty-one thousand and ninety-four,—and by striking out, in line 3, the words "sixteen thousand" and inserting in place thereof the words:—sixteen thousand nine hundred and sixty.

SECTION 43. Section 2 of chapter 635 of the acts of 1960, as most recently amended by section 46 of said chapter 766, is hereby further amended by striking out, in line 2, the words "ten thousand seven hundred" and inserting in place thereof the words:— eleven thousand three hundred and forty-two,—and by striking out, in line 3, the words "seven thousand two hundred" and inserting in place thereof the words:—seven thousand six hundred and thirty-two.

SECTION 44. The third sentence of section 3 of said chapter 635, as most recently amended by section 47 of said chapter 766, is hereby

further amended by striking out, in lines 3 and 4, the words "nineteen thousand four hundred" and inserting in place thereof the words:— twenty thousand five hundred and sixty-four.

SECTION 45. This act shall take effect as of December the twenty-seventh, nineteen hundred and seventy. *Approved March 26, 1971.*

Chap. 117. AN ACT PROHIBITING AUTO RENTAL AGENCIES FROM LEASING A MOTOR VEHICLE OR TRAILER TO PERSONS WHO ARE NOT LICENSED TO OPERATE SUCH A MOTOR VEHICLE OR TRAILER.

Be it enacted, etc., as follows:

The first paragraph of section 32C of chapter 90 of the General Laws, as amended by section 3 of chapter 222 of the acts of 1966, is hereby further amended by adding the following sentence: — No lessor shall lease any motor vehicle or trailer until the lessee shows that he or his authorized operator is the holder of a duly issued license to operate the type of motor vehicle or trailer which is being leased.

Approved April 1, 1971.

Chap. 118. AN ACT PROVIDING FOR THE DESIGNATION OF ASSISTANT CLERKS OF THE COURTS TO PERFORM CERTAIN DUTIES OF CLERKS IN THE SUPERIOR COURT FOR THE COUNTIES OF MIDDLESEX AND WORCESTER.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by inserting after section 6D, inserted by section 1 of chapter 31 of the acts of 1971, the following three sections: —

Section 6E. The justices of the superior court may designate, for a term of three years from the date of such designation, one of the assistant clerks for the county of Worcester, appointed under section four, to perform, under the direction of the clerk of the courts for the county of Worcester, the duties of clerk pertaining to the equity proceedings in said court, and such other duties as the clerk shall determine, who shall receive from said county, in addition to the salary paid to him as an assistant clerk under section four, a sum equivalent to five per cent of the salary of the clerk.

Section 6F. The justices of the superior court may designate, for a term of three years from the date of such designation, one of the assistant clerks for the county of Worcester, appointed under section four, to perform, under the direction of the clerk of the courts for the county of Worcester, the duties of clerk pertaining to the criminal proceedings in said court, and such other duties as the clerk shall determine, who shall receive from said county, in addition to the salary paid to him as an assistant clerk under section four, a sum equivalent to ten per cent of the salary of the clerk.

Section 6G. The justices of the superior court may designate, for a term of three years from the date of such designation, one of the assistant clerks for the county of Middlesex, appointed under section four, to perform, under the direction of the clerk of the courts for the county of

Middlesex, the duties of clerk pertaining to the criminal proceedings in said court, who shall receive from said county, in addition to the salary paid to him as an assistant clerk under section four, a sum equivalent to ten per cent of the salary of the clerk.

Approved April 1, 1971.

Chap. 119. AN ACT REQUIRING POLICE TO GIVE NOTICE TO THE OWNER OF A STOLEN OR MISAPPROPRIATED MOTOR VEHICLE WHEN SUCH VEHICLE IS RECOVERED.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by inserting after section 29 the following section: —

Section 29A. Whenever a stolen or misappropriated motor vehicle is recovered by a police officer or other law enforcement officer, the police department shall notify the owner of record as soon as practicable after the identity of the owner is determined. Such notification may be made by letter, telephone call or personal visit to the owner and shall include information as to the location of the recovered vehicle, the amount of the towing and storage charges, if any, and that the garage keeper has a lien on the motor vehicle for such charges.

Approved April 1, 1971.

Chap. 120. AN ACT AUTHORIZING THE HEALTH, WELFARE AND RETIREMENT TRUST FUNDS BOARD TO BRING LEGAL ACTION ON BEHALF OF BENEFICIARIES UNDER HEALTH, WELFARE AND RETIREMENT PROGRAMS.

Be it enacted, etc., as follows:

Section 3 of chapter 151D of the General Laws is hereby amended by striking out subsection (*e*), as appearing in section 4 of chapter 655 of the acts of 1958, and inserting in place thereof the following subsection: —

(*e*) If, after notice and a hearing, the board finds that any trust has been depleted by reason of any wrongful or negligent act or omission of a trustee or of any other person, or that any trustee or other person unreasonably fails or refuses to pay or award any benefit to which an employee or beneficiary is entitled, it may bring an action or intervene in an action brought by or on behalf of an employee, beneficiary or an employer against such trustee or other person who fails or refuses to pay said benefits, or whose act or omission has caused such depletion, for the recovery of such monies, securities, property or thing of value for the benefit of the beneficiaries. *Approved April 1, 1971.*

Chap. 121. AN ACT RELATIVE TO RECEIPTS FROM STUDENT ACTIVITIES AT THE LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS.

Be it enacted, etc., as follows:

Section 4 of chapter 75A of the General Laws is hereby amended by striking out the first sentence, as appearing in section 3 of chapter 407 of the acts of 1953. *Approved April 1, 1971.*

Chap. 122. AN ACT INCREASING THE MAXIMUM AMOUNT OF CERTAIN DEPOSITS IN A CREDIT UNION.

Be it enacted, etc., as follows:

Section 10 of chapter 171 of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 87 of the acts of 1947, and inserting in place thereof the following sentence: — A credit union may also contract, on terms to be agreed upon, with a person eligible for membership in the credit union or a member of the family of such a person, for the deposit at intervals within a period of twelve months, of sums of money, to be known as club deposits, in the aggregate not in excess of two thousand dollars and for the payment of interest on the same at a rate not more than one per cent less than its regular dividend on shares. *Approved April 1, 1971.*

Chap. 123. AN ACT RELATIVE TO REVOCATION OF MOTOR VEHICLE OPERATORS LICENSES FOLLOWING CONVICTION FOR THEFT OF A MOTOR VEHICLE.

Be it enacted, etc., as follows:

Section 28 of chapter 266 of the General Laws is hereby amended by striking out the last sentence, added by section 2 of chapter 191 of the acts of 1966, and inserting in place thereof the following sentence: — The registrar of motor vehicles after having revoked the license or right to operate of any such person so convicted or adjudged shall issue a new license or reinstate such right to operate, if the prosecution of such person is finally terminated in his favor; otherwise, no new license shall be issued nor shall such right to operate be reinstated until one year after the date of revocation following his original conviction or adjudication if for a first offense, or until five years after the date of revocation following any subsequent conviction or adjudication.

Approved April 1, 1971.

Chap. 124. AN ACT REQUIRING THE WEEKLY REPORTING OF USED CAR PURCHASES AND SALES BY LICENSED DEALERS.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 63, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 63. Every licensee under section fifty-eight shall send weekly by mail to the registrar a list, on blanks prescribed by him, of the secondhand motor vehicles or parts thereof purchased or sold by him or stored for the purpose of sale or exchange during the preceding week. A copy of such list shall also be sent weekly in Boston to the police commissioner and in other cities and towns to the local chief of police.

Approved April 1, 1971.

Chap. 125. AN ACT FURTHER REGULATING THE DISPOSITION OF FEES RECEIVED FOR DOG LICENSES.

Be it enacted, etc., as follows:

Section 147 of chapter 140 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 47 of the acts of 1957, and inserting in place thereof the following sentence: — The police commissioner of Boston and the clerks of other cities and of towns shall issue said licenses and tags, receive the money therefor and pay it into the treasuries of their respective cities and towns on the first Monday of each month or oftener, retaining, except in Boston, for their own use thirty-five cents for each license unless otherwise provided by law, and shall certify under penalties of perjury to the amounts of money thus received and paid over by them. *Approved April 1, 1971.*

Chap. 126. AN ACT AUTHORIZING THE CITY OF BOSTON TO SELL CERTAIN PARK LAND IN THE WEST ROXBURY DISTRICT OF SAID CITY TO THE ROMAN CATHOLIC ARCHBISHOP OF BOSTON, A CORPORATION SOLE, FOR PLAYGROUND USES.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, acting by and through its parks and recreation commission, with the approval of its mayor, is hereby authorized to sell and convey to the Roman Catholic Archbishop of Boston, a corporation sole, for playground uses, the parcel of land now held for park purposes and containing approximately 2.612 acres, bounded and described as follows: — Beginning at a point at the southwesterly corner of land conveyed by the City of Boston to said Roman Catholic Archbishop of Boston by deed dated May 1, 1964; thence northerly 396.19 feet to the northwesterly corner of said parcel; thence westerly 364.62 feet; thence southerly 400 feet; thence easterly 222 feet to the point of beginning. Said land is a portion of the land taken by eminent domain by the board of park commissioners of said city on the twenty-second day of October in the year eighteen hundred and ninety-four, as evidenced by the instrument recorded in Suffolk County Registry of Deeds, Book 2244, page 545.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved April 1, 1971.*

Chap. 127. AN ACT RELATIVE TO THE GROSS WEIGHT LOAD OF BULK FEED TRUCKS OPERATED ON THE HIGHWAYS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

The fourth paragraph of section 19A of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 228 of the acts of 1962, and inserting in place thereof the following sentence: — Notwithstanding the foregoing provisions of this section, nor any contrary provision of section thirty of chapter eighty-five, a construction type motor vehicle having two axles, which vehicle with its load weighs not more than twenty-three

tons, or a motor vehicle carrying bulk feed, or a construction type semitrailer unit or motor vehicle having three axles, or a semitrailer unit or motor vehicle having three axles while carrying liquid petroleum products, which vehicle with its load weighs not more than thirty tons, may travel on a way while engaged in hauling construction materials or liquid petroleum products or bulk feed without a permit as required by said section thirty of chapter eighty-five; provided, that the gross weight of such vehicle as operated does not exceed the gross vehicle weight rating as established by the original manufacturer of the chassis; and provided, further, that the vehicle is duly registered in this commonwealth for such weight. *Approved April 1, 1971.*

Chap. 128. AN ACT AUTHORIZING CITIES, TOWNS AND DISTRICTS TO ENTER INTO CONTRACTS FOR THE PURCHASE OF FUEL OIL AND OTHER FUEL SUPPLIES.

Be it enacted, etc., as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by inserting after the paragraph inserted by chapter 71 of the acts of 1971 the following paragraph: —

For the purchase of oil and other fuel supplies. Contracts for such purposes may be made for periods not exceeding three years.

Approved April 1, 1971.

Chap. 129. AN ACT AUTHORIZING THE UNITARIAN UNIVERSALIST CHURCH IN SIXTEEN ACRES TO MERGE WITH THIRD CONGREGATIONAL SOCIETY IN SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Unitarian Universalist Church in Sixteen Acres, a corporation established under chapter one hundred and eighty of the General Laws, is hereby authorized to merge with Third Congregational Society in Springfield, a corporation established by chapter eighty-six of the acts of eighteen hundred and eighteen under the name "Second Congregational Society in the First Parish in Springfield", and the name of which was altered to its present form under authority of chapter eighty-two of the acts of eighteen hundred and nineteen.

SECTION 2. Upon the completion of the merger authorized as aforesaid, Unitarian Universalist Church in Sixteen Acres shall no longer continue as a separate corporation and Third Congregational Society in Springfield under its existing corporate powers may carry on the activities heretofore carried on by said Unitarian Universalist Church in Sixteen Acres as part of the activities of said Third Congregational Society in Springfield, and all persons who were members of said Unitarian Universalist Church in Sixteen Acres shall become members of said Third Congregational Society in Springfield.

SECTION 3. Upon such merger becoming effective, all property of Unitarian Universalist Church in Sixteen Acres, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for its benefit, shall be transferred to and vest in Third Congregational Society in Springfield without further act or deed, and said Third Congregational Society in Springfield shall have the same powers, rights and privileges with respect to the property of Unitarian Universalist

Church in Sixteen Acres and with respect to such bequests, devises, gifts and transfers as would have been possessed by Unitarian Universalist Church in Sixteen Acres had such bequests, devises, gifts and transfers been made directly to it for its purposes, so far as these powers, rights and privileges can be constitutionally conferred by the general court and without prejudice to any court proceedings, and otherwise shall have, with respect to such property, bequests, devises, gifts and transfers, the same powers, rights and privileges as would have been possessed by Unitarian Universalist Church in Sixteen Acres had such merger not been effected.

SECTION 4. Third Congregational Society in Springfield shall be deemed to have assumed and shall be liable for all the liabilities and obligations of Unitarian Universalist Church in Sixteen Acres.

SECTION 5. The merger shall not be completed unless at the meeting called for the purpose Unitarian Universalist Church in Sixteen Acres shall, by a majority vote of its members present and voting, have accepted this act; and unless after acceptance as aforesaid by Unitarian Universalist Church in Sixteen Acres, the Standing Committee of Third Congregational Society in Springfield, which Standing Committee has been duly authorized by its members to accept acts of this kind, shall at regular or special meeting, also by a majority vote of the members present and voting, have accepted this act.

SECTION 6. The merger shall be complete and effective upon the filing with the registry of deeds for Hampden county and in the office of the state secretary a certificate signed by the secretary, or some other officer thereunto duly authorized of Unitarian Universalist Church in Sixteen Acres, and by the Clerk, or some other officer thereto duly authorized, of Third Congregational Society in Springfield, each of whom shall make affidavit setting forth detailed compliance with the provisions of section five. Said certificates shall be filed not later than ninety days after the meeting of said standing committee at which this act is accepted by them. *Approved April 1, 1971.*

Chap. 130. AN ACT DECREASING THE TIME WITHIN WHICH THE ATTORNEY GENERAL SHALL NOTIFY CERTAIN PERSONS OF INTENDED ACTION UNDER THE LAW REGULATING BUSINESS PRACTICES FOR CONSUMERS PROTECTION.

Be it enacted, etc., as follows:

The second paragraph of section 4 of chapter 93A of the General Laws, as appearing in section 3 of chapter 814 of the acts of 1969, is hereby amended by striking out, in line 1, the word "ten" and inserting in place thereof the word: — five. *Approved April 1, 1971.*

Chap. 131. AN ACT REQUIRING THAT A CASH REGISTER OR ANY MECHANICAL DEVICE MAINTAINED AT A COUNTER FOR TOTALLING PURCHASES BE PLACED SO THAT A CUSTOMER MAY SEE THE TOTAL.

Be it enacted, etc., as follows:

Chapter 98 of the General Laws is hereby amended by inserting after section 56B the following section: —

Section 56C. Whoever maintains a cash register or other mechanical device at a counter for totalling the monetary value of customer purchases at retail which is so hidden or in such a position that the total cannot be observed by the customer shall be punished by a fine of fifty dollars. *Approved April 1, 1971.*

Chap. 132. AN ACT FURTHER REGULATING THE SAFETY PROCEDURES RELATIVE TO SCHOOL BUSES ON APPROACHING CERTAIN RAILROAD GRADE CROSSINGS.

Be it enacted, etc., as follows:

Section 15 of chapter 90 of the General Laws is hereby amended by inserting after the second sentence the following sentence: — The operator of a school bus, in addition to bringing his vehicle to a full stop, as aforesaid, shall open the service door, ascertain if he may cross safely and thereupon close said door before proceeding.

Approved April 1, 1971.

Chap. 133. AN ACT FURTHER DEFINING THE WORD SCALLOP AND INCREASING THE PENALTY FOR CERTAIN VIOLATIONS RELATIVE TO THE SALE OF SCALLOPS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 130 of the General Laws is hereby amended by striking out the definition of "Scallop", as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following definition: —

"Scallop", a marine mollusk of the species Aequipecten irradians, commonly known as the cape scallop or bay scallop.

SECTION 2. The second paragraph of section 92 of said chapter 130, as so appearing, is hereby amended by striking out, in line 5, the words "ten nor more than fifty" and inserting in place thereof the words: — fifty nor more than five hundred. *Approved April 1, 1971.*

Chap. 134. AN ACT FURTHER REGULATING THE DISPENSING OF MOTOR FUEL SOLD AT RETAIL.

Be it enacted, etc., as follows:

Section 295E of chapter 94 of the General Laws is hereby amended by adding the following paragraph: —

Any retail dealer who sells and delivers motor fuel to a customer from a dispensing device, the quantity indicator on the meter face of which has not been reset to zero either by mechanical or manual means, or who sets the price indicator on the meter face of the dispensing device at a price per gallon higher than that posted on the dispensing device shall, notwithstanding any contrary provision of section two hundred and ninety-five K, be punished by a fine of fifty dollars for the first offense and by a fine of one hundred dollars for each subsequent offense. The provisions of this paragraph shall not apply to motor fuel which is dispensed from a self-service pump which is operated by the customer.

Approved April 1, 1971.

Chap. 135. AN ACT PROHIBITING THE DISCHARGE OF REFUSE AND OTHER MATTER INTO OR ON INLAND OR TIDAL WATERS.

Be it enacted, etc., as follows:

SECTION 1. Section 59 of chapter 91 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "substances", in line 5, the words: — , or any other matter or refuse.

SECTION 2. Chapter three hundred and eighty-one of the acts of nineteen hundred and thirty-five is hereby repealed.

Approved April 1, 1971.

Chap. 136. AN ACT FURTHER REGULATING THE PERIODIC INSPECTION OF SCHOOL BUSES.

Be it enacted, etc., as follows:

Section 7A of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 202 of the acts of 1967, and inserting in place thereof the following sentence: — The registrar shall include, in the rules and regulations prepared by him under section thirty-one, rules and regulations providing for the periodic inspection of all motor vehicles and trailers between April the first and May the fifteenth and between September the first and October the fifteenth, all dates inclusive, in each year, for the purpose of determining whether they are provided with the following equipment maintained in good order, to wit: — brakes, stop lights, lights, horn, exhaust system, steering gear, windshield, windshield cleaner, number plates, rear windows, tires, fenders, bumpers, external sheet metal, reflectors, splash guards and chock blocks, and also rules and regulations providing for the inspection during the months of January, March, May, August and November in each year of school buses and of buses operated under a certificate, license or permit issued in accordance with the provisions of chapter one hundred and fifty-nine A which are used for the transportation of school children to and from school and in connection with school activities other than such buses used simultaneously as public common carriers of passengers or designed primarily for mass transportation. *Approved April 1, 1971.*

Chap. 137. AN ACT IMPOSING A PENALTY FOR THE REMOVAL, DEFACING OR ALTERING OF THE IDENTIFICATION NUMBER OF A MOTORBOAT, ENGINE OR MOTOR.

Be it enacted, etc., as follows:

Chapter 90B of the General Laws is hereby amended by inserting after section 4A the following section: —

Section 4B. Whoever removes, defaces, alters, changes, destroys, obliterates or mutilates, or causes to be removed or destroyed or in any way defaced, altered, changed, obliterated or mutilated, the identifying number or numbers of the manufacturer of a motorboat or the identification number of the manufacturer of a motor or engine designed for use in a boat with intent thereby to conceal the identity of such motorboat, motor or engine shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or

both; and possession of any motorboat or any such motor or engine or of any part thereof, the identifying number or numbers of which have been so removed, defaced, altered, changed, destroyed, obliterated or mutilated shall be prima facie evidence of a violation of the foregoing provision. Whoever sells or otherwise disposes of or attempts to sell or otherwise dispose of such motorboat, motor or engine, knowing or having reason to believe that the identifying number or numbers of said motorboat, motor or engine have been so removed, defaced, altered, changed, destroyed, obliterated or mutilated, shall be punished by the same fine or imprisonment, or both. *Approved April 1, 1971.*

Chap. 138. AN ACT AUTHORIZING THE CITY OF WORCESTER TO PAY TO PRESENT AND FORMER EMPLOYEES OF SAID CITY CERTAIN SUMS OF MONEY PURSUANT TO THE PROVISIONS OF FEDERAL LAW.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the city of Worcester is hereby authorized to pay to present or former employees of said city the sum to which each of them is entitled under the provisions of the Fair Labor Standards Amendments of 1966 (Public Law 89-601); provided, however, that the total sum so paid shall not exceed five thousand seventy-four dollars and thirty-three cents.

Approved April 1, 1971.

Chap. 139. AN ACT PLACING THE POLICE DEPARTMENT OF THE TOWN OF DRACUT UNDER THE DIRECTION OF THE BOARD OF SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the acceptance by the town of Dracut of the provisions of section ninety-seven A of chapter forty-one of the General Laws is hereby rescinded and its police department shall be under the supervision and control of the board of selectmen. On and after the effective date of this act the provisions of section ninety-seven of said chapter forty-one shall apply to said town.

SECTION 2. Nothing contained in this act shall be construed so as to affect the civil service status, seniority, rank, retirement and any other rights of any of the members of or of the incumbents of the office of chief of police or of any other offices within the police department of the town of Dracut. *Approved April 1, 1971.*

Chap. 140. AN ACT RELATIVE TO THE TIME WITHIN WHICH THE SCHOOL BUILDING ASSISTANCE BUREAU SHALL BE REQUIRED TO NOTIFY AN APPLICANT AS TO THE DISPOSITION OF ITS APPLICATION.

Be it enacted, etc., as follows:

The second paragraph of section 8 of chapter 645 of the acts of 1948, as appearing in section 1 of chapter 528 of the acts of 1950, is hereby amended by striking out the first sentence and inserting in place thereof

the following sentence: — Within ninety days after receipt of such application the commission shall notify such city, town, district or county of its approval or rejection thereof, and, in the event of its rejection, of the reasons therefor. *Approved April 1, 1971.*

Chap. 141. AN ACT PROVIDING THAT CERTAIN NOTICES BE GIVEN TO TORT CLAIMANTS WHO RECEIVE CERTAIN ADVANCE PAYMENTS FROM INSURERS.

Be it enacted, etc., as follows:

Section 140B of chapter 231 of the General Laws is hereby amended by adding the following two paragraphs: —

Any such insurer who makes an advance payment under this section shall at the time of making such payment, by notice in writing, inform the claimant of the statute of limitations applicable to his claim and the time within which an action is required to be commenced to enforce such claim in a court of competent jurisdiction.

The cause of action of any claimant who receives an advance payment under this section but who is not given the written notice required hereunder shall accrue on the date such written notice is actually given and not on the date the injury or damage was sustained.

Approved April 5, 1971.

Chap. 142. AN ACT RELATIVE TO THE SALARIES OF THE CLERK, FIRST ASSISTANT CLERK AND ASSISTANT CLERKS OF THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. The salary of the clerk of the Boston juvenile court shall be eighteen thousand four hundred and eighty dollars. The salary of the first assistant clerk of said juvenile court shall be equal to eighty-seven and one half per cent and the salaries of all other assistant clerks in said juvenile court shall be equal to seventy-five per cent of the salary of the clerk of said juvenile court.

SECTION 2. Section 79 of chapter 218 of the General Laws is hereby amended by striking out the definition of "court class", as amended by section 20 of chapter 859 of the acts of 1969, and inserting in place thereof the following definition: —

"court class" the classification of district courts and the Worcester and Springfield juvenile courts for the purpose of establishing salaries of the clerks.

SECTION 3. Paragraph (1) of said section 79 of said chapter 218 is hereby amended by striking out in *Class V*, as appearing in section 2 of chapter 815 of the acts of 1970, the line reading "Boston juvenile court,".

SECTION 4. This act shall take effect upon its acceptance by the city of Boston in the current year, but not otherwise.

Approved April 7, 1971.

Chap. 143. AN ACT EXTENDING THE TIME FOR THE ACCEPTANCE BY ANY COUNTY, CITY, TOWN, DISTRICT, REGIONAL SCHOOL DISTRICT OR HOUSING AUTHORITY OF THE VETERANS' RETIREMENT LAW, SO-CALLED.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to extend the time for the acceptance by any county, city, town, district, regional school district or housing authority of the Veterans' Retirement Law, so-called, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the limitation contained in the first paragraph of section sixty of chapter thirty-two of the General Laws, sections fifty-six to fifty-nine, inclusive, of said chapter thirty-two shall be in effect in any county, city, town, district, regional school district or housing authority which accepts said sections prior to January the first, nineteen hundred and seventy-two, by majority vote of the county commissioners, by the mayor, by majority vote of the selectmen, by majority vote of the prudential committee or by majority vote of the regional school committee or by majority vote of the housing authority, as the case may be. *Approved April 8, 1971.*

Chap. 144. AN ACT AUTHORIZING THE TOWN OF CANTON TO BORROW MONEY TO ACQUIRE CERTAIN LAND AND BUILDINGS FOR CONSERVATION AND RECREATION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Canton is hereby authorized to acquire by eminent domain or otherwise all of the following described land and the buildings thereon for conservation and recreation purposes: —

Land on the westerly side of Pleasant Street in the Town of Canton, containing 33.8 acres, more or less, and formerly owned by Paul A. Draper.

SECTION 2. For the purpose of acquiring said land and the buildings thereon, said town may borrow, from time to time, such sums as may be necessary, not exceeding, in the aggregate, two hundred and twenty-five thousand dollars, and may issue bonds or notes of the town therefor, which shall bear on their face the words, Town of Canton Conservation and Recreation Loan, Act of 1971. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, as prescribed by section ten of chapter forty-four of the General Laws, but shall, except as provided herein, be subject to said chapter forty-four, exclusive of any limitation or requirement contained in the first paragraph of section seven thereof. Said town may apply to the commissioner of natural resources for reimbursement of its expenses under this act in the manner and to the extent authorized by section eleven of chapter one hundred and thirty-two A of the General Laws.

SECTION 3. The proceedings taken by the town of Canton at a special town meeting held on October the nineteenth, nineteen hundred and seventy, authorizing the acquisition of said land and buildings and the borrowing of money therefor, shall be deemed as valid and effective as though this act had been in full force and effect at the time of the posting of the warrant for said meeting.

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

Approved April 8, 1971.

Chap. 145. AN ACT ESTABLISHING THE WEST WARREN WATER DISTRICT IN THE TOWN OF WARREN.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Warren, liable to taxation in said town and residing within the territory served by the Thorndike Company, as set forth in chapter 436 of the acts of 1922, succeeded by the West Warren Water Company, established in 1932, and bounded and described as follows:

Beginning at a bound marked number one situated in boundary line between the towns of Palmer and Warren westerly from the former Warren Town Farm house;

thence southerly in a straight line to bound marked number two located at the intersection of roads near the house formerly of Plinney Dodge;

thence southerly in a straight line to bound marked number three located at intersection of roads westerly of the house formerly of Martin Mullen;

thence southerly in a straight line to bound marked number four located at intersection of roads westerly and near the house formerly of Calvin Bliss;

thence southerly in a straight line to bound marked number five located in the boundary line between the towns of Warren and Brimfield on the road leading to Brimfield past the house formerly of Amos Bliss;

thence North 64° 24′ West along said boundary line between the towns of Warren and Brimfield to the Quaboag River;

thence northerly along said river to the boundary line between the towns of Palmer and Warren at said Quaboag River;

thence North 35° 47′ East along said boundary line between the towns of Palmer and Warren to the place of beginning, shall constitute a water district, and are hereby made a body corporate by the name of the West Warren Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of the district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, within the town of Warren and not already appropriated for the purposes of a public supply and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights-of-way and other easements necessary for collection, storing, holding, processing, purifying and preserving the purity of the water and for conveying the same to any part of the district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, processing plants, fixtures and other structures including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct 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, railroad, railways and public, or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Warren. 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 land for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by and 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, in addition to amounts authorized by chapter forty-four of the General Laws, from time to time such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, West Warren Water District Loan, Act of 1971. Each authorized issue shall constitute a separate loan, and such loan 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 expenses of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town 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 such 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 the district, to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date of which the water commissioners were first elected. All the authority granted to the district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district.

The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by 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. If in any year there should be a deficit of revenue, the water commissioners shall in the following year fix the rate so as to meet such deficit together with the estimated operating costs, including interest and debt. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

SECTION 11. The district may adopt by-laws, prescribing by whom and how meetings of the district may be called, notified and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section eight. The district may also establish rules and regulations for the management of its water works, not inconsistent with this act or with any other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 12. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both.

SECTION 13. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on the district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. Nothing in this act shall authorize the district to supply water for the extinguishment of fires or for domestic or other purposes to the inhabitants of the territory served on the effective date of this act by the West Warren Water Company without its first having

acquired by purchase or by eminent domain under chapter seventy-nine of the General Laws, as the occasion may arise, all the properties of said corporation on said date appurtenant to the business of water supply and located within the territory served by said corporation. In case of dispute as to the territory served by said corporation on said date, the department of public utilities, upon application of the district or of said corporation, shall determine such area and such determination shall be final. *Approved April 8, 1971.*

Chap. 146. AN ACT AUTHORIZING THE NEW ENGLAND HOME FOR LITTLE WANDERERS TO HOLD ADDITIONAL PROPERTY.

Be it enacted, etc., as follows:

Chapter 205 of the acts of 1889 is hereby amended by striking out section 2, as most recently amended by section 1 of chapter 25 of the acts of 1959, and inserting in place thereof the following section: —

Section 2. Said corporation may hold real and personal estate to an amount not exceeding twelve million dollars.

Approved April 8, 1971.

Chap. 147. AN ACT TO AUTHORIZE THE MASSACHUSETTS EYE AND EAR INFIRMARY TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Massachusetts Eye and Ear Infirmary, a charitable corporation established by chapter ninety-one of the acts of eighteen hundred and twenty-six, may hold real and personal estate in an amount not exceeding fifty million dollars. *Approved April 8, 1971.*

Chap. 148. AN ACT LIMITING THE CHARGES FOR GROUP CREDIT LIFE INSURANCE ISSUED IN CONNECTION WITH INSURANCE PREMIUM FINANCE AGREEMENTS.

Be it enacted, etc., as follows:

Chapter 255C of the General Laws is hereby amended by inserting after section 14 the following section: —

Section 14A. In the event the charge or any portion thereof for insurance on the life of the insured, issued under subdivision (c) of section one hundred and thirty-three of chapter one hundred and seventy-five, which shall be the only life insurance authorized in connection with a premium finance agreement, is paid by him to the agent, broker or his assignee, it shall not be deemed to constitute a charge in violation of section fourteen, if the charge to the insured for such insurance coverage is not more than fifty cents per one hundred dollars per year of the sum of the agreed monthly instalments contracted to be paid and proportionately at such rates for greater or lesser periods and for greater or lesser amounts of such life insurance coverage, except that a minimum charge of one dollar may be made in any case where the total charge for such coverage amounts to less than one dollar. In the event of pre-

payment of the contract there shall be a refund of the charge for such insurance computed on the same basis as is used for a refund under the provisions of section nineteen. The amount of death benefit payable shall be computed as of the date of death as follows: In the case of precomputation, the amount shall at no time be less than the unextinguished debt including unearned charges. In the case of interest bearing loans other than precomputed loans, the amount shall be the unpaid principal balance plus the difference between the original total planned interest and the amount of interest actually earned. Any such unearned charges shall be refunded to the estate of the insured.

Approved April 8, 1971.

Chap. 149. AN ACT INCREASING THE PENALTIES FOR CERTAIN VIOLATIONS OF THE LAWS RELATIVE TO THE PROTECTION OF FLOOD PLAINS AND INLAND WETLANDS.

Be it enacted, etc., as follows:

Section 90 of chapter 131 of the General Laws is hereby amended by striking out the fifth and sixth paragraphs, as appearing in section 1 of chapter 802 of the acts of 1967, and inserting in place thereof the following two paragraphs: —

Whoever violates any provision of section forty, or of any rule or regulation made under authority thereof, shall be punished by a fine of not less than one hundred dollars nor more than five thousand dollars, or by imprisonment for not more than two years, or both.

Whoever violates any provision of section forty-one, forty-two or forty-three, or of any rule or regulation or order made under authority thereof, shall be punished by a fine of not less than one hundred dollars nor more than five thousand dollars, or by imprisonment for not more than two years, or both. *Approved April 8, 1971.*

Chap. 150. AN ACT RELATIVE TO IMPERSONATION OF CERTAIN EMPLOYEES OF THE REGISTRY OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 33 of chapter 268 of the General Laws, as most recently amended by section 7 of chapter 400 of the acts of 1945, is hereby further amended by striking out the words "or investigator", in line 5, and inserting in place thereof the words: —, investigator or other officer.

Approved April 8, 1971.

Chap. 151. AN ACT RELATIVE TO FILLING VACANCIES ON CERTAIN BOARDS OF TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 41 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 3 of chapter 341 of the acts of 1938, and inserting in place thereof the following two sentences: — If there is a vacancy in a board consisting of two or more members, except a board whose members have been

elected by proportional representation under chapter fifty-four A, the remaining members shall give written notice thereof, within one month of said vacancy, to the selectmen, who, with the remaining member or members of such board, shall, after one week's notice, fill such vacancy by ballot. The selectmen shall fill such vacancy if such board fails to give said notice within the time herein specified.

SECTION 2. Section 109 of said chapter 41 is hereby amended by inserting after the first sentence the following sentence: — Upon receipt of a resignation the clerk shall notify the remaining members, if the resignation is received from a board of two or more members, and he shall further notify the executive officers of the town or district and such notification shall include the effective date of the resignation.

Approved April 8, 1971.

Chap. 152. AN ACT CLARIFYING THE STATUS OF INCUMBENTS OF OFFICES OR POSITIONS WHOSE OFFICES OR POSITIONS ARE PLACED WITHIN THE OFFICIAL OR LABOR SERVICE.

Be it enacted, etc., as follows:

The third paragraph of section 47A of chapter 31 of the General Laws, as appearing in section 3 of chapter 701 of the acts of 1945, is hereby amended by striking out, in line 5, the words "six months or less" and inserting in place thereof the words: — less than six months, — and by striking out, in line 11 and in line 22, the words "more than six months" and inserting in place thereof, in each instance, the words: — six months or more. *Approved April 8, 1971.*

Chap. 153. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE DISTRICT COURT OF LAWRENCE.

Be it enacted, etc., as follows:

Section 62 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 114 of the acts of 1971, and inserting in place thereof the following sentence: — 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 second district court of eastern 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 district court of Newton, the first district court of Barnstable, the third district court of southern Worcester, the district court of northern Norfolk, the second district court of Plymouth, the first district court of Essex and the district court of Lawrence, two court officers may be appointed; and in each of the other district courts in the commonwealth, one court officer may be appointed. *Approved April 8, 1971.*

Chap. 154. AN ACT RELATIVE TO THE CONDITIONS UNDER WHICH THE TOWN OF WEST SPRINGFIELD MAY SUPPLY WATER TO THE TOWN OF SOUTHWICK.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 2 of chapter 206 of the acts of 1893, as appearing in section 1 of chapter 10 of the acts of 1938, is hereby amended by striking out, in line 1, the word "may" and inserting in place thereof the word: — shall, — so as to read as follows: —

The said town of West Springfield shall supply water to the said town of Southwick upon such terms and conditions as may be agreed upon between said towns, or, in case of failure so to agree, upon such terms and conditions as may be fixed by the department of public utilities; and said town of Southwick is hereby authorized to purchase such water.

SECTION 2. Said section 2 of said chapter 206 is hereby further amended by adding the following paragraph: —

All land excluding buildings or other things erected thereon or affixed thereto now held or hereafter acquired under the provisions of this act and situate in the town of Southwick shall be subject to taxation therein, notwithstanding the provisions of section seven A of chapter fifty-nine of the General Laws. *Approved April 8, 1971.*

Chap. 155. AN ACT AUTHORIZING INVESTMENT BY SAVINGS BANKS IN SECURITIES GUARANTEED BY THE GOVERNMENT NATIONAL MORTGAGE ASSOCIATION.

Be it enacted, etc., as follows:

Paragraph 6 of section 42 of chapter 168 of the General Laws is hereby amended by adding after clause (*g*), added by section 3 of chapter 338 of the acts of 1969, the following clause: —

(*h*) obligations of any person, including any form of mortgage-backed security, as to which the payment of principal and interest according to the terms of such obligations is guaranteed by the Government National Mortgage Association under the provisions of the National Housing Act, as amended. *Approved April 8, 1971.*

Chap. 156. AN ACT ABOLISHING THE POSITION OF LOCAL SUPERINTENDENT OF INSECT PEST CONTROL IN THE TOWN OF COHASSET AND TRANSFERRING THE POWERS AND DUTIES OF SAID SUPERINTENDENT TO THE SUPERINTENDENT OF TREES AND PARKS IN SAID TOWN.

Be it enacted, etc., as follows:

The position of local superintendent of insect pest control in the town of Cohasset is hereby abolished and the powers and duties of said position shall vest in the superintendent of trees and parks in said town; provided, that no person shall be appointed to a second term as such superintendent of trees and parks unless he holds a valid supervisory license issued under the rules and regulations of the pesticide board in the department of public health. *Approved April 8, 1971.*

Chap. 157. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY PETER BENT BRIGHAM HOSPITAL.

Be it enacted, etc., as follows:

Peter Bent Brigham Hospital, a charitable corporation organized under the provisions of chapter one hundred and twenty-five of the Revised Laws, is hereby authorized to hold real and personal estate to an amount not exceeding one hundred million dollars and no gift, devise, bequest or conveyance of real or personal estate heretofore made to said corporation shall be invalid by reason of the limit heretofore imposed by law upon the amount of such estate allowed to be held by it. *Approved April 8, 1971.*

Chap. 158. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY BOSTON HOSPITAL FOR WOMEN.

Be it enacted, etc., as follows:

Boston Hospital for Women, a charitable corporation organized by consolidation under chapter one hundred and ninety-two of the acts of nineteen hundred and sixty-five, is hereby authorized to hold real and personal estate to an amount not exceeding seventy-five million dollars and no gift, devise, bequest or conveyance of real or personal estate heretofore made to said corporation shall be invalid by reason of the limit heretofore imposed by law upon the amount of such estate allowed to be held by it. *Approved April 8, 1971.*

Chap. 159. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY ROBERT B. BRIGHAM HOSPITAL.

Be it enacted, etc., as follows:

Robert B. Brigham Hospital, a charitable corporation organized under the provisions of chapter one hundred and twenty-five of the Revised Laws, is hereby authorized to hold real and personal estate to an amount not exceeding thirty-five million dollars and no gift, devise, bequest or conveyance of real or personal estate heretofore made to said corporation shall be invalid by reason of the limit heretofore imposed by law upon the amount of such estate allowed to be held by it. *Approved April 8, 1971.*

Chap. 160. AN ACT EXTENDING THE AUTHORITY OF THE TOWN OF AUBURN TO CONSTRUCT AND OPERATE A SYSTEM OF SEWERAGE AND SEWAGE DISPOSAL ON LAND LOCATED IN THE CITY OF WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 708 of the acts of 1963 is hereby amended by striking out section 1 and inserting in place thereof the following section: —

Section 1. The town of Auburn, hereinafter called the town, may lay out, construct, maintain and operate a system or systems of common sewers for a part or the whole of its territory, and in the city of Worcester, with such connections and other works as may be required for a system or systems of sewerage and sewage treatment and disposal, and may enter into agreements with the Upper Blackstone Water Pollution Abatement District for the operation and maintenance of a temporary sewage treatment plant to be located on premises of said District and within the bounds of the city of Worcester.

SECTION 2. Said chapter 708 is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

Section 4. The board, acting for and on behalf of the town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights-of-way or easements, public or private, in the town, necessary for accomplishing any purpose mentioned in this act, and may, in the town and in the city of Worcester, construct and maintain such sewers under or over any land, bridge, watercourse, railroad, railway, electric transmission line, private way, boulevard or other public way, or within the location of any railroad or electric transmission line and may enter upon and dig up any private land, public land, private way, public way, railroad location or electric transmission line location for the purpose of laying such sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of this act; provided, that it shall not take in fee any land of a railroad corporation, or land of an electric transmission line corporation, and that it shall not enter upon or construct any sewer within the location of any railroad corporation or within the location of any electric transmission line location except at such time and in such manner as it may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of public utilities; and provided further, that it shall not take any land or easements in the city of Worcester or land owned by the city of Worcester in the town of Auburn without the approval of the state department of public health.

SECTION 3. Section 12 of said chapter 708 is hereby amended by striking out, in lines 6 and 7, the words ", and by writing to the selectmen of the town of Millbury". *Approved April 8, 1971.*

Chap. 161. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF THE COUNTY OF DUKES COUNTY TO ESTABLISH RULES AND REGULATIONS RELATIVE TO THE CARE AND MAINTENANCE OF BEACHES AND CERTAIN OTHER FACILITIES.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the county commissioners for the County of Dukes County may make reasonable rules and regulations for the care, maintenance, protection, policing and equal public use of buildings, beaches, parking areas, bathhouses and other property controlled or maintained by them, including establishing reasonable charges for the use of any of said facilities. One or more copies of such rules and regulations shall be posted in a conspicuous place at each such facility. Whoever violates the provisions of any such rule or regulation shall be punished by a fine of not more than fifty dollars for each offense. *Approved April 8, 1971.*

Chap. 162. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-ONE 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 four hundred and eighty of the acts of nineteen hundred and seventy for the fiscal year ending June the thirtieth, nineteen hundred and seventy-one, 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 **$195,000**

House of Representatives.

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**

Sergeant-at-Arms.

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 **$69,000**

Other Expenses.

Item

0147-0000 For the administration of the legislative engrossing division, as authorized by chapter thirty-four of the acts of nineteen hundred and seventy-one, including not more than four permanent positions $16,000

0162-0000 For the service of the joint committee on federal financial assistance 8,000

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 25,000

Executive.

Governor.

0411-1901 For postage, printing, office and other contingent expenses, including travel of the governor $31,000

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 21,500

Lieutenant Governor.

0412-1000 Item 0412-1000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "four" and inserting in place thereof the word: — seven $15,100

Department of the Attorney General.

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 $50,000

Department of Youth Services.

1700-0010 Item 1700-0010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by adding at the end the following: — and for certain deficiencies for fiscal years nineteen hundred and sixty-nine and nineteen hundred and seventy.

8070-55 Item 8070-55 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine is hereby amended by striking out the wording and inserting in place thereof the following: — 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, and including the installation of a new sewage-disposal system for said property and appurtenances thereto, and the acquisition of such additional land and interests therein as may be necessary for the installation of said system by purchase, by eminent domain under chapter seventy-nine of the General Laws, or otherwise; provided, that the acquisition of such additional land and interests therein shall be made, and the amount of the award of damages or purchase price therefor determined, if any, by the department of

Item

public works, acting on behalf of and upon the written request of the department of youth services, and the department of youth services shall make available from this item to the department of public works such sums as are necessary for such acquisition; and provided further, 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.

Department of Correction.

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

1812-0000 Correctional institution at Walpole, including not more than three hundred and fifteen permanent positions . . . **$4,086**

Department of Public Welfare.

1900-1000 Item 1900-1000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by inserting, after the word "list", in line 7, the following: — ; and, provided further, that notwithstanding the provisions of section eight A of chapter twenty-nine of the General Laws, the sum of three thousand, two hundred and sixty-five dollars shall be allowed and paid for certain repairs and renovations.

1902-5000 For a medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund (1969, 800); and provided further, that no expenditure or commitment made pursuant to this item or to any agreements authorized by said chapter eight hundred, for the purpose of complying with the provisions of Public Law 89-97, Title XIX shall be incurred in excess of available funds which have been appropriated therefor, prior appropriation continued **$3,000,000**

1903-2000 For a program of aid to families with dependent children; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenses **22,000,000**

1906-2000 For a program of general relief, including prior year charges; provided, that notwithstanding the provisions of any law to the contrary, no increase in the budgetary standard allowance, so-called, shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for said increase; and provided further, that said commissioner shall notify in writing the house and senate committees on ways and means thirty days prior to the effective date of said increase . **7,000,000**

Department of Public Health.

Bureau of Consumer Products Protection.

2017-0100 For the office of the bureau, including not more than ninety-two permanent positions **$148,700**

Department of Public Safety.

2112-0604 Item 2112-0604 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the words "provided, that any federal funds received for this purpose shall be credited to the several funds to which this item is charged."

Department of Mental Health.

Region Two.

Item

5291-0000 For the maintenance of the Gardner state hospital, including not more than five hundred and sixty-one permanent positions . **$40,000**

5292-0000 For the maintenance of the Grafton state hospital, including not more than five hundred and eighty-seven permanent positions **68,000**

5293-0000 For the maintenance of the Worcester state hospital, including not more than one thousand and sixty-three permanent positions **60,000**

Region Three.

5391-0000 For the maintenance of the Metropolitan state hospital, including not more than eight hundred and five permanent positions **$125,000**

Region Five.

5591-0000 For the maintenance of the Medfield state hospital, including not more than six hundred and ninety-four permanent positions **$73,500**

5592-0000 For the maintenance of the Westborough state hospital, including not more than nine hundred and ten permanent positions . **85,000**

Region Six.

5691-0000 For the maintenance of the Boston state hospital, including not more than one thousand two hundred and sixty-six permanent positions **$128,000**

Region Seven.

5721-0000 For mental health and retardation services, including not more than ninety-one permanent positions; provided, that federal funds not exceeding thirteen thousand six hundred and twenty-eight dollars may be expended for the purposes of this item, said federal funds to be in addition to the amount appropriated . . **$40,000**

5791-0000 For the maintenance of the Foxborough state hospital, including not more than six hundred and three permanent positions **65,000**

Brockton Mental Health and Public Health Center.

8070-25 Item 8070-25 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine is hereby amended by striking out, in line 3, the word "twenty" and inserting in place thereof the word: — eighty.

New Bedford Mental Health Center.

8070-26 Item 8070-26 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine is hereby amended by inserting after the word "of", in line 7, the word: — preliminary.

Department of Education.

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:

7111-0000 Item 7111-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy, is hereby further 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 five thousand three hundred and seventy dollars shall be allowed and paid for certain building renovations.

Lowell Technological Institute of Massachusetts.

Item	
8071–57	Item 8071–57 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the words ", including the cost of furnishings and equipment,"; by striking out the figures "6,360,000" and inserting in place thereof the figures: — 8,310,000; and by adding the following: — Provided that the contingency allocation to this project may be determined by applying the percentage allowed under item 8071–02 of said section two of said acts to the total project cost authorized under this item as amended above.

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

Approved April 14, 1971.

Chap. 163. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF BRISTOL COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING THE RECREATIONAL, VACATION AND CONVENTION, COMMERCIAL AND INDUSTRIAL RESOURCES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 48 of the acts of 1970 is hereby amended by striking out, in line 4, the word "seventy-five" and inserting in place thereof the words: — one hundred.

SECTION 2. In the calendar year nineteen hundred and seventy-one said commissioners may expend, without further approval for said county for said year, the sums provided for by this act from any available funds in the county treasury.

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

Approved April 15, 1971.

Chap. 164. 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 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 seventy-one.

BARNSTABLE COUNTY.

Item		Total
1.	For interest on county debt	$226,310 00
2.	For reduction of county debt	420,000 00

Item		Subtotal	Total
3.	For county commissioners, salaries and expenses		$35,141 93
	1. Personal services	$32,355 46	
	2. Contractual services	1,735 00	
	3. Supplies and materials	525 00	
	4. Current charges and obligations	122 72	
	5. Equipment	403 75	
4.	For transportation and expenses of county and acting commissioners		1,000 00
5.	For clerk of courts, salary and expenses		50,561 93
	1. Personal services	46,470 93	
	2. Contractual services	2,260 00	
	3. Supplies and materials	900 00	
	4. Current charges and obligations	556 00	
	5. Equipment	375 00	
6.	For county treasurer, salaries and expenses		37,876 25
	1. Personal services	34,234 25	
	2. Contractual services	1,600 00	
	3. Supplies and materials	1,250 00	
	4. Current charges and obligations	792 00	
7.	For sheriff, salary and expenses		15,898 00
	1. Personal services	13,678 00	
	2. Contractual services	1,210 00	
	3. Supplies and materials	610 00	
	4. Current charges and obligations	400 00	
8.	For registry of deeds, salaries and expenses		301,319 33
	1. Personal services	202,170 33	
	2. Contractual services	79,110 00	
	3. Supplies and materials	14,500 00	
	4. Current charges and obligations	4,425 00	
	5. Equipment	1,114 00	
8a.	For registry of probate, salaries and expenses		9,380 40
	1. Personal services	2,438 80	
	2. Contractual services	1,745 00	
	3. Supplies and materials	3,650 00	
	4. Current charges and obligations	500 00	
	5. Equipment	1,046 60	
9.	For law library, salaries and expenses		14,803 60
	1. Personal services	5,463 10	
	3. Supplies and materials	50 00	
	4. Current charges and obligations	9,290 50	
10.	For highways, including state highways, bridges and land damages		209,021 00
	2. Contractual services	19,200 00	
	6. All other	189,821 00	
12.	For criminal costs in superior court		100,711 12
	1. Personal services	25,989 36	
	2. Contractual services	71,665 76	
	3. Supplies and materials	900 00	
	4. Current charges and obligations	915 00	
	5. Equipment	1,241 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		41,535 00
	1. Personal services	13,660 00	
	2. Contractual services	27,875 00	
14.	For district courts, salaries and expenses First District Court of Barnstable		263,677 26
	1. Personal services	232,551 76	
	2. Contractual services	23,500 00	
	3. Supplies and materials	5,450 00	
	4. Current charges and obligations	1,274 00	
	5. Equipment	901 50	

Item		Subtotal	Total
	Second District Court of Barnstable		$141,514 95
	1. Personal services	$128,437 95	
	2. Contractual services	9,450 00	
	3. Supplies and materials	2,725 00	
	4. Current charges and obligations	902 00	
	District Court — Appellate Division		300 00
	2. Contractual services	200 00	
	3. Supplies and materials	100 00	
15.	For medical examiners and commitments of insane		15,676 00
16.	For jail and house of correction, maintenance and operation		401,142 28
	1. Personal services	294,292 28	
	2. Contractual services	28,000 00	
	3. Supplies and materials	71,420 00	
	4. Current charges and obligations	3,555 00	
	5. Equipment	3,875 00	
17.	For training school		2,000 00
18.	For court houses and registry buildings, maintenance and operation		131,483 07
	1. Personal services	69,751 01	
	2. Contractual services	38,711 28	
	3. Supplies and materials	19,075 00	
	4. Current charges and obligations	1,660 20	
	5. Equipment	2,285 58	
18a.	For sewage system		5,487 80
20.	For agricultural school or county aid to agriculture, maintenance and operation		80,406 95
	1. Personal services	71,826 95	
	2. Contractual services	6,000 00	
	3. Supplies and materials	2,290 00	
	4. Current charges and obligations	230 00	
	5. Equipment	60 00	
22.	For hospital		1,018,445 00
	1. Personal services	770,392 00	
	2. Contractual services	60,000 00	
	3. Supplies and materials	120,000 00	
	4. Current charges and obligations	55,000 00	
	5. Equipment	13,053 00	
23.	For health service		107,926 28
	1. Personal services	95,486 28	
	2. Contractual services	10,000 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	440 00	
24.	For noncontributory pensions		30,343 51
25.	For contributory retirement system and supervisory expenses		97,131 54
26.	For miscellaneous and contingent expenses		40,935 75
27.	For unpaid bills of previous years		9,146 66
28.	For reserve fund		50,000 00
29.	For advertising recreational advantages of the county		100,000 00
31.	For police radio system		84,213 97
32.	For state fire patrol		7,269 50
32a.	For maintenance of forest fire apparatus		1,500 00
33.	For police training school and bureau of criminal investigation		82,146 96
35.	For Cape Cod county planning and economic development commission		46,848 02
37.	For drug abuse information bureau		33,021 12
38.	For airplane		1,765 00

Item		Total
39.	For group insurance	$50,654 00
40.	For advertising and promoting county fairs	500 00
41.	For fire fighters training school	3,300 00
	Total amount of appropriations	$4,270,394 18
	Less estimated amount available for reduction of county tax	1,739,882 19
	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	$2,530,511 99

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

Approved April 15, 1971.

Chap. 165. AN ACT AUTHORIZING THE CITY OF BROCKTON TO APPROPRIATE MONEY FOR, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, the following unpaid bills: — Brockton Hospital, thirty-nine thousand nine hundred and eighty-four dollars and eighty-two cents; Cardinal Cushing General Hospital, six hundred and forty-seven dollars and eighty-five cents; Goddard Memorial Hospital, one thousand eight hundred and ninety-one dollars and eighty-eight cents; Peter Bent Brigham Hospital, four hundred and seventy-one dollars and forty-three cents; and Goddard Memorial Associates, one hundred and fifty-nine dollars; and certain physicians and druggists, two hundred and eighty-three dollars and eighty cents, in accordance with a list on file with the bureau of accounts; said bills having been incurred in the years nineteen hundred and sixty-six, nineteen hundred and sixty-seven and nineteen hundred and sixty-eight and 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 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 the bill has been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered and actually received by said city or that such services were rendered to said city, or both.

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

Approved April 15, 1971.

Chap. 166. AN ACT AUTHORIZING THE SEPARABILITY OF STATE EMPLOYEES' GROUP LIFE INSURANCE AND GROUP HEALTH INSURANCE PROGRAMS.

Be it enacted, etc., as follows:

Section 6 of chapter 32A of the General Laws, as most recently amended by section 3 of chapter 840 of the acts of 1965, is hereby further amended by adding the following sentence: — As determined by the rules and regulations of the commission, all insurance coverages authorized by this chapter may be considered separable for employee, retiree or deferred retiree application and eligibility purposes.

Approved April 15, 1971.

Chap. 167. AN ACT EXTENDING OPTIONAL GROUP LIFE AND GROUP ACCIDENTAL DEATH AND DISMEMBERMENT INSURANCE COVERAGE TO AGE SEVENTY FOR RETIRED COUNTY, CITY, TOWN AND DISTRICT EMPLOYEES.

Be it enacted, etc., as follows:

Section 11A of chapter 32B of the General Laws is hereby amended by striking out the sixth paragraph, as appearing in section 5 of chapter 334 of the acts of 1961, and inserting in place thereof the following paragraph: — .

Upon retirement of an employee eligible for pension allowances under any general or special law, that portion of his additional insurance under this section which is not paid-up shall terminate upon attainment of the age of seventy, and he shall be afforded the privilege of converting such term insurance in accordance with the rules and regulations issued under section fourteen. 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 appropriate public authority.

Approved April 15, 1971.

Chap. 168. AN ACT PROVIDING FOR NOTICE OF URBAN RENEWAL PROJECTS TO BE SENT TO THE MASSACHUSETTS HISTORICAL COMMISSION.

Be it enacted, etc., as follows:

Section 48 of chapter 121B of the General Laws is hereby amended by inserting after the first paragraph the following paragraph: —

Whenever a public hearing on an urban renewal plan is held, notice thereof shall be sent to the Massachusetts historical commission together with a map indicating the area to be renewed.

Approved April 15, 1971.

Chap. 169. AN ACT AUTHORIZING THE WORCESTER ART MUSEUM TO INCREASE THE NUMBER OF ITS TRUSTEES.

Be it enacted, etc., as follows:

The corporators of the Worcester Art Museum are hereby authorized to amend the certificate of incorporation of said museum, dated April the second, eighteen hundred and ninety-six, by striking out the word "twelve" in the first sentence of the second paragraph and inserting in place thereof the words: — not more than fifteen, — so as to read as follows: — The immediate management of the affairs of the corporation shall always be in the hands of a board of not more than fifteen directors, to be chosen from the members of the corporation in such manner as it shall determine by its by-laws.

Approved April 15, 1971.

Chap. 170. AN ACT AUTHORIZING TWENTIETH CENTURY FUND, INC. TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

The Twentieth Century Fund, Inc., a corporation organized under general law, is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate to an amount not exceeding forty million dollars. *Approved April 15, 1971.*

Chap. 171. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY TO BORROW MONEY FOR PLANNING, CONSTRUCTING, EQUIPPING AND FURNISHING AN ADDITION TO AND FOR THE ALTERATION OF THE DISTRICT COURT OF CENTRAL BERKSHIRE AND THE BERKSHIRE MIDDLE DISTRICT REGISTRY OF DEEDS BUILDING.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of improving court house accommodations and facilities for the district court of central Berkshire and the Berkshire middle district registry of deeds, the county commissioners of Berkshire county may plan, erect, equip and furnish an addition to and provide for the alterations 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 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, three hundred and sixty thousand dollars. Any sums received from the federal government for the purposes of this act and any sums received under the provisions of chapter four hundred and ninety-nine of the acts of nineteen hundred and sixty-nine shall be included in, and considered a part of, the total amount to be expended hereunder.

SECTION 2. For the purposes aforesaid, the treasurer of said county, with the approval of the county commissioners, may borrow upon the

credit of the county such sums as may be necessary, not exceeding, in the aggregate, three hundred and sixty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Berkshire County Court House Loan, District Court of Central Berkshire, Act of 1971. 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. *Approved April 15, 1971.*

Chap. 172. AN ACT REQUIRING IN-SERVICE AND SUPERVISORY TRAINING FOR MASSACHUSETTS BAY TRANSPORTATION AUTHORITY POLICE OFFICERS.

Be it enacted, etc., as follows:

The last paragraph of section 96B of chapter 41 of the General Laws, added by chapter 742 of the acts of 1968, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Every regular police officer on a permanent full-time basis in any such city or town, the metropolitan district commission police, the capitol police or the Massachusetts Bay Transportation Authority police shall be assigned to and shall attend a police training school approved by the municipal police training council for the purpose of completing an approved course of study of in-service training at such intervals and for such periods of time as the council may determine.

Approved April 15, 1971.

Chap. 173. AN ACT CHANGING THE QUALIFICATIONS FOR THE POSITION OF ASSISTANT COMMISSIONER OF THE BUREAU OF CLINICAL SERVICES IN THE DEPARTMENT OF YOUTH SERVICES.

Be it enacted, etc., as follows:

Section 5 of chapter 18A of the General Laws, as appearing in section 1 of chapter 838 of the acts of 1969, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The commissioner shall appoint an assistant commissioner for the bureau of clinical services who shall have a graduate degree from an accredited institution in psychology, social work, medicine, or related fields, with a specialty in the problems relating to children. Said assistant commissioner shall have had at the time of his appointment a minimum of five years professional and clinical experience working in the field of emotionally disturbed youth. 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 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.

Approved April 15, 1971.

Chap. 174. AN ACT EXTENDING THE PERIOD OF TIME FOR REQUESTING HEARINGS ON SUSPENSIONS OR REVOCATIONS OF MOTOR VEHICLE LICENSES OR REGISTRATIONS.

Be it enacted, etc., as follows:

Clause (*b*) of section 22 of chapter 90 of the General Laws, as appearing in chapter 637 of the acts of 1969, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — 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 fourteen days after the date of such notice on the question of whether there is just cause for such suspension or revocation.

Approved April 15, 1971.

Chap. 175. AN ACT REQUIRING MOTORCYCLES TO BE EQUIPPED WITH LOCKS OR KEYS.

Be it enacted, etc., as follows:

Section 7 of chapter 90 of the General Laws is hereby amended by striking out the eleventh sentence and inserting in place thereof the following sentence: — Every motor vehicle so operated shall be provided with a muffler or other suitable device to prevent unnecessary noise and with a suitable bell, horn or other means of signalling, with suitable lamps, and with a lock, key or other device to prevent such vehicle from being set in motion by unauthorized persons, or otherwise contrary to the will of the owner or person in charge thereof.

Approved April 15, 1971.

Chap. 176. AN ACT PROHIBITING THE USE OF COUNTERFEIT OR STOLEN LEARNERS' PERMITS AND MOTOR VEHICLE INSPECTION STICKERS.

Be it enacted, etc., as follows:

Section 24B of chapter 90 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 224 of the acts of 1965, and inserting in place thereof the following paragraph: —

Whoever falsely makes, steals, alters, forges or counterfeits or procures or assists another to falsely make, steal, alter, forge or counterfeit

a learner's permit, a license to operate motor vehicles, a certificate of registration of a motor vehicle or trailer, or an inspection sticker, or whoever forges or without authority uses the signature, facsimile of the signature, or validating signature stamp of the registrar or deputy registrar upon a genuine, stolen or falsely made, altered, forged or counterfeited learner's permit, license to operate motor vehicles, certificate of registration of a motor vehicle or trailer or inspection sticker, or whoever has in his possession, or utters, publishes as true or in any way makes use of a falsely made, stolen, altered, forged or counterfeited learner's permit, license to operate motor vehicles, certificate of registration of a motor vehicle or trailer or inspection sticker, and whoever has in his possession, or utters, publishes as true, or in any way makes use of a falsely made, stolen, altered, forged or counterfeited signature, facsimile of the signature or validating signature stamp of the registrar or deputy registrar, shall be punished by a fine of not more than five hundred dollars or by imprisonment in the state prison for not more than five years or in jail or house of correction for not more than two years. *Approved April 15, 1971.*

Chap. 177. AN ACT FURTHER REGULATING THE PROCEDURE RELATIVE TO THE PAYMENT OR REPLACEMENT BY BANKS OF LOST PASSBOOKS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 20 of chapter 167 of the General Laws is hereby amended by striking out the second and third sentences, as appearing in chapter 22 of the acts of 1943, and inserting in place thereof the following two sentences: — Thereupon with the written consent of the bank, he may give, or authorize the bank at his expense to give, public notice of such application by advertising the same at least once a week for two successive weeks in a newspaper published in or nearest to the town where such bank is situated. If such book shall not be presented to said bank within twenty-one days after the date of the first advertisement, as aforesaid, the bank shall, upon proof that such notice has been given, pay the amount due on said book or issue a duplicate book therefor; and, upon such payment or delivery of a new book, all liability of the bank on account of the original book shall cease.

SECTION 2. Said section 20 of said chapter 167 is hereby further amended by striking out the second paragraph, added by chapter 109 of the acts of 1958, and inserting in place thereof the following paragraph: —

The provisions of this section shall not apply to a passbook when the amount on deposit is less than one hundred dollars, provided that the depositor or shareholder agrees in writing to indemnify the bank for any expense or payment arising out of such loss, and all payments made hereunder shall discharge the bank of liability to all persons to the extent of such payment. *Approved April 15, 1971.*

Chap. 178. AN ACT FURTHER REGULATING THE FILING OF PETITIONS FOR RECOUNTS.

Be it enacted, etc., as follows:

Section 135 of chapter 54 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 264 of the acts of 1962, and inserting in place thereof the following sentence: — A petition for a recount may be filed with the city or town clerk on or before five o'clock in the afternoon on the sixth day following a primary or preliminary election, or on or before five o'clock in the afternoon on the tenth day following an election, in a ward of a city or in a town, if ten or more voters of such ward or town, except a town having more than twenty-five hundred voters and voting by precincts and except Boston, and in such a town voting by precincts ten or more voters of each precinct in which a recount is petitioned for and in Boston fifty or more voters of a ward, shall sign in person as registered, adding thereto their respective residences on the preceding January the first, or their residence when registered if subsequent thereto, and the place where such person is then living, with the street and number, if any.

Approved April 15, 1971.

Chap. 179. AN ACT DEFINING AND REGULATING UNAUTHORIZED ABSENCES UNDER THE CIVIL SERVICE LAW.

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 "Unassembled examination", as amended by section 1 of chapter 298 of the acts of 1969, the following definition: —

"Unauthorized absence", an absence from work for a period of more than fourteen days for which no proper notice has been given to the appointing authority by the employee, or person authorized to do so, and which may not be charged to vacation or sick leave allowance, or for which no approval was given as provided for in section forty-six E, which absence shall be deemed to be an abandonment of his position and to be a permanent and voluntary separation from the service.

SECTION 2. Section 18 of said chapter 31, as most recently amended by chapter 98 of the acts of 1967, is hereby further amended by inserting after the word "month", in line 5, the words: —, unauthorized absence.

SECTION 3. Said section 18 of said chapter 31 is hereby further amended by adding the following paragraph: —

Whenever an appointing authority reports an unauthorized absence to the director he shall mail a written statement to the person named in the report. The written statement shall inform said person that he is considered to have permanently and voluntarily separated himself from the service and that a report has been so filed with the director. A copy of this written statement shall be filed with said report filed with the director. The appointing authority may, within fourteen days of the written statement, restore said person to the office or position formerly occupied or may approve the absence as provided in section forty-six E if, within said fourteen days, said person makes a written

request for approval of his absence to the appointing authority setting forth an explanation of the absence satisfactory to said appointing authority; in which case, the appointing authority shall forthwith inform the director of his action.

SECTION 4. Section 43 of said chapter 31 is hereby amended by adding the following paragraph: —

(*j*) The provisions of this section or sections forty-five and forty-six A shall not apply to any person who has been reported as on unauthorized absence as provided for in section eighteen.

Approved April 15, 1971.

Chap. 180. AN ACT FURTHER DEFINING THE ELIGIBILITY OF VIETNAM VETERANS 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 the first paragraph and inserting in place thereof the following paragraph: —

Any Vietnam veteran, who is a veteran as defined in section twenty-one of chapter thirty-one of the General Laws, who was unable to take an open competitive civil service examination because of absence due to service in the armed forces of the United States, during the existence of the Vietnam emergency shall, if he so requests, in writing, not later than one hundred and twenty days after the termination of such service, be given an examination comparable to that which he had been unable to take because of his service in said armed forces. If he passes such examination and otherwise qualifies, his name shall be placed on an eligible list, and he shall be entitled to the same period of eligibility as existed for all who passed the open competitive examination which he was unable to take, provided, that if, under the provisions of section eight A of said chapter thirty-one, such examination is on a continuous basis, he shall be notified of the next examination scheduled following his request and if he passes said examination and meets all the requirements his name shall be placed on the eligible list established as the result of the examination and, upon his request, on any existing eligible list which was established as the result of the examination he was unable to take due to such service. *Approved April 15, 1971.*

Chap. 181. AN ACT REPEALING CERTAIN PROVISIONS OF THE CIVIL SERVICE LAW RELATIVE TO REINSTATEMENT OF VETERANS.

Be it enacted, etc., as follows:

Sections twenty-seven and twenty-eight of chapter thirty-one of the General Laws are hereby repealed. *Approved April 15, 1971.*

Chap. 182. AN ACT RELATIVE TO THE APPLICATION OF THE PROVISIONS OF THE CIVIL SERVICE LAW PERTAINING TO PROBATIONARY PERIODS FOR PERSONS SERVING LESS THAN FULL-TIME.

Be it enacted, etc., as follows:

SECTION 1. Section 20D of chapter 31 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 8 of the acts of 1970, and inserting in place thereof the following sentence: — Except as otherwise expressly provided in this chapter or in section thirty-six of chapter forty-eight, no person shall be regarded as holding office or employment on a full-time basis until he has been appointed to a permanent, full-time position in the official or labor service and has actually performed the duties of the office or position thereof for a probationary period of six months; provided, however, in the case of a person appointed as a regular police officer in any city or town, the metropolitan district police force, or the Massachusetts Bay Transportation Authority police force or as a capitol police officer, the probationary period shall be nine months.

SECTION 2. Said section 20D of said chapter 31 is hereby further amended by adding the following four paragraphs: —

Persons appointed to a permanent office or position which is less than full-time, including appointments on a reserve, intermittent, call, recurrent or part-time basis, shall be deemed to be the holders of such office or position on the basis of the type of such appointment approved by the director and shall not be discharged or removed except as hereinafter provided. Each appointing authority having any such an office or position under his control shall employ such persons according to a fair and equitable arrangement which shall provide all such persons with an equal opportunity for employment. If any such person refuses to accept employment which is regularly recurrent or seasonal at stated periods, or on three separate occasions refuses to accept employment under the conditions of his appointment when said appointment calls for employment if, as and when needed, however entitled, without submitting to the appointing authority in writing satisfactory reason for such refusal, notwithstanding the provisions of sections forty-three and forty-five, the services and tenure of such person shall thereupon cease. The appointing authority shall give such a person a written notice setting forth the occasion of such refusal or refusals, as the case may be, and the date upon which the service of said person ceased and at the same time shall forward a copy of such notice to the director.

The provisions of this section, relative to the termination of service during a probationary period because the conduct or capacity of such a person or the character or quality of his work was not satisfactory, shall apply provided the person has been assigned to employment for a sufficient amount of time to provide a fair and adequate test, including employment for at least thirty days, or the equivalent thereof, which need not be consecutive. If a person has not been employed by the appointing authority for thirty days, or the equivalent thereof, during the first eighteen months following his permanent appointment to office or employment which is less than full-time, in default of the thirty day trial period of actual employment, such appointment of the person shall become permanent upon the termination of said eighteen months.

If a person is unable to work because of illness during the serving of his probationary period, the appointing authority shall have discretionary authority to suspend the serving of the probationary period, provided that the person has served an adequate amount of time to satisfy the appointing authority that his services should be retained. Each person so absent shall upon resuming employment be required to complete service equivalent to a full probationary period.

If a person at the time of his appointment or during the serving of his probationary period is not actually employed because of educational leave, he shall not be regarded as holding office or employment until he has served a full probationary period or the remainder of it, as the case may be, following the termination of said educational leave and his commencing of or return to employment. *Approved April 15, 1971.*

Chap. 183. AN ACT ESTABLISHING A METHOD OF CONSIDERING RESERVE, INTERMITTENT OR CALL SERVICE FOR PROMOTIONS IN POLICE AND FIRE DEPARTMENTS.

Be it enacted, etc., as follows:

Section 20 of chapter 31 of the General Laws, as most recently amended by chapter 196 of the acts of 1969, is hereby further amended by inserting after the first paragraph the following paragraph: —

The terms "lowest grade" or "lower grade" as applied in this section to police and fire forces shall include only full-time members of the regular force and shall not include reserve, intermittent or call members; provided, however, if the appointing authority of any such force certifies that there is not a sufficient number of members of the regular force to allow for adequate competition the director may, if he is satisfied that the circumstances warrant it, open the examination to reserve, intermittent or call members, as the case may be. The director may upon request of the appointing authority in computing the length of service required for eligibility for the examination for the first grade above the lowest grade include service as a reserve, intermittent or call member, provided the appointing authority submits a statement based on the official payroll records proving that such service has actually been performed. For the purposes of this section two hundred and fifty days, or the equivalent thereof, of reserve, intermittent or call service shall be equivalent to one year of service on a full-time basis in such regular force. *Approved April 15, 1971.*

Chap. 184. AN ACT PROVIDING THAT APPOINTEES TO FIRE FORCES IN A CITY OR TOWN SHALL RESIDE WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 19C of chapter 31 of the General Laws, inserted by chapter 263 of the acts of 1968, is hereby amended by inserting after the word "place", in line 21, the following: — in the commonwealth.

Approved April 15, 1971.

Chap. 185. AN ACT PROVIDING FOR THE TRANSFER OF CIVIL SERVICE EMPLOYEES FROM THE OFFICIAL SERVICE TO THE LABOR SERVICE.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by inserting after section 16A the following section: —

Section 16B. The director, upon request of an appointing authority, may approve a transfer of an employee from a position in the official service to a position in the labor service provided that the employee has been employed on a permanent basis in the official service after certification for at least one year and the appointing authority certifies the employee has the necessary qualifications to fill the position, and provided further that if the labor service position is subject to the provisions of section eight, relative to promotions in the labor service, the appointing authority certifies that he has filed the promotional bulletin provided for in said section and has ascertained from said posting that the person recommended for transfer from the official service is the best qualified of those employees willing to accept the position. The provisions of this section may apply to positions the duties of which are partially in the official service and partially in the labor service and may apply notwithstanding that the person whose transfer has been requested is not on an eligible list for employment in the labor service or is not in a position on said eligible list to be reached in certification.

Approved April 15, 1971.

Chap. 186. AN ACT FURTHER REGULATING THE FORM OF CIVIL SERVICE APPLICATIONS.

Be it enacted, etc., as follows:

Section 13 of chapter 31 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 5 of chapter 703 of the acts of 1945, and inserting in place thereof the following sentence: — Every application shall be made under the penalties of perjury and shall contain such information as the director deems necessary relative to an applicant's fitness for the public service and may include full name, domicile and post office address, citizenship, age, place of birth, health and physical capacity, right of preference as a veteran or a blind person, previous employment in the public service, occupation and residence for the previous five years and education of the applicant; but no question shall be asked in such application or in any examination requiring a statement as to any act of waywardness or delinquency or any offence committed before the applicant reached the age of seventeen.

Approved April 15, 1971.

Chap. 187. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE CIVIL SERVICE STATUS OF CERTAIN LIFEGUARDS.

Be it enacted, etc., as follows:

Section 5 of chapter 31 of the General Laws is hereby amended by striking out, in line 34, as appearing in section 8 of chapter 780 of the acts of 1967, the words "The lifeguard staff in the state department of public works;".

Approved April 15, 1971.

Chap. 188. AN ACT MAKING A CORRECTIVE CHANGE IN THE CIVIL SERVICE LAW RELATIVE TO THE EMPLOYMENT OF NON-CITIZENS.

Be it enacted, etc., as follows:

SECTION 1. Section 36 of chapter 31 of the General Laws, as most recently amended by section 1 of chapter 701 of the acts of 1945, is hereby further amended by striking out the second and third sentences.

SECTION 2. Section thirty-seven of said chapter thirty-one is hereby repealed. *Approved April 15, 1971.*

Chap. 189. AN ACT AUTHORIZING CERTAIN CHANGES IN THE CHARTER OF THE STURGIS LIBRARY IN THE TOWN OF BARNSTABLE.

Be it enacted, etc., as follows:

Chapter 166 of the special acts of 1915 is hereby amended by striking out section 2 and inserting in place thereof the following two sections: —

Section 2. Said corporation may hold real and personal property for the purpose aforesaid to the amount from time to time permitted by law. All gifts, devises, bequests and grants to the corporation shall be devoted to said purpose and shall be used in conformity with and held upon the terms upon which such gifts, devises, bequests or grants have been or may hereafter be made, not inconsistent with this act, provided that said corporation shall not sell the real estate, consisting of the land with the buildings thereon, hitherto and presently occupied and used as a free public library, acquired by it from Anne H. Lothrop, William Sturgis Bigelow and Amy Lothrop Coolidge, as trustees under said indenture of trust of William Sturgis by deed dated March 29, 1915 and recorded in the registry of deeds for Barnstable county in Book 340 at Page 114 and referred to in said deed as parcel 1.

Section 3. Notwithstanding the provisions of section two, said corporation, on such terms as it deems reasonable and in furtherance of the purposes set forth in section one, is hereby authorized to convey, free of any trust so far as such authority can be constitutionally conferred by the general court without prejudice to any court proceeding, the whole or any portion of that parcel of land, conveyed to it by said trustees in the deed described in said section one and referred to in said deed as parcel 2, more particularly bounded and described as follows:

A certain parcel of land southerly from the County Road, bounded northerly by land now or late of Franklin B. Goss, Barnabas Davis, Campbell R. Smith and the heirs of Abner Davis, easterly by Hinckley's land (so-called), southerly by unenclosed land called The Commons and westerly partly by land now or lately unenclosed, and partly by a way called Jail Lane, containing about 23 acres, or however said parcel may otherwise be bounded and described.

Being the same premises conveyed to The Sturgis Library by Anne M. Lothrop, William Sturgis Bigelow and Amy Lothrop Coolidge by deed dated March 29, 1915 and recorded in the registry of deeds for Barnstable county in Book 340, Page 114 and described as parcel 2 in said deed, containing 23 acres more or less. *Approved April 15, 1971.*

Chap. 190. AN ACT DIRECTING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO CONSTRUCT AN INDUSTRIAL, VOCATIONAL AND TECHNICAL BUILDING AT THE ESSEX COUNTY TRAINING SCHOOL IN THE CITY OF LAWRENCE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 220 of the acts of 1970 is hereby amended by striking out section 1 and inserting in place thereof the following section: —

Section 1. The county commissioners of Essex county are hereby authorized and directed to have plans and specifications prepared and to construct an industrial, vocational and technical building, including gymnasium and locker rooms at the Essex county training school in the city of Lawrence, upon land owned by said county.

SECTION 2. Section 2 of said chapter 220 is hereby amended by striking out, in line 4, the words "three hundred" and inserting in place thereof the words: — five hundred twenty-five.

Approved April 15, 1971.

Chap. 191. AN ACT AUTHORIZING THE CONSOLIDATION OF LORD'S DAY LEAGUE OF NEW ENGLAND AND MASSACHUSETTS TEMPERANCE LEAGUE, INC.

Be it enacted, etc., as follows:

SECTION 1. Lord's Day League of New England and Massachusetts Temperance League, Inc., nonprofit corporations organized and existing under the laws of the commonwealth, hereinafter called the constituent corporations, are hereby authorized to consolidate to form a new corporation under the name of Churchman's League Foundation, hereinafter called the consolidated corporation.

SECTION 2. The purposes of the consolidated corporation are to defend and develop the ideals and values symbolized by the Christian Sabbath and to counteract and overcome moral and cultural disintegration as symbolized by the increase of alcoholism, crime and corruption; provided, however, that the consolidated corporation shall be operated exclusively for charitable, religious and educational purposes, and it is only in furtherance of those purposes that it shall utilize its powers.

SECTION 3. The consolidated corporation shall have all of the powers, privileges and immunities which the constituent corporations had under the laws of the commonwealth, and shall have and exercise all the powers conferred by the laws of the commonwealth as are in furtherance of its purposes.

SECTION 4. The consolidated corporation may, without limitation as to amount, receive, hold, administer, manage, invest, and dispose of, personal and real property received by gift or by purchase. The consolidated corporation may solicit and receive contributions of money and gifts from any and all sources in order to further its purposes.

SECTION 5. The consolidated corporation may buy, lease, or otherwise acquire, and own, lease, sell, convey or otherwise dispose of, real and personal property, tangible or intangible, as may be appropriate to carry out its purposes. The consolidated corporation may borrow money or otherwise incur indebtedness and enter into contracts of any kind or description which may be appropriate to carry out its purposes.

SECTION 6. Upon the effective date of the consolidation as set forth in section ten, all of the property, real, personal or mixed, and the rights, privileges, powers and franchises of the constituent corporations, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for the benefit of either of them, shall be transferred to and 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 it would have possessed if such property had been acquired by it and such bequests, devises, gifts and transfers had 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, bequests, devises, gifts and transfers the same powers, rights and privileges as would have been possessed by the constituent corporations had the consolidation not been effected.

SECTION 7. Upon any liquidation or dissolution of the consolidated corporation, no private member or individual shall receive any share of the profits, property or funds of the consolidated corporation, and all funds and property of the consolidated corporation shall be transferred to or applied for the benefit of one or more corporations or institutions (a) having purposes cognate to the purposes of the consolidated corporation; (b) formed under chapter one hundred and eighty of the General Laws or under similar law of another jurisdiction, and which is entitled to exemption from taxation under Section 501 (c) (3) of the Internal Revenue Code of 1954, as it may from time to time be amended, or similar provisions of any subsequent legislation; and (c) as selected and approved by vote of the board of directors of the consolidated corporation or by any court which may exercise jurisdiction over such liquidation or dissolution.

SECTION 8. The consolidated corporation shall be deemed to have assumed, and shall be liable for, all liabilities and obligations of the constituent corporations in the same manner and to the same extent as if the consolidated corporation had itself incurred such liabilities or obligations.

SECTION 9. Upon the effective date of the consolidation, as defined in section ten, all of the members of the constituent corporations shall become members of the consolidated corporation. The consolidated corporation may admit new members thereafter in accordance with the provisions of its by-laws.

SECTION 10. The consolidation of the constituent corporations shall become effective on the date that all of the following events have occurred:

(a) The board of directors of each of the constituent corporations has approved all of the provisions of this act at a meeting at which a quorum was present and voting by vote of a majority of the quorum.

(b) The constituent corporations have called and held an organization meeting of the consolidated corporation composed of persons designated by the constituent corporations at which by-laws of the consolidated corporation were adopted and the board of directors and officers of the consolidated corporation were elected.

(c) A certificate signed by the clerk of each of the constituent corporations has been filed in the office of the state secretary stating that the provisions of this section have been complied with and setting forth the names and addresses of the directors and officers elected at the organization meeting.

SECTION 11. Any question 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 constituent 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 question arising as to the legal effect of this act or any of the provisions hereof may, notwithstanding any general or special law to the contrary, be initially and finally determined by the supreme judicial court upon application by any person interested or by the attorney general. *Approved April 15, 1971.*

Chap. 192. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO PAY AN ANNUITY TO THE WIDOW OF BRUNO RUMPAL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law and for the purpose of promoting the public good and in consideration of the long and meritorious service of Bruno Rumpal, a former teacher in the school department of the city of Springfield, who died on September the fourteenth, nineteen hundred and seventy after more than twenty-nine years of service, said city may grant an annuity to Gloria L. Rumpal, widow of said Bruno Rumpal, so long as she survives and does not remarry, in such amount as it may determine, but not to exceed two thirds of the actuarial equivalent of any pension to which said Bruno Rumpal would have been entitled had he completed thirty years of service and had his retirement allowances been computed under section fifty-eight B of chapter thirty-two of the General Laws as of the date of his death. The annuity provided by this section shall be in lieu of any other annuity or pension payable to said widow under any other general or special law. The amount of the accumulated total deductions credited to the account of said Bruno Rumpal in the annuity savings fund of the teachers' retirement system shall be paid to said Gloria Rumpal.

SECTION 2. This act shall take effect upon its acceptance during the current year by the city of Springfield. *Approved April 15, 1971.*

Chap. 193. AN ACT FURTHER REGULATING THE REQUIREMENTS RELATIVE TO THE ANNUAL REPORT OF THE COMMISSIONER OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Section 2 of chapter 19 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in section 1 of chapter 735 of the acts of 1966, and inserting in place thereof the following paragraph: —

At the end of each fiscal year, the commissioner shall make an annual report of the activities of the department, and of each district, facility, clinic, or unit under its control, the cost of operating the same, the initiation of new programs, the progress made in providing services and facilities for mental health and mental retardation in the commonwealth and the number of escapes, if any, from any of such facilities and the circumstances thereof. *Approved April 15, 1971.*

Chap. 194. AN ACT PROVIDING FOR THE REVOCATION OF CERTAIN PRIVILEGES EXTENDED TO OWNERS OR OPERATORS OF MOTOR VEHICLES, PAYMENT FOR WHICH HAS BEEN MADE BY CHECK WHICH IS NOT DULY PAID.

Be it enacted, etc., as follows:

The last paragraph of section 33 of chapter 90 of the General Laws, added by section 3 of chapter 742 of the acts of 1969, is hereby amended by adding the following sentence: — If the payment of any such fee is made by check and said check is not duly paid, the registrar may, after hearing, revoke and order the return of any learner's permit, license to operate motor vehicles, certificate of registration, number plate, sticker, decal or other thing for which the check was tendered.

Approved April 15, 1971.

Chap. 195. AN ACT CLARIFYING THE CIVIL SERVICE LAW RELATIVE TO TEMPORARY TRANSFERS.

Be it enacted, etc., as follows:

Section 15G of chapter 31 of the General Laws, as amended by section 10 of chapter 652 of the acts of 1968, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence: — No provisional appointment or provisional promotion shall be approved or continued following a certification by the director if the list contains the names of three persons eligible and willing to accept. *Approved April 15, 1971.*

Chap. 196. AN ACT PROVIDING AN OPPORTUNITY FOR INTERESTED EMPLOYEES TO MEET WITH THE ADVISORY COMMITTEE ELECTED OR APPOINTED UNDER THE LAW RELATIVE TO GROUP INSURANCE FOR EMPLOYEES OF COUNTIES, CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

Section 3 of chapter 32B of the General Laws is hereby amended by inserting after the second sentence, as appearing in section 1 of chapter 334 of the acts of 1961, the following sentence: — Said advisory committee shall establish a procedure to provide a reasonable opportunity for all interested employees to meet with it so that the recommendations of the committee will be a fair representation of all employees' interests.

Approved April 15, 1971.

Chap. 197. AN ACT RELATIVE TO THE CERTIFICATION OF NAMES TO FILL CIVIL SERVICE POSITIONS WHEN THE DIRECTOR OF CIVIL SERVICE HAS WAIVED RESIDENCY REQUIREMENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 8B, as amended by chapter 6 of the acts of 1970, and inserting in place thereof the following section: —

Section 8B. The director may waive domiciliary requirements in any examination for any person who has successfully completed at least one academic year at a recognized college or university in the commonwealth, provided such person meets all other entrance requirements.

SECTION 2. Said chapter 31 is hereby further amended by striking out section 19, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 19. Except as otherwise provided by law, in all positions, employments and work in any branch of the service of the commonwealth, or of any county, city, town or district therein, persons who are domiciled in the commonwealth shall be given preference; provided, when the director waives domiciliary requirements in accordance with the civil service rules or the provisions of section eight B, any person who does not have a domicile in the commonwealth and who otherwise qualifies shall be placed on the eligible list in accordance with the civil service law and rules. *Approved April 15, 1971.*

Chap. 198. AN ACT AUTHORIZING THE CITY OF MELROSE TO GRANT A RETROACTIVE PAY RAISE TO THE CHIEF OF POLICE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 7 of the acts of 1971 is hereby amended by striking out the words ", excluding the chief of police,".

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

Approved April 22, 1971.

Chap. 199. AN ACT VALIDATING THE ACTION OF THE TOWN OF DARTMOUTH IN GRANTING RETROACTIVE SALARY INCREASES TO CERTAIN EMPLOYEES OF THE DEPARTMENT OF PUBLIC WORKS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Dartmouth may appropriate money for the payment of, and pay, salary increases to employees of the department of public works of said town, excluding office clerical, supervisory and engineering employees, for the period from January the first, nineteen hundred and sixty-nine to March the thirty-first, nineteen hundred and sixty-nine, inclusive.

SECTION 2. Any action taken by the town of Dartmouth pursuant to the authorization contained in section one of this act 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 the meeting at which such action was taken.

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

Approved April 22, 1971.

Chap. 200. AN ACT AUTHORIZING THE CITY OF QUINCY TO BORROW MONEY FOR THE CONSTRUCTION OF A PUBLIC PARKING GARAGE IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and equipping an off-street parking structure, including the acquisition of any real property or interest in real property therefor, the city of Quincy may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, three million dollars; and may issue bonds or notes therefor, which shall bear on their face the words, City of Quincy, Parking Garage Loan, Act of 1971. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates of issue. 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 any limitations contained in the first paragraph of section seven thereof.

SECTION 2. The powers granted hereby to said city shall be in addition to and not in substitution for any other powers granted by law.

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

Approved April 22, 1971.

Chap. 201. AN ACT RELATIVE TO THE TIME WITHIN WHICH REGISTRARS OF VOTERS MAY ENTER CERTAIN OMITTED LISTINGS ON THE CURRENT ANNUAL REGISTER.

Be it enacted, etc., as follows:

Section 35 of chapter 51 of the General Laws is hereby amended by striking out, in lines 6 and 7, as appearing in section 10 of chapter 451 of the acts of 1939, the words "may before the close of registration" and inserting in place thereof the words: — shall at any time up to and including the day of the next primary or election.

Approved April 22, 1971.

Chap. 202. AN ACT REQUIRING THAT PRESIDENTIAL ELECTORS BE PLEDGED TO VOTE FOR THE NOMINEE OF THE POLITICAL PARTY WHICH THEY REPRESENT.

Be it enacted, etc., as follows:

The first paragraph of section 8 of chapter 53 of the General Laws, as most recently amended by section 1 of chapter 278 of the acts of 1957, is hereby amended by striking out the fourth sentence and inserting in place thereof the following two sentences: — Such surnames and a list of the persons nominated for presidential electors, together with an acceptance in writing signed by each candidate for presidential elector on a form to be provided by the state secretary, shall be filed by the state chairmen of the respective political parties not later than the second Tuesday of September. Said acceptance form shall include a pledge by the presidential elector to vote for the candidate named in the filing.

Approved April 22, 1971.

Chap. 203. AN ACT PROVIDING THAT A LOCAL GOVERNMENTAL UNIT MAY PAY ONE HALF THE COST OF A PREMIUM FOR GROUP DISABILITY INCOME INSURANCE FOR ITS EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 32B of the General Laws is hereby amended by striking out section 10, as most recently amended by section 2 of chapter 626 of the acts of 1970, and inserting in place thereof the following section: —

Section 10. This chapter, except sections seven A, eight A, nine A, nine C, nine D, nine E, eleven A, eleven B, eleven D, eleven E and eleven F, may be accepted in a county by vote of the county commissioners; in a city having a Plan D or Plan E charter by majority vote of its city council, in any other city by vote of its city council, approved by the mayor; in a district, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; in a regional school district by vote of the regional district school committee; in a veterans' services district by vote of the district board; in a health district established under section twenty-seven A of chapter one hundred and eleven by vote of the joint committee; and in a town either by vote of the board of selectmen or by submission for acceptance to the registered voters in the form of the following question which shall be printed upon the official ballot to be used at an election: — "Shall certain provisions of chapter thirty-two B of the General Laws, authorizing any county, city, town or district to provide a plan of contributory group life insurance, group accidental death and dismemberment insurance, and group general or blanket hospital, surgical, medical and other health insurance for certain persons in the service of such county, city, town or district and their dependents, be accepted by this town?" If a majority of the voters voting on the question shall vote in the affirmative, this chapter, except sections seven A, eight A, nine A, nine C, nine D, nine E, eleven A, eleven B, eleven D, eleven E and eleven F, shall take effect in such town. Notwithstanding the provisions of any general law to the contrary, neither the acceptance of this chapter nor the acceptance of any individual section thereof by a governmental unit shall be revoked or rescinded.

SECTION 2. Said chapter 32B is hereby further amended by inserting after section 11E, inserted by section 3 of said chapter 626, the following section: —

Section 11F. Upon acceptance of this section as hereinafter provided, the appropriate public authority of the governmental unit may negotiate with one or more insurance companies and purchase on such terms as it deems to be in the best interest of the governmental unit and its employees a policy or policies of group disability income insurance covering nonoccupational injury or disease. Such insurance shall be issued in accordance with the eligibility requirements as provided in chapter one hundred and seventy-five. The appropriate public authority may incorporate this disability income insurance as an integral part of the group life and accidental death and dismemberment insurance provided under section five or eleven A with the claim experience and retention costs combined, or the claims experience and retention costs of said disability income insurance may be maintained separately from the claims experience and retention costs of the group life and accidental

death and dismemberment insurance provided under sections five and eleven A. The appropriate public authority may execute policies or contracts for said disability income insurance for a period not exceeding five years; provided, however, that the portion of the cost of the premium per month to be borne by the governmental unit shall not exceed the estimated monthly cost for which funds have been appropriated for the then current fiscal year. A copy of said policies or contracts shall be filed with the commission no later than thirty days after their effective date and the commission shall in its discretion include pertinent data regarding such insurance in its annual report. Each employee entitled to be insured under this section shall file an application therefor with the treasurer of the governmental unit on a form prescribed by said treasurer. Such application shall be the property of the governmental unit. With respect to any disability income insurance which is in effect for an employee there shall be withheld from payment of salary, wages or other compensation fifty per cent of a total monthly premium or rate and the governmental unit shall contribute the remaining fifty per cent. If an employee is not entitled to receive salary, wages or other compensation for a calendar or premium month while in the status of a leave of absence without pay and not because of sickness or injury, he shall make payment directly to the treasurer of the governmental unit and there shall be no contribution by the governmental unit for such payment. If an employee is entitled to receive, during a calendar month, salary, wages or other compensation, and the premium has not been withheld from said salary, wages or other compensation, he may continue his insurance in effect by paying directly to the governmental unit, which would otherwise have been deducted from his salary or wages, and said governmental unit shall contribute the remaining fifty per cent of the cost of the monthly premium. If an employee is not entitled to receive salary, wages or other compensation for any calendar month, due to illness of such employee and not because of illness of his immediate family, for purposes of this section he shall be deemed to have been granted sick leave without pay, and, subject to the rules and regulations of the appropriate public authority, said employee shall make payment for fifty per cent of the cost of such insurance to the treasurer of the governmental unit, and such governmental unit shall contribute the remaining fifty per cent of said premium. All amounts withheld from an employee's salary, wages or other compensation and all amounts paid by an employee together with the contribution of the governmental unit as hereinbefore described shall be paid by the treasurer of the governmental unit to the carrier or carriers entitled to the premium. An employee insured under this section may by written notice on a form provided by the treasurer cancel such disability income insurance and such insurance shall require no further premium payment the first day of the premium month following the expiration of fifteen days from the receipt of notice of cancellation. Any dividend or refund applicable to disability income insurance provided under this section shall be paid by the insurance carrier or carriers to the governmental unit and shall be distributed in accordance with the provisions of section eight or eight A whichever may be applicable.

This section shall take effect in a county, city, town or district upon its acceptance in the following manner: — in a county, by vote of the county commissioners; in a city having a Plan D or Plan E charter by majority vote of its city council; in any other city by vote of its city council, approved by the mayor; in a district, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; in a regional school district by vote of the regional district school committee; and in a town either by vote of the board of selectmen, or by a majority of affirmative votes cast in answer to the following question which shall be printed upon the official ballot to be used at an election in said town: — "Shall the town pay one half of a premium for disability income insurance for its employees?"

The appropriate public authority shall notify the commission of the acceptance of this section as soon thereafter as practicable.

Approved April 22, 1971.

Chap. 204. AN ACT REMOVING THE METROPOLITAN AREA PLANNING COUNCIL FROM THE EXECUTIVE OFFICE OF COMMUNITIES AND DEVELOPMENT.

Be it enacted, etc., as follows:

Section 8 of chapter 6A of the General Laws is hereby amended by striking out, in lines 5 and 6, as appearing in section 3 of chapter 704 of the acts of 1969, the words "; the metropolitan area planning council".

Approved April 22, 1971.

Chap. 205. AN ACT FURTHER REGULATING THE DISTANCE BETWEEN SETS OF TRACKS, STRUCTURES OR OBSTRUCTIONS IN RAILROAD YARDS.

Be it enacted, etc., as follows:

SECTION 1. Section 134A of chapter 160 of the General Laws, as most recently amended by section 1 of chapter 240 of the acts of 1956, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

Tracks in a yard or yard area owned and maintained by a corporation or company operating a railroad shall have a minimum distance between center lines of parallel tracks of not less than thirteen feet, plus one inch per degree of track curvature. The center line of any ladder track, or lead track, constructed parallel to any other adjacent track shall have a clearance of not less than seventeen feet from the center line of such other track. Platforms or buildings may be constructed or maintained at a minimum distance of five feet nine inches from the center line of the track adjacent to any such platforms or buildings, providing a clearance of not less than eight feet six inches, plus one inch per degree of track curvature, is maintained on the opposite side of such track to any fixed structure, or the track centers to an adjacent track are not less than thirteen feet, plus one inch per degree of track curvature.

SECTION 2. The second paragraph of said section 134A of said chapter 160 is hereby amended by striking out the first sentence, as appearing in said section 1 of said chapter 240, and inserting in place thereof the following sentence: — No other structures or obstructions shall be maintained in such yard nearer than eight feet and six inches, plus one inch per degree of track curvature, from the center line of any track; provided, that signals and switch stands therein which are located between tracks and are three feet or less in height above the top of the rail may have a clearance of not less than six feet and six inches, plus one inch per degree of track curvature, from the center line of track where it is not practicable to provide the aforesaid clearance of eight feet and six inches. *Approved April 22, 1971.*

Chap. 206. AN ACT RELATIVE TO THE SPECIFICATION OF CERTAIN REAR VIEW MIRRORS ATTACHED TO MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 7 of chapter 90 of the General Laws is hereby amended by inserting after the twelfth sentence, as amended by chapter 110 of the acts of 1968, the following sentence: — Any outside rear view mirror having a reflecting surface of more than twenty square inches, any portion of which extends more than three inches beyond the point at which its bracket is attached to the vehicle, shall be covered with reflective material over its entire rear surface so that it may be readily identified at night at a distance of not less than five hundred feet when illuminated by the high beam light from properly aimed head lamps.

Approved April 22, 1971.

Chap. 207. AN ACT RELATIVE TO THE DISPLAY OF NUMBER PLATES.

Be it enacted, etc., as follows:

Section 6 of chapter 90 of the General Laws is hereby amended by adding the following sentence: — Any motor vehicle or trailer may, if duly registered, be operated, pushed, drawn or towed or remain upon any way between the hours of twelve o'clock noon on the date on which its registration expires and twelve o'clock noon on the following day, if the following day is the first day of the new registration period, and if such vehicle or trailer displays its register number for either registration period as otherwise required by this section.

Approved April 22, 1971.

Chap. 208. AN ACT REQUIRING REGISTRARS OF VOTERS TO NOTIFY FORTHWITH THE STATE SECRETARY OF ANY RECOUNT TO BE HELD AFTER A STATE PRIMARY OR STATE ELECTION.

Be it enacted, etc., as follows:

The first paragraph of section 135 of chapter 54 of the General Laws, as most recently amended by chapter 264 of the acts of 1962, is hereby further amended by adding the following sentence: — The board of registrars of voters of any city or town shall forthwith, upon setting

the date of any recount for an office or question which appeared upon the official ballot at any state primary or state election, notify the state secretary in writing of the office to be recounted, the time and place of the recount and the number of observers to which each candidate is entitled. *Approved April 22, 1971.*

Chap. 209. AN ACT INCREASING THE FILING FEE FOR NOTICE OF A FEDERAL TAX LIEN ON REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

The first sentence of section 24 of chapter 36 of the General Laws, as appearing in section 1 of chapter 242 of the acts of 1963, is hereby amended by striking out, in line 2, the word "four" and inserting in place thereof the word: — five. *Approved April 22, 1971.*

Chap. 210. AN ACT IMPOSING A PENALTY FOR ILLEGALLY DISPOSING OF PERSONAL PROPERTY HELD UNDER A LEASE AGREEMENT.

Be it enacted, etc., as follows:

Section 87 of chapter 266 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "sale", in line 2, the words: — or lease agreement.

Approved April 22, 1971.

Chap. 211. AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO REVOKE A CERTIFICATE OF REGISTRATION WITHOUT A HEARING WHEN A REGISTRANT FAILS TO MAINTAIN A MOTOR VEHICLE LIABILITY POLICY OR BOND ISSUED IN CONNECTION WITH SUCH REGISTRATION.

Be it enacted, etc., as follows:

The first paragraph of section 1A of chapter 90 of the General Laws is hereby amended by inserting after the first sentence the following sentence: — The registrar may revoke without a hearing any certificate of registration if he is satisfied that the certificate, as defined in said section thirty-four A, accompanying the registration application has not been maintained for a period at least coterminous with that of any registration he may have issued in connection with a registration application. *Approved April 22, 1971.*

Chap. 212. AN ACT CLARIFYING THE PROVISIONS OF LAW RELATIVE TO PROVISIONAL PROMOTIONS IN THE CLASSIFIED CIVIL SERVICE.

Be it enacted, etc., as follows:

The second sentence of section 15F of chapter 31 of the General Laws, as appearing in section 9 of chapter 652 of the acts of 1968, is hereby amended by striking out, in line 2, the word "eligible" and inserting in place thereof the word: — qualified.

Approved April 22, 1971.

Chap. 213. AN ACT PROVIDING FOR THE TEMPORARY PROMOTION OF A PERMANENT EMPLOYEE SUBJECT TO A QUALIFYING, PROMOTIONAL EXAMINATION.

Be it enacted, etc., as follows:

Paragraph A of section 15 of chapter 31 of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter 112 of the acts of 1967, and inserting in place thereof the following three sentences: — This paragraph shall not apply in any case where a promotion is required to be made as provided in section twenty nor in the case of a temporary promotion except where the director is satisfied that there is a likelihood of the position becoming permanent within a reasonable period of time. If a person has been so temporarily promoted the director may, upon the request of the appointing authority, approve the promotion on a permanent basis when the position becomes permanently vacated without requiring a further examination. The effective date of a permanent promotion under this paragraph shall be the date on which the person passed the qualifying examination; provided, however, if the appointing authority has not assigned the person to the higher duties pending the passing of the examination, the effective date of the promotion shall be the date on which the appointing authority certifies the person has assumed the higher duties.

Approved April 22, 1971.

Chap. 214. AN ACT FURTHER REGULATING PROVISIONAL APPOINTMENTS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Section 15 of chapter 31 of the General Laws is hereby amended by striking out the sixth paragraph, as amended by chapter 636 of the acts of 1968, and inserting in place thereof the following paragraph: —

Except as otherwise provided by this chapter, when there is no suitable eligible list, no person shall be appointed to an office or position by the appointing authority, and the director shall not authorize any provisional appointment to fill such an office or position, permanent or temporary, until the appointing authority has complied with the provisions of this chapter, including (1) the submission, in such form as the director shall prescribe, of a statement of the information the appointing authority believes necessary to conduct an examination, including: the duties of the office or position, the knowledges, skills and abilities necessary to perform said duties, and the entrance requirements of the office or position; (2) the certification to the director that in his opinion the person proposed to be provisionally appointed meets said qualifications and requirements; (3) the submission of a substantiating statement showing how the proposed appointee meets the entrance requirements; and (4) the submission of a proposal as to the type of examination to be held. The director shall review the statements, certification and proposal and if he determines them satisfactory may authorize a provisional appointment; provided, however, if he finds the proposed appointee does not possess the required qualifications and requirements he may refuse to authorize said provisional appointment. If the director and appointing authority are in agreement

that the duties, qualifications and entrance requirements are correct as stated, and if no qualified person can be found to fill the position pending the holding of the examination, the position shall remain unfilled until the eligible list is established. If an emergency exists, and the appointing authority certifies that the position has to be filled, sets forth the reasons for the emergency, and submits a statement satisfactory to the director of what steps he has taken to find a qualified person, the director may authorize the filling of the position by a person who does not possess the qualifications and requirements approved. Said authorization under such emergency conditions shall not be construed to mean that said person is thereby ruled as eligible to take the examination. If no eligible list is established as the result of the scheduled examination, the director and the appointing authority shall confer and decide what action should be taken, including the holding of another examination on a different basis and the restructuring of the office or position. A requisition to make an appointment to fill a vacancy in a permanent position or in a newly created position for which funds have been appropriated or are available on a permanent basis shall state that such vacancy is to be filled on a permanent basis.

Approved April 22, 1971.

Chap. 215. AN ACT INCREASING THE AMOUNT THE CITY OF GLOUCESTER IS AUTHORIZED TO BORROW FOR THE CONSTRUCTION OF A BUILDING FOR USE AS A POLICE STATION AND COURT HOUSE.

Be it enacted, etc., as follows:

Section 2 of chapter 754 of the acts of 1969 is hereby amended by inserting after the word "million", in line 3, the words: — three hundred thousand.

Approved April 22, 1971.

Chap. 216. AN ACT AMENDING THE CORPORATE CHARTER OF ROGERSON HOUSE.

Be it enacted, etc., as follows:

Chapter 153 of the special acts of 1860 is hereby amended by adding the following section: —

Section 3. Said corporation shall distribute its income for each taxable year at such time and in such manner as not to become subject to the tax on undistributed income imposed by section 4942 of the Internal Revenue Code of 1954, or corresponding provisions of any subsequent federal tax laws. Said corporation shall not engage in any act of "self-dealing" as defined in section 4941 (d) of said Code, or corresponding provisions of any subsequent federal tax laws. Said corporation shall not retain any "excess business holdings" as defined in section 4943 (c) of said Code, or corresponding provisions of any subsequent federal tax laws. Said corporation shall not make any investments in such manner as to subject it to tax under section 4944 of said Code, or corresponding provisions of any subsequent federal tax laws. Said corporation shall not make any "taxable expenditures" as defined in section 4945 (d) of said Code, or corresponding provisions of any subsequent federal tax laws.

Approved April 22, 1971.

Chap. 217. AN ACT FURTHER REGULATING THE AUTHORITY OF CITIES AND TOWNS TO INDEMNIFY MUNICIPAL OFFICERS.

Be it enacted, etc., as follows:

Section 100E of chapter 41 of the General Laws, inserted by chapter 413 of the acts of 1969, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

A city or town may, subject to appropriation, indemnify any municipal officer 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 out of acts performed by such officer while 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.

Approved April 22, 1971.

Chap. 218. AN ACT AUTHORIZING A DOMESTIC LIFE COMPANY TO INVEST IN A LIMITED PARTNERSHIP.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 66D the following section: —

Section 66E. A domestic life company may invest in or otherwise acquire and hold a limited partnership interest in any limited partnership formed pursuant to chapter one hundred and nine or pursuant to the laws of any state or of the United States.

No limited partnership interest shall be acquired under this section if the cost thereof would exceed two per cent of the assets of such company nor if such cost, plus the book value on the date of such acquisition of all limited partnership interests held under this section, would exceed ten per cent of such assets. *Approved April 22, 1971.*

Chap. 219. AN ACT FURTHER REGULATING THE METHOD OF CERTIFICATION OF NAMES FROM CIVIL SERVICE LISTS.

Be it enacted, etc., as follows:

Section 23 of chapter 31 of the General Laws, as most recently amended by section 5 of chapter 627 of the acts of 1954, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Upon receipt of a requisition, names shall be certified from such lists according to the method of certification prescribed by the civil service rules.

Approved April 22, 1971.

Chap. 220. AN ACT MAKING A CORRECTIVE CHANGE IN THE CIVIL SERVICE LAW RELATIVE TO ELIGIBLE LISTS ESTABLISHED FOR PUBLIC WELFARE POSITIONS.

Be it enacted, etc., as follows:

Section 2A of chapter 31 of the General Laws is hereby amended by striking out paragraph (*g*), as appearing in section 2 of chapter 725 of

the acts of 1945, and inserting in place thereof the following paragraph: —

(*g*) Establish eligible lists and certify upon requisition of the proper appointing authority the names of persons eligible for positions and employment in the service of the commonwealth and the cities and towns thereof which are subject to any provision of this chapter.

Approved April 22, 1971.

Chap. 221. AN ACT PROVIDING THAT CIVIL SERVICE EXAMINATION SHALL NOT BE RESTRICTED TO EITHER SEX WITHOUT PRIOR APPROVAL OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION.

Be it enacted, etc., as follows:

Section 2A of chapter 31 of the General Laws is hereby amended by striking out paragraph (*e*), as amended by chapter 53 of the acts of 1965, and inserting in place thereof the following paragraph: —

(*e*) Determine and pass upon the qualifications of applicants; and hold examinations for the purpose of establishing eligible lists of persons for appointment or promotion to positions in the official service of the commonwealth and the cities and towns thereof which are subject to any provision of this chapter. Examinations to establish a list for appointment may, in the discretion of the director, and with the approval of the director of personnel and standardization in the case of positions or employment in the service of the commonwealth, and if requested in the requisition of the appointing authority of a city or town in the case of positions or employments in the service thereof, be restricted either to male persons or to female persons, provided that such restriction has the prior approval of the Massachusetts Commission Against Discrimination. Examinations to establish a list for promotion shall not be restricted either to male persons or to female persons; provided, however, that whenever the duties and responsibilities of a position require special physical or medical standards or require custody or care of a person of a particular sex, the director may limit participation in examination or certification for promotion, as the case may be, to members of the appropriate sex, provided that such restriction has the prior approval of the Massachusetts Commission Against Discrimination. *Approved April 22, 1971.*

Chap. 222. AN ACT AUTHORIZING THE CITY OF WALTHAM TO MAKE CERTAIN PAYMENTS TO RICHARD A. MILTON AND OTHER PAYMENTS IN HIS BEHALF.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation and for promoting the public good, the city of Waltham may pay such sums as may be appropriated from time to time to reimburse and indemnify Richard A. Milton for loss of earnings, pain and suffering and medical expenses incurred by him as a result of injuries which he sustained while on patrol in said city on August the third, nineteen hundred and seventy while a member of the auxiliary police force in the department of civil defense of said city. *Approved April 22, 1971.*

Chap. 223. AN ACT PROHIBITING THE DISCHARGE OF A FIREARM WITHIN A CERTAIN DISTANCE OF A BUILDING.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by inserting after section 12D the following section: —

Section 12E. Whoever discharges a firearm of any kind within five hundred feet of a dwelling or other building in use, except with the consent of the owner or legal occupant thereof, shall be punished by a fine of not less than fifty nor more than one hundred dollars or by imprisonment in a jail or house of correction for not more than three months, or both. The provisions of this section shall not apply to the lawful defense of life or property nor to any law enforcement officer acting in the discharge of his duties. *Approved April 22, 1971.*

Chap. 224. AN ACT FURTHER REGULATING THE TIME WITHIN WHICH WRITTEN ACCEPTANCE OF CERTAIN NOMINATIONS FOR PUBLIC OFFICE SHALL BE FILED.

Be it enacted, etc., as follows:

Section 3 of chapter 53 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 584 of the acts of 1965, and inserting in place thereof the following three sentences: — A person whose name is not printed on a state primary ballot as a candidate for an office, but who receives sufficient votes to nominate him therefor, shall, within thirteen days following five o'clock post meridiem on the day said primary was held, file a written acceptance of said nomination in the office of the state secretary. A person whose name is not printed on a city or town primary ballot, but who receives sufficient votes to nominate him, shall, within six days from the aforementioned time and day, file a written acceptance of said nomination in the office of the city or town clerk. The name of any such person who fails to file such a written acceptance shall not be printed on the official ballot to be used at the ensuing election.

Approved April 22, 1971.

Chap. 225. AN ACT FURTHER REGULATING THE ISSUANCE OF A FIREARM IDENTIFICATION CARD.

Be it enacted, etc., as follows:

Section 129B of chapter 140 of the General Laws, as amended by section 7 of chapter 799 of the acts of 1969, is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

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, when in doubt about the validity of the applicant's negative or positive

statement relative to past hospitalization for mental disorder, may also 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 the applicant.

Approved April 27, 1971.

Chap. 226. AN ACT RELATIVE TO THE PRINTING AND DISTRIBUTION OF CERTAIN LEGISLATIVE PUBLICATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to provide forthwith further control of the printing and distribution of certain legislative documents, the sale of said documents, and the yearly accounting to the general court of the monies received from said sales, 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 10 of chapter 5 of the General Laws, as appearing in chapter 150 of the acts of 1969, is hereby amended by striking out, in lines 1 and 2, the words "Not more than four hundred copies of the journals of the senate and of the house of representatives" and inserting in place thereof the following words: — Such number of copies of the journals of the senate and of the house of representatives as the committees on rules thereof shall determine.

SECTION 2. The second paragraph of said section 10 of said chapter 5, as so appearing, is hereby amended by inserting after the word "writing", in line 3 and in line 4, in each instance, the words: — addressed to said clerks.

SECTION 3. Said section 10 of said chapter 5 is hereby further amended by striking out the fourth paragraph, as so appearing, and inserting in place thereof the following two paragraphs: —

The remaining copies of the journals shall be turned over to the state secretary, and he shall sell copies at such price, not less than cost, as he shall fix.

The remaining copies of the lists of members and committees 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.

SECTION 4. The second paragraph of section 18 of said chapter 5 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — The state secretary shall annually report to the general court the amount received from the sale of such copies, the amount received from the sale of legislative journals under section ten, and the amount received from the sale of the general court manuals under section eleven.

Approved April 29, 1971.

Chap. 227. AN ACT AUTHORIZING THE CITY OF BROCKTON TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Brockton is hereby authorized to appropriate and pay to the Dimarzio Construction Company the sum of three

thousand dollars for material and labor furnished to the city in connection with the construction of burial beds at Melrose cemetery in said city under terms of a contract between the city and company dated October the twenty-fifth, nineteen hundred and sixty-six.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until certificates have been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which bills have been submitted were ordered by an official or an employee of said city, and that such goods and materials were delivered and actually received by said city or that such services were rendered to said city, or both.

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

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

Approved April 29, 1971.

Chap. 228. 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 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 seventy-one.

FRANKLIN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$2,500 00
3.	For county commissioners, salaries and expenses		17,132 74
	1. Personal services	$16,067 74	
	2. Contractual services	580 00	
	3. Supplies and materials	375 00	
	4. Current charges and obligations	60 00	
	5. Equipment	50 00	
4.	For transportation and expenses of county and acting commissioners		900 00
5.	For clerk of courts, salary and expenses		43,979 35
	1. Personal services	40,129 35	
	2. Contractual services	1,275 00	
	3. Supplies and materials	700 00	
	4. Current charges and obligations	300 00	
	5. Equipment	1,575 00	

Item		Subtotal	Total
6.	For county treasurer, salaries and expenses		$21,482 26
	1. Personal services	$19,758 26	
	2. Contractual services	925 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	299 00	
7.	For sheriff, salary and expenses		11,517 00
	1. Personal services	10,837 00	
	2. Contractual services	475 00	
	3. Supplies and materials	75 00	
	4. Current charges and obligations	130 00	
8.	For registry of deeds, salaries and expenses		61,337 36
	1. Personal services	44,476 36	
	2. Contractual services	10,490 00	
	3. Supplies and materials	3,895 00	
	4. Current charges and obligations	341 00	
	5. Equipment	2,135 00	
8a.	For registry of probate, salaries and expenses		3,610 00
	2. Contractual services	2,505 00	
	3. Supplies and materials	605 00	
	4. Current charges and obligations	500 00	
9.	For law library, salaries and expenses		12,097 27
	1. Personal services	3,482 27	
	2. Contractual services	450 00	
	3. Supplies and materials	135 00	
	4. Current charges and obligations	8,030 00	
10.	For highways, including state highways, bridges and land damages		250,525 00
	2. Contractual services	8,300 00	
	3. Supplies and materials	150 00	
	4. Current charges and obligations	25 00	
	6. All other	242,040 00	
12.	For criminal costs in superior court		62,783 33
	1. Personal services	19,971 83	
	2. Contractual services	41,375 00	
	3. Supplies and materials	575 00	
	4. Current charges and obligations	460 00	
	5. Equipment	401 50	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		26,286 00
	1. Personal services	5,976 00	
	2. Contractual services	19,850 00	
	3. Supplies and materials	160 00	
	4. Current charges and obligations	300 00	
14.	For district courts, salaries and expenses		
	District Court of Greenfield		117,850 59
	1. Personal services	108,471 39	
	2. Contractual services	5,875 00	
	3. Supplies and materials	2,635 00	
	4. Current charges and obligations	769 20	
	5. Equipment	100 00	
	District Court of Orange		32,049 15
	1. Personal services	28,086 85	
	2. Contractual services	1,535 00	
	3. Supplies and materials	300 00	
	4. Current charges and obligations	1,827 30	
	5. Equipment	300 00	
15.	For medical examiners and commitments of insane		7,440 00

Item		Subtotal	Total
16.	For jail and house of correction, maintenance and operation		$193,024 96
	1. Personal services	$145,200 96	
	2. Contractual services	6,850 00	
	3. Supplies and materials	32,275 00	
	4. Current charges and obligations	2,987 00	
	5. Equipment	2,362 00	
	6. All other	3,350 00	
17.	For training school		5,000 00
18.	For court houses and registry buildings, maintenance and operation		43,176 53
	1. Personal services	28,503 73	
	2. Contractual services	8,795 00	
	3. Supplies and materials	5,265 00	
	4. Current charges and obligations	160 00	
	5. Equipment	452 80	
20.	For agricultural school or county aid to agriculture, maintenance and operation		87,756 99
	1. Personal services	79,783 99	
	2. Contractual services	6,000 00	
	3. Supplies and materials	1,435 00	
	4. Current charges and obligations	300 00	
	5. Equipment	238 00	
21.	For state reservation, maintenance and operation (Mount Sugarloaf)		4,385 63
	1. Personal services	2,532 13	
	2. Contractual services	785 00	
	3. Supplies and materials	260 00	
	4. Current charges and obligations	25 00	
	5. Equipment	33 50	
	6. All other	750 00	
23a.	For mental health clinic		12,190 00
23b.	For children's camp		3,000 00
24.	For noncontributory pensions		1,990 00
25.	For contributory retirement system and supervisory expenses		55,712 70
26.	For miscellaneous and contingent expenses		5,282 98
27.	For unpaid bills of previous years		1,855 08
28.	For reserve fund		25,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		15,000 00
31.	For radio system for fire protection		1,050 00
31a.	For police radio system		2,035 00
35.	For county planning and economic development		17,366 75
36.	For Dutch elm disease		5,000 00
39.	For group insurance		17,500 00
	Total amount of appropriations		$1,167,816 67
	Less estimated amount available for reduction of county tax		293,276 63
	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		$874,540 04

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

Approved April 29, 1971.

Chap. 229. AN ACT AUTHORIZING THE CITY OF MALDEN TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Malden 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 in the amount of eleven thousand eight hundred and forty-eight dollars and forty-five cents to Bonded Oil Systems, Inc. for fuel sold to said city in the year nineteen hundred and seventy and an unpaid bill in the amount of two hundred and eighty dollars and fifty-two cents to Mystic Valley Gas Company for gas sold to said city in said year, which bills are legally unenforceable against said city by reason of their 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 materials or services for which said bill has been submitted were ordered by an official or an employee of said city, and that such materials were delivered to and actually received by said city.

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 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 April 29, 1971.

Chap. 230. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the county commissioners of Middlesex county shall pay from any available funds an unpaid bill in the sum of two thousand two hundred and thirty-three dollars and eighty-five cents to Corenco Corporation, a corporation duly organized under the laws of the state of Maine, doing business as Lowell Rendering Company, for goods sold and delivered to the Middlesex county house of correction at Billerica in the year nineteen hundred and sixty-eight, contract number 2496, which bill is legally unenforceable against said county by reason of its having been incurred in excess of available appropriations. *Approved April 29, 1971.*

Chap. 231. AN ACT REQUIRING CITIES AND TOWNS TO ISSUE IDENTIFICATION CARDS TO THEIR FULL TIME POLICE OFFICERS.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 98C the following section:—

Section 98D. Each city or town shall issue to every full time police officer employed by it an identification card bearing his photograph and the municipal seal. Such card shall be carried on the officer's person, and shall be exhibited upon lawful request for purposes of identification. *Approved April 29, 1971.*

Chap. 232. AN ACT RELATIVE TO PROVISIONAL APPOINTMENTS 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 most recently amended by chapter 9 of the acts of 1969, and inserting in place thereof the following sentence:—A provisional appointment may be authorized pending the establishment of an eligible list; 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 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. Said section 15 of said chapter 31 is hereby further amended by striking out the second paragraph, as amended by section 2 of said chapter 9, and inserting in place thereof the following paragraph:—

Upon authorizing a provisional appointment whether to a permanent or temporary position, the director shall proceed to conduct an examination as he determines necessary; provided that for any office or position in the commonwealth or any agency or political subdivision thereof where compliance with the federal standards for a merit system of personnel administration is a condition for the granting of federal funds, such examination shall be held within a year from the date of the approval of the provisional authorization.

SECTION 3. Chapter five hundred and forty-nine of the acts of nineteen hundred and sixty-nine is hereby repealed.

Approved April 29, 1971.

Chap. 233. AN ACT FURTHER REGULATING THE CIVIL SERVICE RIGHTS OF CERTAIN EMPLOYEES WHO WERE UNABLE TO COMPETE IN A DEPARTMENTAL PROMOTION EXAMINATION DUE TO ABSENCE IN THE MILITARY SERVICE.

Be it enacted, etc., as follows:

SECTION 1. Section 3D of chapter 708 of the acts of 1941, as amended by section 1 of chapter 271 of the acts of 1946, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Whenever any civil service employee is or was unable to compete in a departmental promotional examination or a competitive promotional examination because of his absence in said military or naval service, he shall, if he so requests in writing not later than six

months after the date of termination of his said military or naval service, be given a qualifying promotional examination.

SECTION 2. Section three E of said chapter seven hundred and eight, inserted by said section one of said chapter two hundred and seventy-one, is hereby repealed.

SECTION 3. Section 3F of said chapter 708, as so inserted, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:—Certifications shall be made from lists prepared as provided in this section and in accordance with the civil service law and rules governing certification.

SECTION 4. Section four of said chapter seven hundred and eight, as most recently amended by section two of chapter two hundred and seventy-one of the acts of nineteen hundred and forty-six, is hereby repealed.

SECTION 5. Section 4A of said chapter 708, inserted by section 3 of said chapter 271, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—Certifications shall be made from lists prepared as provided in this section and in accordance with the civil service law and rules governing certification.

Approved April 29, 1971.

Chap. 234. AN ACT FURTHER REGULATING THE INSPECTION OF CIVIL SERVICE EXAMINATION PAPERS.

Be it enacted, etc., as follows:

Section 29 of chapter 31 of the General Laws is hereby amended by inserting after the fifth sentence the following sentence:—Such authorized representative may inspect said papers only during the period during which a request for a review of markings of the examination papers may be made in accordance with the provisions of section twelve A, provided that no authorized representative may inspect examination papers for any examination which is not subject to the provisions of said section twelve A. *Approved April 29, 1971.*

Chap. 235. AN ACT FURTHER REGULATING REQUESTS FOR REVIEW OF THE MARKINGS OF EXAMINATION PAPERS BY THE DIRECTOR OF CIVIL SERVICE AND APPEALS TO THE CIVIL SERVICE COMMISSION AFTER SUCH REVIEW.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 12A of chapter 31 of the General Laws, as appearing in section 13 of chapter 780 of the acts of 1967, is hereby amended by adding the following two sentences:—The director may require applicants to submit copies of authorities for his review. The word "authorities", as used in this section, shall mean books or publications, and any reference thereto shall be made by titles, authors, editions, chapters, page numbers and direct and complete quotations which supports the claim of the applicant.

SECTION 2. The third paragraph of said section 12A of said chapter 31, as so appearing, is hereby amended by adding the following two

sentences:—Nothing herein shall be construed to limit the right of the director to make an adjustment in an applicant's mark which will reduce the applicant's mark if the requested review of the markings of his examination paper indicates that an error was made in the credit granted for any of the answers in the examination. If in such review the director finds that an error was made in granting credit for an applicant's answer which should not have been granted, he shall also adjust the grade of any other applicant who also received credit for the same answer because of such error.

SECTION 3. The fourth paragraph of said section 12A of said chapter 31, as so appearing, is hereby amended by striking out, in line 4, the words "upon which such appeal is based" and inserting in place thereof the words:—as presented to the director for his review.

Approved April 29, 1971.

Chap. 236. AN ACT AUTHORIZING THE CITY OF LAWRENCE TO PAY DIRECTLY TO CERTAIN EMPLOYEES OF ITS FIRE DEPARTMENT A UNIFORM ALLOWANCE.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the city council of the city of Lawrence may, by ordinance, provide for the payment of a uniform allowance directly to those employees of its fire department who are entitled to such allowance.

Approved April 29, 1971.

Chap. 237. AN ACT IMPOSING PENALTIES FOR VIOLATIONS OF OR REFUSALS TO COMPLY WITH THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 31 of the General Laws is hereby amended by striking out section 11, as amended by chapter 27 of the acts of 1959, and inserting in place thereof the following section:—

Section 11. No person by himself or in cooperation with one or more persons shall wilfully or corruptly defeat, deceive or obstruct any person with respect to his right of examination, registration, certification, appointment, promotion or reinstatement pursuant to the provisions of this chapter or of the rules made thereunder; or wilfully or corruptly make a false mark, grade, estimate or report on the examination or proper standing of any person examined under this chapter; or wilfully or corruptly make any false representation concerning the same or concerning the person examined; or wilfully or corruptly furnish to any one special or secret information for the purpose of either improving or injuring the prospects or chances of appointment, employment or promotion of any person examined, registered or certified or to be examined, registered or certified. No person shall impersonate any other person or permit or aid in any manner any other person to impersonate him in connection with any examination, registration or application or request to be examined or registered or in connection with any certification, appointment or promotion.

SECTION 2. Said chapter 31 is hereby further amended by striking out section 51, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 51. The director may take any necessary and appropriate action to enforce the provisions of this chapter and the rules made thereunder. Any person who wilfully or negligently violates or conspires to violate any of such provisions or rules, or who knowingly makes an appointment or employs any person in violation of such provisions or rules, or who refuses or neglects to comply with any of such provisions or rules, shall be punished by a fine of not more than one thousand dollars or imprisonment for not more than one year, or both, unless some other penalty is specifically provided in this chapter.

Approved April 29, 1971.

Chap. 238. AN ACT DIRECTING THE BUILDING INSPECTOR OF THE TOWN OF DEDHAM TO ISSUE A PERMIT TO THE DEDHAM HOUSING AUTHORITY TO CONSTRUCT MULTIPLE DWELLING UNITS FOR THE ELDERLY IN SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter one hundred and forty-five of the General Laws and notwithstanding the provisions of sections six and eight of the zoning by-law for the town of Dedham but, except as herein provided, subject to other applicable provisions of said zoning by-law, the building inspector of the town of Dedham shall issue a permit to the Dedham Housing Authority to construct an eighty-unit multiple housing project for the elderly on a parcel of land in Dedham, pursuant to the provisions of the General Laws applicable thereto, to be known as State-Aided Housing Project Dedham 667-3; provided that all construction shall be of a quality equivalent at least to type 3-B of the BOCA code and provided further that project Dedham 667-3 shall be a permitted use as of right under such zoning by-laws in the area presently zoned as Single Residence B located West of East street, North of Mother Brook and East of the former West Roxbury Branch of the New York, New Haven & Hartford Railroad.

Approved April 29, 1971.

Chap. 239. AN ACT INCREASING THE AMOUNT OF DEATH BENEFITS PAID BY THE MEDFORD POLICE RELIEF ASSOCIATION, INCORPORATED.

Be it enacted, etc., as follows:

SECTION 1. Medford Police Relief Association, Incorporated, a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the death of the wife of any member in good standing, to pay such member such sum not exceeding five hundred dollars, as may be determined by vote of the members of said corporation, and upon the death of any member in good standing to pay such death benefit, not exceeding five thousand dollars as may be determined as aforesaid. Any member in good standing may, at his option and request, receive a sum of money from the association not to exceed fifty

per cent of the total then payable to his beneficiaries under the by-laws of the association; provided that he requests the same within six months after the date of his retirement. Any amount paid in accordance with this provision shall reduce the death benefit otherwise available upon the death of such member.

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

Approved April 29, 1971.

Chap. 240. AN ACT RELATIVE TO THE TRUSTEES OF THE SOLDIERS' HOME IN HOLYOKE.

Be it enacted, etc., as follows:

SECTION 1. Section 70 of chapter 6 of the General Laws, added by section 2 of chapter 476 of the acts of 1948, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:—There shall be a board of trustees of the Soldiers' Home in Holyoke, consisting of seven persons, who shall be residents of the counties of Berkshire, Franklin, Hampden and Hampshire. Each of said counties shall be represented on said board by at least one trustee who is a resident therein.

SECTION 2. Notwithstanding the provisions of section seventy of chapter six of the General Laws, as amended by section one of this act, the members of the board of trustees of the Soldiers' Home in Holyoke on the effective date of this act may continue to serve until the end of the term for which they were appointed.

Approved April 29, 1971.

Chap. 241. AN ACT EXTENDING CERTAIN EQUITABLE REMEDIES UNDER THE CONSUMER PROTECTION LAW TO CERTAIN AGGRIEVED PERSONS WHO PURCHASED REAL ESTATE FOR PERSONAL OR FAMILY USE.

Be it enacted, etc., as follows:

Paragraph (1) of section 9 of chapter 93A of the General Laws, as amended by section 1 of chapter 736 of the acts of 1970, is hereby further amended by striking out, in line 1, the words "or services" and inserting in place thereof the words:—, services or property, real or personal.

Approved April 29, 1971.

EMERGENCY LETTER — June 3, 1971 at 4:00 P.M.

Chap. 242. AN ACT PROVIDING THAT CERTAIN PERIODS OF WARTIME SERVICE OF THOMAS G. FREELEY BE ALLOWED AS CREDITABLE SERVICE UPON HIS RETIREMENT.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, Thomas G. Freeley, a veteran within the meaning of section one of chapter thirty-two of the General Laws, who is now serving as an assistant clerk for civil business for the superior court for Suffolk county, but who, upon his entry into wartime service, as defined in

clause Forty-three of section seven of chapter four of the General Laws, was employed by another governmental unit which, upon his discharge from such service, refused him reemployment until two years and one and one half months had elapsed after such discharge, shall, for the purposes of paragraph (*h*) of subdivision (1) of section four of said chapter thirty-two, and also for the purposes of section fifty-eight A of said chapter thirty-two, be deemed to have been re-employed within two years of such discharge.

Approved April 29, 1971.

Chap. 243. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO ESTABLISH RULES AND REGULATIONS RELATIVE TO WATER COMPANIES UNDER ITS JURISDICTION.

Be it enacted, etc., as follows:

Chapter 165 of the General Laws is hereby amended by inserting after section 1A the following section:—

Section 1B. 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 April 29, 1971.

Chap. 244. AN ACT AUTHORIZING THE TREASURER OF MIDDLESEX COUNTY TO PAY A CERTAIN SUM OF MONEY TO THE STATE GROUP INSURANCE COMMISSION.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, the county treasurer of Middlesex county is hereby authorized, subject to appropriation, to pay to the state group insurance commission the sum of seven thousand eight hundred eighty-one dollars and eighty-one cents for premium reimbursement due to the commonwealth for its share of premium cost for the group known as the elderly governmental retiree group for the years nineteen hundred and sixty-five, nineteen hundred and sixty-six and nineteen hundred and sixty-seven.

Approved April 29, 1971.

Chap. 245. AN ACT INCREASING THE EXCISE UPON CIGARETTES FOR THE PURPOSE OF MEETING THE DEBT SERVICE OBLIGATIONS OF THE COMMONWEALTH AND PROVIDING ADDITIONAL REVENUE FOR CERTAIN TRANSPORTATION PURPOSES.

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 amended by section 1 of chapter 361 of the acts of 1969, 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 eight 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 eight 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 chapter 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 two mills per cigarette on all cigarettes and all unused adhesive and meter stamps upon which an excise of only six 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 obligations of the General Fund.

SECTION 3. Chapter 64C of the General Laws is hereby further amended by striking out section 28, as most recently amended by section 4 of chapter 361 of the acts of 1969, and inserting in place thereof the following section:—

Section 28. All sums received under this chapter shall be paid into the treasury of the commonwealth and shall be credited as follows:—

(*a*) Six 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 five sixths thereof shall be used solely toward meeting the debt service obligations of the General Fund.

(*b*) Two mills of the excise imposed by section six and a proportionate amount of all sums received as penalties, forfeitures, interest, cost of suits and fines shall be credited to the General Fund and used solely toward meeeting the requirements of section twenty-five B of chapter fifty-eight; provided that there shall be deducted therefrom an amount sufficient to reimburse the commonwealth for the expenses incurred in the administration of this chapter, including any amounts abated or refunded under section seven of this chapter or section

twenty-seven of chapter fifty-eight, together with any interest or costs paid on account of such abatements or refunds.

SECTION 4. Sections one and two of this act shall take effect at the commencement of business on the day next following the effective date of this act. Section three shall take effect upon the passage of this act.

Approved April 30, 1971.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, April 30, 1971.

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 245 of the Acts of 1971, entitled, "AN ACT INCREASING THE EXCISE UPON CIGARETTES FOR THE PURPOSE OF MEETING THE DEBT SERVICE OBLIGATIONS OF THE COMMONWEALTH AND PROVIDING ADDITIONAL REVENUE FOR CERTAIN TRANSPORTATION PURPOSES." and the enactment of which received my approval on April 30, 1971, 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 enable the Commonwealth of Massachusetts immediately to benefit from the provisions of this act.

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

OFFICE OF THE SECRETARY, BOSTON, April 30, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at three o'clock and three 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 forty-five of the acts of nineteen hundred and seventy-one.

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

Chap. 246. AN ACT AUTHORIZING THE LAWRENCE POLICE RELIEF ASSOCIATION TO PAY CERTAIN BENEFITS TO ITS MEMBERS UPON THEIR RETIREMENT.

Be it enacted, etc., as follows:

SECTION 1. The Lawrence Police Relief Association, a corporation duly established under the provisions of section 7 of chapter 429 of the acts of 1888, is hereby authorized, upon retirement from the police department of the city of Lawrence of any member in good standing, to pay to such member such sum, not exceeding one thousand dollars, as

may be determined by vote of said corporation. Any amount so paid shall reduce the death benefit otherwise payable upon the death of any such member.

SECTION 2. This act shall apply to members of the Lawrence Police Relief Association retired after January the first, nineteen hundred and seventy-one. *Approved May 3, 1971.*

Chap. 247. AN ACT AUTHORIZING THE COMMISSIONER OF ADMINISTRATION TO EXERCISE CERTAIN POWERS AND PERFORM CERTAIN DUTIES OF THE SECRETARIES TO BE APPOINTED UNDER THE LAW ESTABLISHING A GOVERNOR'S CABINET, PENDING THE APPOINTMENT AND QUALIFICATION OF SUCH SECRETARIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the assumption of certain powers and duties by the commissioner of administration for the purpose of providing the necessary implementation and efficient administration of the recently established governor's cabinet in order to insure the continued orderly operation of the various departments 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. Notwithstanding any provision of chapters six A to eight, inclusive, twenty-nine to thirty-two A, inclusive, ninety-four, ninety-eight or one hundred and one of the General Laws, or any provision of sections fifty-one to fifty-nine, inclusive, of chapter seven hundred and four of the acts of nineteen hundred and sixty-nine, whereby any power is conferred or any duty imposed upon any secretary to be appointed under section three of said chapter six A, the commissioner of administration is hereby authorized to exercise any such power and perform any such duty until the appointment and qualification of such secretary.

SECTION 2. This act shall take effect as of April the thirtieth, nineteen hundred and seventy-one. *Approved May 5, 1971.*

Chap. 248. AN ACT PROVIDING THAT THE DEPARTMENT OF PUBLIC WELFARE DISREGARD CERTAIN RECENTLY GRANTED RETROACTIVE SOCIAL SECURITY PAYMENTS IN DETERMINING THE NEED FOR ASSISTANCE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith permit the acceptance of a certain recently granted retroactive social security payments by certain recipients of public assistance without adversely affecting their right to receive already established regular monthly assistance payments, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapters six, one hundred and eighteen, one hundred and eighteen A and one hundred and eighteen D

of the General Laws, the department of public welfare, in determining the need for assistance under said chapters, shall disregard, in addition to any other amounts which said department is required or permitted to disregard in determining such need, any amount paid to an individual under Title II of the Social Security Act or under the Railroad Retirement Act of 1937 in any month after the effective date of Public Law 92–5, to the extent that (1) such payment is attributable to the retroactive increase in monthly benefits under the old-age, survivors and disability insurance system for the months of January, February, March or April in the year nineteen hundred and seventy-one resulting from the passage of said Title II, and (2) the amount of such increase is payable separately from the regular monthly benefit received by such an individual for the months of January, February, March or April in the year nineteen hundred and seventy-one. *Approved May 6, 1971.*

Chap. 249. 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 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 seventy-one.

DUKES COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$6,200 00
2.	For reduction of county debt		30,000 00
3.	For county commissioners, salaries and expenses		13,083 80
	1. Personal services	$11,998 70	
	2. Contractual services	425 00	
	3. Supplies and materials	600 00	
	4. Current charges and obligations	60 00	
4.	For transportation and expenses of county and acting commissioners		500 00
5.	For clerk of courts, salary and expenses		8,639 40
	1. Personal services	8,125 00	
	2. Contractual services	365 00	
	3. Supplies and materials	135 00	
	4. Current charges and obligations	14 40	
6.	For county treasurer, salaries and expenses		7,167 00
	1. Personal services	6,312 00	
	2. Contractual services	285 00	
	3. Supplies and materials	300 00	
	4. Current charges and obligations	20 00	
	5. Equipment	250 00	

Item		Subtotal	Total
7.	For sheriff, salary and expenses		$7,252 00
	1. Personal services	$6,232 00	
	2. Contractual services	800 00	
	3. Supplies and materials	200 00	
	4. Current charges and obligations	20 00	
8.	For registry of deeds, salaries and expenses		30,536 75
	1. Personal services	23,881 25	
	2. Contractual services	3,000 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	35 00	
	5. Equipment	1,620 50	
8a.	For registry of probate, salaries and expenses		1,075 00
	2. Contractual services	900 00	
	3. Supplies and materials	175 00	
9.	For law library, salaries and expenses		2,200 00
	1. Personal services	200 00	
	4. Current charges and obligations	2,000 00	
10.	For highways, including state highways, bridges and land damages		29,000 00
	6. All other	29,000 00	
12.	For criminal costs in superior court		10,067 02
	1. Personal services	467 02	
	2. Contractual services	9,600 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		5,696 00
	1. Personal services	336 00	
	2. Contractual services	5,360 00	
14.	For district courts, salaries and expenses District Court of Edgartown		45,713 23
	1. Personal services	41,539 43	
	2. Contractual services	2,673 50	
	3. Supplies and materials	779 50	
	4. Current charges and obligations	297 50	
	5. Equipment	423 30	
15.	For medical examiners and commitments of insane		1,500 00
16.	For jail and house of correction, maintenance and operation		18,084 41
	1. Personal services	8,434 41	
	2. Contractual services	5,650 00	
	3. Supplies and materials	850 00	
	5. Equipment	3,150 00	
18.	For court houses and registry buildings, maintenance and operation		17,622 39
	1. Personal services	6,905 60	
	2. Contractual services	6,000 00	
	3. Supplies and materials	1,100 00	
	5. Equipment	166 79	
	6. All other	3,450 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		22,689 68
	1. Personal services	18,324 68	
	2. Contractual services	1,720 00	
	3. Supplies and materials	1,345 00	
	4. Current charges and obligations	905 00	
	5. Equipment	395 00	
21a.	For state reservation, maintenance and operation (Indian Burial Ground)		750 00
23a.	For mental health program or tuberculosis clinic		4,000 00
23c.	For public health program		3,000 00

Item		Subtotal	Total
24.	For noncontributory pensions		$4,776 62
25.	For contributory retirement system and supervisory expenses		23,976 28
26.	For miscellaneous and contingent expenses		19,951 62
27.	For unpaid bills of previous years		5,117 30
28.	For reserve fund		10,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		29,817 51
33.	For police training school		250 00
35.	For planning and economic development commission		13,450 00
38.	For county airport, maintenance and operation		83,454 25
	1. Personal services	$50,793 25	
	2. Contractual services	6,400 00	
	3. Supplies and materials	10,200 00	
	4. Current charges and obligations	3,350 00	
	5. Equipment	12,711 00	
39.	For group insurance		13,000 00
42.	For rodent control		9,771 72
43.	For woodtick control		1,250 00
44.	For communication system		32,136 99
	Total amount of appropriations		$511,728 87
	Less estimated amount available for reduction of county tax		121,277 09
	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		$390,451 78

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

Approved May 6, 1971.

Chap. 250. AN ACT PROVIDING FOR THE GUARANTEE BY THE COMMONWEALTH OF TWO THIRDS OF ANY DEFICIT, WITH LIMITATIONS, INCURRED BY THE NATIONAL RAIL PASSENGER CORPORATION TO INSURE CONTINUING RAIL PASSENGER SERVICE BETWEEN BOSTON AND SPRINGFIELD VIA WORCESTER FOR TWO YEARS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to guarantee the payment of two thirds of any deficit incurred by the National Rail Passenger Corporation as the result of the continuation without interruption of essential intrastate railroad passenger service between Boston and Springfield via Worcester, which guaranty is a condition precedent to the route becoming a permanently federally-financed basic railroad passenger service network, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The state treasurer, upon certification by the commissioner of administration, and with the approval of the governor, is hereby authorized and empowered to guarantee the payment of two thirds of any deficit incurred by the National Rail Passenger Corporation for a period

of two years, not exceeding the sum of one hundred and seventy-five thousand dollars in any one year, as the result of the coincidental establishment of railroad passenger service between Boston on the one hand and Springfield via Worcester on the other under the provisions of Sections 403*a* and 403*b* of the Federal Rail Passenger Act of 1970, which is a segment of the Boston–New York City Inland Route.

Approved May 6, 1971.

Chap. 251. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO BORROW MONEY FOR THE CONSTRUCTION OF OFF-STREET PARKING FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. For the purposes of constructing public parking areas, including original pavement thereof, as well as the construction of structures, multi-level garages and facilities for off-street public parking, the city of New Bedford may acquire by purchase or otherwise, or take by eminent domain under the provisions of chapter seventy-nine or eighty A of the General Laws, land and buildings on such streets in said city as the city council may determine. Said city may, for the purposes of this act, borrow from time to time within a period of five years from the passage of this act such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of New Bedford, Public Off-Street Parking Loan, Act of 1971. 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 debt limit, but shall, except as herein provided, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. Said city may install parking meters in said off-street parking areas, structures, multi-level garages and facilities and make a charge for the use of space therein, and the receipts thereof shall be applied annually, first, to reimbursing the city for its annual payments on account of the above-mentioned loan or loans, and secondly, for any of the purposes for which parking meter receipts may be used under sections twenty-two B and twenty-two C of chapter forty of the General Laws.

SECTION 3. In the event that said city determines to construct and operate any off-street public parking structure, multi-level garages or facilities, said city shall, by ordinance or order, establish rules and regulations for the operation thereof.

SECTION 4. Upon liquidation of the loan authorized by section one, the receipts from said parking meters, structures, multi-level garages, or facilities may be used for the purposes prescribed by said sections twenty-two B and twenty-two C of said chapter forty.

SECTION 5. This act shall be construed to be in addition to all other rights granted by the General Laws pertaining to the installation and operation of parking meters in on-street and off-street areas and the disbursement of receipts therefrom.

SECTION 6. Said city may acquire said parking meters in the manner provided by section twenty-two A of said chapter forty.

SECTION 7. This act shall take effect upon its passage.

Approved May 6, 1971.

Chap. 252. AN ACT PROVIDING FOR A THIRD ASSISTANT CLERK IN THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

The first paragraph of section 58 of chapter 218 of the General Laws is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences: — The Boston juvenile court shall have an assistant clerk, a second assistant clerk and a third assistant clerk, who shall be appointed by the clerk, subject to the approval of the justice. The Worcester and Springfield juvenile courts shall each have an assistant clerk, who shall be appointed by the clerk, subject to the approval of the respective justices thereof.

Approved May 6, 1971.

Chap. 253. AN ACT REDUCING THE AGE AT WHICH AN INDIVIDUAL MAY MAKE CAMPAIGN CONTRIBUTIONS.

Be it enacted, etc., as follows:

Section 6 of chapter 55 of the General Laws is hereby amended by striking out the seventh sentence, as appearing in section 5 of chapter 444 of the acts of 1962, and inserting in place thereof the following sentence:—Notwithstanding the provisions of this section an individual of less than eighteen years of age shall not make campaign contributions in an amount in excess of twenty-five dollars in the aggregate during any one calendar year. *Approved May 6, 1971.*

Chap. 254. AN ACT ELIMINATING THE REQUIREMENT THAT CITY AND TOWN CLERKS RECORD IN THE RECORD OF MARRIAGES THE COLOR OF ALL PARTIES MARRIED IN THEIR CITIES AND TOWNS.

Be it enacted, etc., as follows:

The third paragraph of section 1 of chapter 46 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4, the words "and color".

Approved May 6, 1971.

Chap. 255. AN ACT LOWERING THE AGE AT WHICH THE MARRIAGE OF A MALE MAY BE SOLEMNIZED WITHOUT PARENTAL CONSENT.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 207 of the General Laws, as amended by section 1 of chapter 270 of the acts of 1941, is hereby further amended by striking out, in lines 3 and 4, the words "the male

is under twenty-one or the female" and inserting in place thereof the words:—a party to the intended marriage.

SECTION 2. Section 33 of said chapter 207, as amended by section 2 of said chapter 270, is hereby amended by striking out, in line 4, the words "male under twenty-one, or to a female" and inserting in place thereof the words:—party who is.

SECTION 3. Section 33A of said chapter 207, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the words "twenty-one, if a male, or under eighteen if a female" and inserting in place thereof the word:—eighteen,—and by striking out, in lines 17 and 18, the words "twenty-one or over, if a male, or eighteen or over, if a female" and inserting in place thereof the words:—eighteen or over. *Approved May 6, 1971.*

Chap. 256. AN ACT DIRECTING THE COMMISSIONER OF NATURAL RESOURCES TO LEASE CERTAIN LAND IN THE TOWN OF SPENCER TO THE WORCESTER COUNTY TRUSTEES FOR COUNTY AID TO AGRICULTURE.

Be it enacted, etc., as follows:

The commissioner of natural resources, with the approval of the governor, is hereby authorized and directed to lease to the Worcester County Trustees for County Aid to Agriculture, for a term not exceeding twenty-five years, a certain tract of land, now part of a state forest and consisting of approximately twenty acres on the shores of Thompson's pond in the town of Spencer, together with the buildings thereon to be used as a meeting place for said trustees and for the development of interest in agriculture by young people. Said lease shall contain such terms and conditions as will comply with all laws in relation to protection of fish, birds and quadrupeds and the preservation and development of said forest. Notwithstanding said lease the control and supervision of the land so leased shall remain under said commissioner, and all provisions of law relating to state forests not inconsistent with this act shall remain in full force and effect. Upon failure of said trustees for a period of two years to make use of said property for the purpose of said lease said commissioner may immediately cancel said lease upon written notification to said trustees. Upon termination of said lease any building or other structure on the leased property shall become the property of the commonwealth. Except as above provided, nothing in this act shall be construed to prevent the use of said forest by the public to the same extent as if this act had not been passed. *Approved May 6, 1971.*

Chap. 257. AN ACT AUTHORIZING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO SELL AND CONVEY CERTAIN PROPERTY IN THE TOWN OF ARLINGTON TO SAID TOWN.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority is hereby authorized to sell and convey to the town of Arlington, at its fair market value, the land with the buildings thereon situated in said town and

shown on a plan entitled "Plan of Land Belonging to George H. Stanton on Water Street, Arlington, Scale 1 inch = 20 feet, May 27, 1911, A. L. Plimpton, Civil Engineer", duly recorded with Middlesex South District Registry of Deeds at the end of Book 3603. Said land is bounded and described as follows:—

SOUTHERLY by a passageway on land now or formerly of Robert Wilton, ninety-one and ninety-six one hundredths (91.96) feet;

EASTERLY by land now or formerly of Robert Wilton and land now or formerly of the Harvard Trust Company, ninety and fifty-nine one hundredths (90.59) feet;

NORTHERLY by land now or formerly of Thomas Grogan, one hundred three and fifteen one hundredths (103.15) feet; and

WESTERLY by Water Street, one hundred and fifty-two one hundredths (100.52) feet.

Containing nine thousand two hundred and twenty-three square feet as shown on said plan. *Approved May 6, 1971.*

Chap. 258. AN ACT RELATIVE TO THE INDEMNIFICATION OF MOSQUITO CONTROL DISTRICTS AND THEIR EMPLOYEES AGAINST LIABILITY FOR INJURIES OR PROPERTY DAMAGE.

Be it enacted, etc., as follows:

Chapter 252 of the General Laws is hereby amended by striking out section 6A, inserted by chapter 283 of the acts of 1962, and inserting in place thereof the following section:—

Section 6A. Any district established under this chapter may pay a proper charge for effecting insurance providing an indemnity or protection of such district or of any officer or employee of such district, whose services as such is approved by the commissioners thereof, against loss by reason of liability to pay damages to others for bodily injuries, including death at any time resulting therefrom, or for damage to property caused by any act which is within the scope of his official duties or employment including the operation of any motor or other vehicle equipment or vessel owned or leased by such district, and to pay the proper charge for effecting insurance to cover the district's liability to pay workmen's compensation and to pay the proper charge to prevent loss by reason of destruction or damage to buildings or personal property by fire or other causes normally covered by fire insurance policies, and to pay the proper charge for effecting insurance to prevent loss by reason of damage to motor vehicles owned by such district. *Approved May 6, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 6, 1971.

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 1971, entitled "AN ACT RELATIVE TO THE INDEMNIFICATION OF MOSQUITO CONTROL DISTRICTS AND THEIR EMPLOYEES AGAINST LIABILITY FOR INJURIES OR PROPERTY DAMAGE." and the enactment of which received my approval on May 6, 1971, 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 order to provide additional insurance coverage immediately to the officers and employees of such mosquito control districts.

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

OFFICE OF THE SECRETARY, BOSTON, May 6, 1971.

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

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

Chap. 259. AN ACT FURTHER REGULATING THE ORGANIZATION OF PROFESSIONAL CORPORATIONS.

Be it enacted, etc., as follows:

Section 8 of chapter 156A of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 654 of the acts of 1963, and inserting in place thereof the following sentence:—No person may be simultaneously an officer, director or shareholder of more than two professional corporations.

Approved May 6, 1971.

Chap. 260. AN ACT REQUIRING LOCAL LICENSING AUTHORITIES TO DISCLOSE THEIR REASONS FOR ANY ACTION TAKEN RELATIVE TO ALCOHOLIC BEVERAGES LICENSES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 23 of chapter 138 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 12 of chapter 542 of the acts of 1943, and inserting in place thereof the following sentence:—The terms licenses and permits, wherever employed as substantives in this chapter, are used in their technical sense of a license or permit, transferable only as provided in this chapter, and revocable by the granting authority, the commonwealth, acting through the same officers or agents and under the same delegated authority for any violation of this chapter or any

regulation adopted by the commission or local licensing authority consistent with the terms of this chapter after opportunity for a hearing.

SECTION 2. Said section 23 of said chapter 138 is hereby further amended by striking out the fourth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

Whenever, in the opinion of the local licensing authorities, any applicant for a license under section twelve, fourteen, fifteen or thirty A fails to establish to their satisfaction his compliance with the requirements of this chapter, or any other reasonable requirements which they may from time to time make with respect to licenses under said sections, respectively, or to the conduct of business by any licensee thereunder, said authorities may refuse to issue or reissue to such applicant any such license; and whenever in their opinion any holder of such a license fails to maintain compliance with this chapter or it appears that alcoholic beverages are being or have been sold, served or drunk therein in violation of any provision of this chapter, they may, after hearing or opportunity therefor, modify, suspend, revoke or cancel such license. Whenever the local licensing authorities deny an application for a new license, refuse to issue a license or modify, suspend, revoke or cancel a license or deny an application for transfer of location or between persons or change of a description of the licensed premises, the licensing authorities shall mail a notice of such action to the applicant or licensee, stating the reasons for such action and shall at the same time mail a copy of such notice to the commission.

SECTION 3. Said section 23 of said chapter 138 is hereby further amended by striking out the eighth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

Any license issued under this chapter may, upon application pursuant to section fifteen A, be transferred from one location to another or the description of the licensed premises may be changed with the approval of the licensing authorities. No new license fee shall be required; provided, however, the local authorities may in their discretion increase the annual fee already paid by the license holder. The local licensing authorities may transfer a common victualler's or innholder's license issued under chapter one hundred and forty from one location to another if the applicant therefor is also the holder of a license for the sale of alcoholic beverages at the location from which the transfer is sought. If the local licensing authorities of any city or town refuse to grant or fail to act upon an application for a transfer of location of any license as authorized by this section, the applicant therefor may appeal to the commission under section sixty-seven in the same manner as though such authorities had refused to grant or failed to act upon an application for an original license under this chapter, and all the provisions of said section shall apply to such an appeal. Nothing herein contained shall be construed to limit or prevent the transfer from one location to another by local licensing authorities of common victuallers' or innholders' licenses issued under chapter one hundred and forty if the applicant for such a transfer is not the holder of a license for the sale of alcoholic beverages.

Approved May 6, 1971.

Chap. 261. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF ACTIONS BROUGHT BY LOCAL BOARDS OF HEALTH AND THE STATE DEPARTMENT OF PUBLIC HEALTH TO ENFORCE THE STATE SANITARY CODE.

Be it enacted, etc., as follows:

Section 127A of chapter 111 of the General Laws, as appearing in section 3 of chapter 898 of the acts of 1965, is hereby amended by adding the following paragraph:—

Local boards of health shall enforce said code in the same manner in which local health rules and regulations are enforced, but, if any such local boards fail after the lapse of a reasonable length of time to enforce the same, the department may in like manner enforce said code against any violator. The superior court shall have jurisdiction in equity to enforce the provisions of said code and any actions brought to enforce said provisions shall be advanced for speedy trial.

Approved May 6, 1971.

Chap. 262. AN ACT MAKING A CORRECTIVE CHANGE IN CERTAIN TAX LAWS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 59 of the General Laws is hereby amended by striking out section 50, as amended by section 4 of chapter 112 of the acts of 1948, and inserting in place thereof the following section:—

Section 50. The books required by section forty-five shall contain a copy of this section, of sections forty-three, forty-four, forty-five, forty-six and forty-nine, and of sections eighty-four and ninety-four, and such certificates as are required by law to be signed by the assessors, with such explanatory notes as the commissioner considers necessary to secure uniformity of returns under the several headings.

SECTION 2. Said chapter 59 is hereby further amended by striking out section 84, as amended by section 47 of chapter 254 of the acts of 1933, and inserting in place thereof the following section:—

Section 84. If the assessors of a town ascertain that the aggregate valuation thereof has been diminished since January the first of the preceding year, they shall return with the books, which they are required by section forty-nine to deposit in the office of the commissioner, a statement, on oath, of the causes which in their opinion have produced such diminution.

Approved May 6, 1971.

Chap. 263. AN ACT INCREASING THE AMOUNT WHICH MAY BE EXPENDED FROM THE PROCEEDS OF CERTAIN INSURANCE POLICIES FOR THE BURIAL OF A PARENT OF A MINOR UNDER GUARDIANSHIP.

Be it enacted, etc., as follows:

Chapter 201 of the General Laws is hereby amended by striking out section 39A, inserted by chapter 270 of the acts of 1936, and inserting in place thereof the following section:—

Section 39A. If the estate of a minor under guardianship includes the proceeds of an insurance policy or benefit certificate, the payment of which was contingent upon the death of his parent, the guardian of such minor, if authorized by the probate court, may pay not more than one thousand dollars for expenses for the funeral of such parent, but if said proceeds amount to less than two thousand dollars such payment shall in no event exceed one half of the amount of said proceeds; provided, that such payment shall be so authorized or made only in case the estate of such parent is insufficient to pay said expenses. *Approved May 6, 1971.*

Chap. 264. AN ACT REQUIRING PERSONS OPERATING OR RIDING IN OR ON A SNOW VEHICLE OR RECREATION VEHICLE TO WEAR CERTAIN PROTECTIVE HEADGEAR.

Be it enacted, etc., as follows:

The fourth paragraph of section 26 of chapter 90B of the General Laws, as appearing in section 2 of chapter 589 of the acts of 1970, is hereby amended by striking out, in line 2, the words "in a racing event". *Approved May 6, 1971.*

Chap. 265. AN ACT PROVIDING INDEMNIFICATION FOR MEMBERS OF REGIONAL DISTRICT SCHOOL COMMITTEES.

Be it enacted, etc., as follows:

Section 16 of chapter 71 of the General Laws is hereby amended by adding after clause (*n*) the following clause:—

(*o*) To indemnify each member of the regional district school committee 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 member was acting within the scope of his official duties and to provide funds therefor, or to effect insurance providing such indemnity, in the annual operating and maintenance budget of the district, provided that the defense or settlement of such claim shall have been made by the district legal counsel, or by an attorney legally employed for the purpose by the district or by an attorney furnished by an insurer obligated under the terms of a policy of insurance to defend the district and the members against such claim.

Approved May 6, 1971.

Chap. 266. AN ACT FURTHER REGULATING THE AMENDMENT OF A BIRTH RECORD UPON RECEIPT OF A DECREE OF ADOPTION.

Be it enacted, etc., as follows:

The fourth paragraph of section 13 of chapter 46 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 2 of chapter 342 of the acts of 1960, and inserting in place thereof the following sentence:—Except as hereinafter provided, said clerk, after receiving such certificate of adoption or any

such certified copy of a decree of adoption, shall forthwith correct the record of birth of the person so adopted in the manner hereinafter provided and notify the adopting parents or parent that the requested amendment of the record has been made and that upon receipt of the fee prescribed by section thirty-four of chapter two hundred and sixty-two he shall furnish a certified copy of such record, as so amended. *Approved May 6, 1971.*

Chap. 267. AN ACT INCREASING THE ENTRY FEE OF A LIBEL FOR DIVORCE OR FOR AFFIRMING OR ANNULLING MARRIAGE.

Be it enacted, etc., as follows:

Section 40 of chapter 262 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 651 of the acts of 1967, and inserting in place thereof the following paragraph:—

For the entry of a libel for divorce or for affirming or annulling marriage, twenty-five dollars. *Approved May 6, 1971.*

Chap. 268. AN ACT AUTHORIZING THE TOWN OF NORTH ATTLEBOROUGH TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

Notwithstanding any by-law of the town of North Attleborough or any general or special law to the contrary, said town is hereby authorized to pay on certification by the high school building committee appointed under article seventeen of the warrant of the special town meeting held on July twenty-four, nineteen hundred and sixty-eight certain unpaid bills in the amount of seven hundred and twelve dollars and thirty cents. *Approved May 6, 1971.*

Chap. 269. AN ACT INCREASING THE FEE FOR A CERTIFICATE OF MUNICIPAL LIENS.

Be it enacted, etc., as follows:

Section 23 of chapter 60 of the General Laws is hereby amended by striking out the fourth sentence, as appearing in chapter 537 of the acts of 1958, and inserting in place thereof the following sentence:— Such collector of taxes shall charge six dollars for each certificate so issued, and the money so received shall be paid into the town treasury. *Approved May 6, 1971.*

Chap. 270. AN ACT INCREASING THE RATE OF INTEREST ON UNPAID BETTERMENT ASSESSMENTS.

Be it enacted, etc., as follows:

Section 13 of chapter 80 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 595 of the acts of 1941, and inserting in place thereof the following sentence:— Assessments made under this chapter shall bear interest at the rate of eight per cent per annum from the thirtieth day after the assessments have been committed to the collector. *Approved May 6, 1971.*

Chap. 271. AN ACT INCREASING THE MAXIMUM AMOUNT OF A CLAIM WHICH MAY BE DETERMINED UNDER THE SMALL CLAIMS PROCEDURE IN THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 218 of the General Laws, as most recently amended by section 1 of chapter 106 of the acts of 1970, is hereby further amended by striking out, in line 8, the word "three" and inserting in place thereof the word:—four.

SECTION 2. This act shall take effect on October the first, nineteen hundred and seventy-one. *Approved May 6, 1971.*

Chap. 272. AN ACT PROVIDING THAT CERTAIN FISCAL NOTES INDICATING THE ESTIMATED COST OF PROPOSED LEGISLATION SHALL BE INCLUDED IN BILLS REPORTED FAVORABLY BY CERTAIN COMMITTEES OF THE GENERAL COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 3 of the General Laws is hereby amended by inserting after section 38 the following section:—

Section 38A. Joint committees of the general court and the committees on ways and means of either branch thereof when reporting favorably on bills referred to them shall include therewith a fiscal note prepared in accordance with the provisions of section three A of chapter twenty-nine showing the estimated cost or fiscal effect of the proposed legislation, if such cost of said legislation exceeds one hundred thousand dollars. Such fiscal notes shall be printed in the daily calendars of each branch whenever said bills appear thereon.

SECTION 2. Section 3A of chapter 29 of the General Laws, as amended by section 30 of chapter 704 of the acts of 1969, is hereby further amended by inserting after the word "means", in line 4, the words:—or of any joint committee of the general court.

Approved May 6, 1971.

Chap. 273. AN ACT INCREASING CERTAIN FEES TO BE PAID BY DELINQUENT TAXPAYERS.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 60 of the General Laws is hereby amended by striking out clause 10, as amended by section 2 of chapter 306 of the acts of 1958, and inserting in place thereof the following clause:—

10. For notice to the delinquent that warrant has been issued, three dollars;.

SECTION 2. Said section 15 of said chapter 60 is hereby further amended by striking out clause 11, as appearing in chapter 398 of the acts of 1952, and inserting in place thereof the following clause:—

11. For exhibiting a warrant or delivering a copy thereof to the delinquent or his representative or leaving it at his last and usual

place of abode or of business, before and without distraint or arrest, seven dollars;.

SECTION 3. Said section 15 of said chapter 60 is hereby further amended by striking out clauses 15 and 16, as so appearing, and inserting in place thereof the following two clauses:—

15. For arresting the body, four dollars, and a sum not exceeding seven dollars, for travel, at the rate of ten cents per mile, from the office of the collector to the place where the arrest is made;

16. For custody of the body arrested, if payment of the delinquent tax is not made forthwith, five dollars, and in addition thereto travel at the rate of ten cents per mile from the place of arrest to the jail or, if payment is made before commitment to jail, for the distance from the place where the arrest is made to the place where payment is made;. *Approved May 6, 1971.*

Chap. 274. AN ACT FURTHER REGULATING THE LAW RELATIVE TO REGULATIONS FOR PREVENTING OR RETARDING THE ESCAPE OF GAS IN CASE OF FIRE.

Be it enacted, etc., as follows:

Section 75A of chapter 164 of the General Laws, as amended by chapter 199 of the acts of 1965, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — Said regulations shall be enforced by the department and may provide that any such gas meter installed on the outside of buildings may be subject to less stringent installation requirements if approved by the department. *Approved May 10, 1971.*

Chap. 275. AN ACT AUTHORIZING A JUDGE OF THE PROBATE COURT TO ORDER THAT A JAIL SENTENCE IMPOSED FOR FAILURE TO OBEY AN ORDER RELATIVE TO SUPPORT OF A WIFE OR MINOR CHILDREN MAY BE SERVED DURING CERTAIN HOURS.

Be it enacted, etc., as follows:

Section 34 of chapter 215 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence: — A judge of the probate court sentencing a person to jail for failure to obey a decree of the court relative to the support of his wife or minor children may order that the sentence be served during such hours as will permit such person to continue his employment.
Approved May 10, 1971.

Chap. 276. AN ACT PROVIDING THAT THE SENTENCE OF A PERSON CONVICTED OF NONSUPPORT OR CERTAIN RELATED CRIMES MAY BE SERVED DURING CERTAIN HOURS.

Be it enacted, etc., as follows:

Section 1 of chapter 273 of the General Laws is hereby further amended by inserting after the first sentence, as most recently amended by chapter 49 of the acts of 1957, the following sentence: — A judge who orders the imprisonment of a person for a violation of this section may order that his sentence be served during such hours as will permit said person to continue his employment. *Approved May 10, 1971.*

Chap. 277. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE CERTIFICATION OF OPERATORS OF WASTE WATER TREATMENT FACILITIES.

Be it enacted, etc., as follows:

Section 87BBBB of chapter 112 of the General Laws, inserted by section 2 of chapter 781 of the acts of 1970, is hereby amended by striking out, in line 7, the word "seventy-three" and inserting in place thereof the word: — sixty-six A. *Approved May 10, 1971.*

Chap. 278. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-ONE 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 four hundred and eighty of the acts of nineteen hundred and seventy for the fiscal year ending June the thirtieth, nineteen hundred and seventy-one, 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.

Department of Public Welfare.

Item		
1902-5000	For a medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund (1969, 800); and provided further, that no expenditure or commitment made pursuant to this item or to any agreements authorized by said chapter eight hundred for the purpose of complying with the provisions of Public Law 89-97, Title XIX shall be incurred in excess of available funds which have been appropriated therefor, prior appropriation continued	**$17,000,000**
1903-2000	For a program of aid to families with dependent children; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenses	**27,008,140**
1906-2000	For a program of general relief, including prior year charges; provided, that notwithstanding the provisions of any law to the contrary, no increase in the budgetary standard allowance, so-called, shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for said increase; and, provided further, that said commissioner shall notify in writing the house and senate committees on ways and means thirty days prior to the effective date of said increase	**3,119,980**

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

Approved May 11, 1971.

Chap. 279. AN ACT AUTHORIZING THE NAUSET REGIONAL SCHOOL DISTRICT TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The Nauset 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 thirty-eight thousand, one hundred twenty-eight dollars and sixty-two cents, in accordance with a schedule on file in the office of the director of accounts in the department of corporations and taxation, which bills are legally unenforceable against said district; provided that the money so appropriated to pay such bills shall be made from unappropriated surplus funds of the district, including, but not limited to, any available funds in the district's excess and deficiency account.

SECTION 2. No bill shall be approved by the regional district school committee of the district for payment or be paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said school committee, stating under 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 district, and that such goods and materials were delivered to and actually received by said district or that such services were rendered to said district, or both.

SECTION 2A. 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 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.

SECTION 3. This act shall take effect upon passage.

Approved May 13, 1971.

Chap. 280. AN ACT FURTHER EXTENDING THE TIME DURING WHICH APPLICATIONS FOR STATE AID FOR THE CONSTRUCTION, RESTORATION AND REPAIR OF SCHOOL BUILDINGS MAY BE MADE.

Be it enacted, etc., as follows:

Chapter 645 of the acts of 1948 is hereby amended by striking out section 10, as most recently amended by chapter 471 of the acts of 1964, and inserting in place thereof the following section:—

Section 10. Sections one to nine of this act shall take effect on July the first of the current year, and shall cease to be operative on June the thirtieth, nineteen hundred and seventy-six, except that the payments provided by section nine shall be continued thereafter by the state treasurer, subject to appropriation, in accordance with the provisions of said section, on certification by the commissioner of education.

Approved May 13, 1971.

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, May 13, 1971.

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 280 of the Acts of 1971, entitled "AN ACT FURTHER EXTENDING THE TIME DURING WHICH APPLICATIONS FOR STATE AID FOR THE CONSTRUCTION, RESTORATION AND REPAIR OF SCHOOL BUILDINGS MAY BE MADE." and the enactment of which received my approval on May 13, 1971, 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 Board of Education to approve, without interruption, school construction grants for cities, towns and regional school districts.

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

OFFICE OF THE SECRETARY, BOSTON, May 13, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and 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 of the acts of nineteen hundred and seventy-one.

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

Chap. 281. AN ACT CLARIFYING THE PROCEDURES FOR ACCEPTANCE OF THE AGENCY FEE LAW BY REGIONAL SCHOOL DISTRICTS.

Be it enacted, etc., as follows:

The third paragraph of section 17G of chapter 180 of the General Laws, inserted by section 2 of chapter 463 of the acts of 1970, is hereby amended by inserting after the word "charter", in line 5, the words:—; in a regional school district by majority vote of the regional district school committee. *Approved May 13, 1971.*

Chap. 282. AN ACT FURTHER REGULATING THE PRACTICE OF ARCHITECTURE AND THE PRACTICE OF PROFESSIONAL ENGINEERING OR LAND SURVEYING.

Be it enacted, etc., as follows:

SECTION 1. Section 60G of chapter 112 of the General Laws, inserted by section 2 of chapter 696 of the acts of 1941, is hereby amended by striking out, in line 15, the word "or",—and by inserting after the word "subordinates", in line 19, the words:— ; or (*f*) that the holder of a certificate has affixed his signature to plans, drawings, specifications or other instruments of service which have not been prepared by him or in his office, or under his immediate and responsible direction, or has permitted his name to be used for the purpose of assisting any person, not an architect, to evade the provisions of this chapter.

SECTION 2. Section 81P of said chapter 112, as most recently amended by section 12 of chapter 707 of the acts of 1970, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The board may revoke the certificates of registration of any registrant who is found guilty of:—

(*a*) The practice of any fraud or deceit in obtaining a certificate of registration; or

(*b*) Any gross negligence, incompetency or misconduct in the practice of professional engineering or land surveying as a registered professional engineer or as a registered land surveyor; or

(*c*) The affixing of his signature to plans, drawings, specifications or other instruments of service which have not been prepared by him or in his office, or under his immediate and responsible direction, or permitting his name to be used for the purpose of assisting any person, not a registered professional engineer or registered land surveyor, to evade the provisions of this chapter. *Approved May 13, 1971.*

Chap. 283. AN ACT DECREASING THE NUMBER OF RESIDENT MEMBERS REQUIRED TO CONSTITUTE A QUORUM FOR THE TRANSACTION OF BUSINESS AND THE ELECTION OF OFFICERS AT MEETINGS OF TREMONT TEMPLE BAPTIST CHURCH.

Be it enacted etc., as follows:

Section 3 of chapter 229 of the acts of 1961 is hereby amended by striking out, in lines 3 and 4, the words "one hundred and fifty" and inserting in place thereof the word:—seventy-five.

Approved May 13, 1971.

Chap. 284. AN ACT ALLOWING JOHN E. MCENTEE TO OBTAIN CREDITABLE SERVICE FOR RETIREMENT PURPOSES FOR CERTAIN SERVICE RENDERED TO THE NORTH EASTON VILLAGE DISTRICT.

Be it enacted etc., as follows:

The Bristol county retirement board is hereby authorized and directed to allow as creditable service for the purpose of retirement to

John E. McEntee for his period of service with the North Easton Village District in the years nineteen hundred and forty-six and nineteen hundred and forty-seven, provided that he shall pay into the annuity savings fund of said system, an amount equal to five per cent of the regular compensation received during such period of service plus regular interest computed to the date of such deposit.

Approved May 13, 1971.

Chap. 285. AN ACT FURTHER REGULATING THE EXEMPTION OF SCHOOL CHILDREN FROM VACCINATION OR IMMUNIZATION BECAUSE OF RELIGIOUS BELIEFS.

Be it enacted etc., as follows:

Section 15 of chapter 76 of the General Laws, as most recently amended by chapter 590 of the acts of 1967, is hereby further amended by striking out the third paragraph and inserting in place thereof the following paragraph:—

In the absence of an emergency or epidemic of disease declared by the department of public health, no child whose parent or guardian states in writing that vaccination or immunization conflicts with his sincere religious beliefs shall be required to present said physician's certificate in order to be admitted to school.

Approved May 13, 1971.

Chap. 286. AN ACT AUTHORIZING THE ASSESSMENT OF TAXES UPON REAL PROPERTY OF PERSONS UNKNOWN.

Be it enacted etc., as follows:

Section 11 of chapter 59 of the General Laws is hereby amended by adding the following paragraph:—

Whenever the commissioner deems it proper he may, in writing, authorize the assessment of taxes upon real property to persons unknown, provided that the assessors certify to the commissioner that they cannot by reasonable diligence ascertain the name of the person appearing of record. *Approved May 13, 1971.*

Chap. 287. AN ACT PROVIDING THAT COMPENSATION PAID TO POLICE OFFICERS AND FIRE FIGHTERS FOR HOLIDAYS SHALL BE INCLUDED AS REGULAR COMPENSATION FOR RETIREMENT PURPOSES.

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 striking out the sentence inserted by chapter 84 of the acts of 1969 and inserting in place thereof the following sentence:—In the case of police officers and fire fighters, money paid for 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 May 13, 1971.

Chap. 288. AN ACT REQUIRING PHYSICIANS TO REPORT A BIRTH WHENEVER THE MOTHER AND CHILD ARE NOT ADMITTED IMMEDIATELY TO A HOSPITAL FOR POSTNATAL CARE.

Be it enacted, etc., as follows:

Chapter 46 of the General Laws is hereby amended by inserting after section 3A the following section:—

Section 3B. Every physician attending a birth after which the mother and child are not admitted to a hospital for postnatal care immediately after birth shall, within ten days after such birth, file with the clerk of the city or town wherein such birth occurred a report on forms prepared and furnished by the state secretary, stating the facts required to be shown on the record of such birth.

Approved May 13, 1971.

Chap. 289. AN ACT PROVIDING THAT THE DIRECTOR OF CIVIL SERVICE DEVELOP PROGRAMS FOR THE REHABILITATION AND EMPLOYMENT OF CERTAIN PERSONS WHO HAVE BEEN CONVICTED OF VIOLATING THE LAWS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 2A of chapter 31 of the General Laws is hereby amended by striking out paragraph (*n*), added by section 6 of chapter 780 of the acts of 1967, and inserting in place thereof the following paragraph:—

(*n*) Develop programs and advise and assist appointing authorities in promoting opportunities for employment of the handicapped and, whenever possible, subject to the provisions of this chapter, for the rehabilitation and employment of certain persons who have been convicted of violating the laws of the commonwealth.

Approved May 13, 1971.

Chap. 290. AN ACT PERMITTING THE ENTRY OF A NEW LIBEL FOR DIVORCE DURING A CONTESTED HEARING UPON A LIBEL.

Be it enacted, etc., as follows:

Chapter 208 of the General Laws is hereby amended by inserting after section 8 the following section:—

Section 8A. If during the course of a contested hearing upon a libel for divorce the libellee shall cause to be entered his or her libel for divorce the court shall allow the entry of said libel and may enter a decree of divorce upon the new libel after the giving of such notice or service to the new libellee as the court, in its discretion, shall order. *Approved May 13, 1971.*

Chap. 291. AN ACT LOWERING THE AGE AT WHICH A PERSON MAY MAKE A WILL.

Be it enacted, etc., as follows:

Section 1 of chapter 191 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "of full age and" and inserting in place thereof the words:— eighteen years of age or older and of. *Approved May 13, 1971.*

Chap. 292. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO GRANT A CERTAIN ANNUITY TO MOLLIE E. WHEELER, WIDOW OF LOUIS D. WHEELER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general law to the contrary, and for the purpose of promoting the public good, the city of Westfield is hereby authorized to grant to Mollie E. Wheeler, the widow of Louis D. Wheeler, a former employee of the municipal light department of the city of Westfield, an annuity for life, as long as she remains unmarried, in the annual amount of twelve hundred dollars, payable in equal monthly payments of one hundred dollars.

SECTION 2. This act shall take effect upon its acceptance by the city of Westfield. *Approved May 13, 1971.*

Chap. 293. AN ACT PROVIDING FOR THE APPOINTMENT OF A FOURTH ASSISTANT CLERK OF COURTS FOR THE COUNTY OF PLYMOUTH.

Be it enacted, etc., as follows:

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

Plymouth, a second assistant, a third assistant and a fourth assistant subject to approval of a justice of the supreme judicial or superior court. *Approved May 13, 1971.*

Chap. 294. AN ACT PROVIDING THAT CHAPLAINS SHALL NOT BE SUBJECT TO THE CIVIL SERVICE LAW OR RULES.

Be it enacted, etc., as follows:

Section 5 of chapter 31 of the General Laws is hereby amended by inserting after the word "commissions", in line 5, as appearing in section 8 of chapter 780 of the acts of 1967, the words:—, chaplains employed as such. *Approved May 13, 1971.*

Chap. 295. AN ACT REQUIRING THE MASSACHUSETTS PORT AUTHORITY TO SUBMIT A LIST OF THE FAIR MARKET VALUE OF ALL OF ITS TAX-EXEMPT PROPERTY.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the Massachusetts Port Authority is hereby authorized and directed to submit a list of all of its tax-exempt property, together with the fair market value thereof, to the department of corporations and taxation, to the city of Boston and to the town of Bedford.

Approved May 13, 1971.

Chap. 296. AN ACT PROVIDING FOR THE MUTUAL USE OF THE ROCKWOOD FIELD PLAYGROUND BY THE WORCESTER STATE COLLEGE AND THE PARKS AND RECREATION COMMISSION OF THE CITY OF WORCESTER.

Be it enacted, etc., as follows:

The parks and recreation commission of the city of Worcester may, by a majority vote, authorize the city manager of said city to enter into an agreement with the state college at Worcester for the mutual use of a certain playground in said city known as Rockwood field for playground, recreational and athletic purposes and upon such terms, conditions and limitations as may be mutually agreeable.

Approved May 13, 1971.

Chap. 297. AN ACT FURTHER REGULATING THE LAW PROVIDING THAT OFFICERS OF CHURCHES OR RELIGIOUS SOCIETIES BE DEEMED BODIES CORPORATE FOR CERTAIN PURPOSES.

Be it enacted, etc., as follows:

Section 1 of chapter 68 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 3 and 4, the word "citizens" and inserting in place thereof the word:— residents.

Approved May 13, 1971.

Chap. 298. AN ACT AUTHORIZING THE CONSOLIDATION OF NORTH UNITARIAN CHURCH OF NEW BEDFORD, MASS. AND THE FIRST UNITARIAN CHURCH IN NEW BEDFORD.

Be it enacted, etc., as follows:

SECTION 1. The North Unitarian Church of New Bedford, Mass. and The First Unitarian Church in New Bedford, 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 First Unitarian Church in New Bedford, 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 North Unitarian Church of New Bedford, Mass. and The First Unitarian Church in New Bedford, 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 North Unitarian Church of New Bedford, Mass. and The First Unitarian Church in New Bedford 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 North Unitarian Church of New Bedford, Mass. and The First Unitarian Church in New Bedford.

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 May 13, 1971.*

Chap. 299. AN ACT AUTHORIZING THE INVESTMENT OF TRUST FUNDS HELD IN CITIES AND TOWNS IN SAVINGS DEPOSITS OF FEDERAL SAVINGS AND LOAN ASSOCIATIONS.

Be it enacted, etc., as follows:

The first sentence of section 54 of chapter 44 of the General Laws, as appearing in chapter 47 of the acts of 1954, is hereby amended by inserting after the word "shares", the second time it appears in line 10, the words:—or savings deposits. *Approved May 13, 1971.*

Chap. 300. AN ACT PROVIDING INCREASES FOR CERTAIN EMPLOYEES RETIRED FOR ORDINARY DISABILITY.

Be it enacted, etc., as follows:

Chapter 32 of the General Laws is hereby amended by inserting after section 90C the following section:—

Section 90D. Any city, town or district which has accepted the provisions of section ninety C, and accepts the provisions of this section in the manner hereinafter provided, may, in the case of a city by a two thirds vote of the city council and with the approval of the mayor, or in the case of a town by a two thirds vote at the annual town meeting, or in a district by a two thirds vote of its prudential committee, increase the retirement allowance of any former employee retired under any provision of this chapter or similar provision of earlier law on account of ordinary disability after having served such city, town or district for a period of not less than twenty-five years to an amount not exceeding one half the rate of regular compensation payable to employees of such city, town or district holding similar positions at the time of increasing such allowance in the same grade or classification occupied by such former employee at the time of his retirement. *Approved May 13, 1971.*

Chap. 301. AN ACT IMPOSING A PENALTY FOR THE ALTERATION OF THE DISTRICT DESIGNATION ON A NOMINATION PAPER AFTER IT HAS BEEN SIGNED BY A VOTER OR VOTERS.

Be it enacted, etc., as follows:

Chapter 56 of the General Laws, as appearing in section 11 of chapter 537 of the acts of 1946, is hereby amended by inserting after section 11 the following section:—

Section 11A. Whoever falsely or willfully alters the designation of the district on a nomination paper after the name or names of a voter or voters has been signed thereto shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year. *Approved May 13, 1971.*

Chap. 302. AN ACT AUTHORIZING THE BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT TO PAY CERTAIN UNPAID BILLS AND TO BORROW MONEY FOR SAID PURPOSE.

Be it enacted, etc., as follows:

SECTION 1. The Berkshire Hills Regional School District is hereby authorized to pay certain unpaid bills incurred by said district during the years nineteen hundred and sixty-seven, nineteen hundred and sixty-eight and nineteen hundred and sixty-nine in the total amount of fifty-six thousand two hundred ninety-two dollars and fifty-four cents in accordance with a list on file with the director of accounts in the department of corporations and taxation, which bills are legally unenforceable against said district by reason of their being incurred in excess of available appropriations.

SECTION 2. Notwithstanding the provisions of any general or special law to the contrary, the Berkshire Hills Regional School District, for the purpose specified in section one, may borrow a sum not to exceed fifty-six thousand two hundred ninety-two dollars and fifty-four cents and may issue bonds or notes therefor which shall bear on their face the words, Berkshire Hills Regional School District Funding Loan, Act of 1971. Said loan shall be paid in not more than three years from the date of issue. Bonds or notes issued hereunder shall be subject to the applicable provisions of chapter forty-four of the General Laws.

SECTION 3. No bill shall be approved by said district for payment or paid by the treasurer of said district under authority of section one of this act unless and until a certificate has been signed and filed with said district, 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 district, and that such goods and materials were delivered to and actually received by said district or that such services were rendered to said district, or both.

SECTION 4. Any person who knowingly files a certificate required by section three, which certificate is false, and who thereby receives payment for goods, materials or services not received by or rendered to said district, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars.

Approved May 13, 1971.

Chap. 303. AN ACT INCREASING THE PENALTY FOR THE OBSTRUCTION OF PUBLIC WAYS BY RAILROADS.

Be it enacted, etc., as follows:

Section 151 of chapter 160 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "case", in line 3, the word: — wilfully, — and by striking out, in line 11, the word "one" and inserting in place thereof the words: — not less than two hundred nor more than five.

Approved May 17, 1971.

Chap. 304. AN ACT PROHIBITING THE BURNING OF REFUSE, RUBBISH OR DEMOLITION DEBRIS WITHIN CERTAIN MARINE OR SHORELINE BOUNDARIES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 270 of the General Laws is hereby amended by adding after section 19 the following section: —

Section 20. No person shall burn refuse, rubbish or demolition debris within the marine boundaries of the commonwealth, or within twelve miles from the shoreline of the commonwealth, whichever is the shorter distance. Whoever violates any provision of this section shall be punished by a fine of not less than two hundred and fifty dollars nor more than one thousand dollars. *Approved May 17, 1971.*

Chap. 305. AN ACT AUTHORIZING THE TOWN OF SOUTH HADLEY TO PAY A CERTAIN SUM OF MONEY TO STANTON'S SHEET MUSIC, INC. OF COLUMBUS, OHIO.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of South Hadley is hereby authorized to pay an unpaid bill to Stanton's Sheet Music, Inc. of Columbus, Ohio, in the sum of six thousand three hundred and seven dollars and eighty-two cents for materials supplied to the school department of said town in the year nineteen hundred and seventy, said sum to be paid out of funds encumbered in the year nineteen hundred and seventy. Such bill is legally unenforceable by reason of it not having been incurred pursuant to the provisions of section four B of chapter forty of the General Laws.

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

Approved May 20, 1971.

Chap. 306. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE TOWN OF BOURNE MAY EXPEND FOR ADVERTISING PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 124 of the acts of 1952 is hereby amended by striking out section 1, as most recently amended by chapter 33 of the acts of 1960, and inserting in place thereof the following section:—

Section 1. The town of Bourne may annually appropriate a sum, not exceeding eighty-five hundred dollars, for the purpose of advertising the advantages of the town, with special reference to its facilities for summer vacation, recreation, seashore, residential and small manufacturing purposes. The money so appropriated shall be expended under the direction of the selectmen.

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

Approved May 20, 1971.

Chap. 307. AN ACT RELATIVE TO SCHOOL EMPLOYEES IN REGIONAL SCHOOL DISTRICTS.

Be it enacted, etc., as follows:

Section 42B of chapter 71 of the General Laws, as most recently amended by chapter 491 of the acts of 1970, is hereby further amended by adding the following paragraph:—

This section shall also apply to all school personnel serving at the discretion of local trustees for vocational education, and any such school personnel whose positions are 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 May 20, 1971.*

Chap. 308. AN ACT AUTHORIZING GAS AND ELECTRIC COMPANIES TO ISSUE CONVERTIBLE DEBENTURES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 164 of the General Laws is hereby amended by inserting after section 12 the following section:—

Section 12A. A corporation subject to this chapter, and subject to the limitations and restrictions of section fourteen, may, by a vote of a majority in interest of its stockholders at a meeting called therefor and with the approval of the department, issue debentures to be convertible into stock of said corporation, at the option of the holders of said debentures, in such manner, at such times, upon such terms and at such prices, not less than par, as may be fixed in such vote with the approval of said department and, upon the decision of the department, the shares of stock required for the conversion of said debentures shall be a part of the authorized capital of said corporation, and may be issued from time to time thereafter for the conversion of said debentures without any further authorization, order or decree by the department.

SECTION 2. Section 19 of said chapter 164, as appearing in the Tercentenary Edition, is hereby amended by inserting after the second sentence the following sentence:—If an increase subject to the preceding section consists only of stock authorized for the purposes of converting debentures, issued under section twelve A, into such stock, the directors, without first offering the stock to the stockholders, may dispose of them under the provisions of said debentures in such manner, at such times, upon such terms and at such prices, not less than par, as has been fixed by the vote of the stockholders with the approval of the department. *Approved May 20, 1971.*

Chap. 309. AN ACT INCORPORATING THE FITCHBURG AREA ECONOMIC DEVELOPMENT CORPORATION.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless the context otherwise requires, the following words shall have the following meanings:—

"Corporation", the Fitchburg Area Economic Development Corporation, created by section two.

"Financial institution", any banking corporation or institution, trust company, savings bank, co-operative bank, savings and loan association, insurance company, or related corporation, partnership, foundation or other institution engaged primarily in lending or investing funds.

"Executive committee", the executive committee established under section nine.

"Members", members of the corporation—J. Harold Lemay, E. Laurence Mitchell, W. John Hinman, George R. Wallace, III, Edward C. Clark, Norman C. Cross, William C. Haskins, Geldert S. Brown, Francis M. Metterville, Robert S. Goldthwait, Frederick H. Bond, Edward A. Newcomb, Howard W. Evirs, Ronald M. Ansin, Clifton F. Caldwell, Thomas Caravella, Francis M. Rhoten, Sidney V. Saginor, James J. Hammond, Philip J. Kennedy, Joseph R. Madonia, William T. Murray, Henry A. Burnham, Robert B. Bowen, Richard E. Smith, Andre A. Gelinas, Edward H. Hall, Jr., and any other person who pursuant to the by-laws of the corporation is validly elected to membership in the corporation.

Said members shall also constitute the incorporators.

SECTION 2. The individuals named in section one, their associates, successors and assigns, are hereby constituted a body corporate under the name of Fitchburg Area Economic Development Corporation. The Corporation shall be subject to and have the powers and privileges conferred by provisions of chapter one hundred and fifty-five, sections eighteen, twenty-six, twenty-seven, thirty-one, thirty-three and thirty-four of chapter one hundred and fifty-six, and provisions of chapter one hundred and fifty-six B, and section two of chapter one hundred and eighty of the General Laws, as presently enacted or hereafter amended, except so far as said provisions are inconsistent with or otherwise restricted or limited by the provisions of this act.

SECTION 3. The principal office of the corporation shall be located in the city of Fitchburg.

SECTION 4. The purposes of the corporation shall be to promote the common good and general welfare of the city of Fitchburg and its vicinity; to improve the living standards of the citizens thereof by fostering the improvement of their employment skills and capacities, by creating, encouraging and promoting employment opportunities, by soliciting, encouraging and inducing business organizations to locate in said city or its vicinity, and by assisting and promoting the development and expansion of business activity and business organizations in said city and its vicinity, and to develop an association of public spirited citizens, business, professional and technically trained citizens, to accomplish the purposes of the corporation.

In furtherance of such purposes and in addition to the powers conferred on the corporation under section two, the corporation shall, subject to the restrictions and limitations hereinafter contained, have the following powers:—

(*a*) To accept, acquire, receive, take, and hold by bequest, devise, grant, gift, purchase, exchange, lease, transfer, judicial order or decree or otherwise, for any of its objects and purposes, any property, both real and personal;

(*b*) To sell, convey, mortgage, lease, transfer, exchange or otherwise dispose of, any such property, both real and personal, as the objects and purposes of the corporation may require, subject to such limitations as may be prescribed by law;

(*c*) To borrow money, and, from time to time, to make, accept, endorse, execute and issue bonds, debentures, promissory notes, bills of exchange and other obligations of the corporation for monies borrowed or in payment for property acquired or for any of the other purposes of the corporation, and to secure the payment of any such obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights or privileges of the corporation, whether now owned or hereafter to be acquired;

(*d*) To make loans to any person, firm, corporation, joint stock company, association or trust located, or to be located, in the city of Fitchburg or in the vicinity thereof, for the purpose of promoting and developing business activities of all kinds, provided such business activities tend to increase employment opportunities or reduce unemployment within said city of Fitchburg or its vicinity;

(*e*) To acquire improved and unimproved real estate for the purpose of constructing industrial plants or other business establishments thereon or for the purpose of disposing of such real estate to others for the construction of industrial plants or other business establishments as the objects and purposes of the corporation may require;

(*f*) To acquire, construct, reconstruct, alter, repair, maintain, sell, convey, transfer, lease or otherwise dispose of industrial plants or business establishments as the objects and purposes of the corporation may require;

(*g*) To acquire, subscribe for, own, hold, sell, assign, transfer, mortgage, pledge or otherwise dispose of the bonds, debentures, notes or other securities and evidences of interest in, or indebtedness of, any person, firm, corporation, joint stock company, association or trust, and while the owner or holder thereof to exercise all the rights, powers and privileges of ownership;

(*h*) To cooperate with and avail itself of the facilities and programs of the Small Business Administration of the United States, the Massachusetts Business Development Corporation, the state department of commerce and development, the Fitchburg Redevelopment Authority, the United States Department of Commerce and any similar governmental agencies, and any local chambers of commerce, trade organizations, employment agencies and similar organizations; and to cooperate with and assist and otherwise encourage organizations in the city of Fitchburg and in the vicinity thereof in the promotion, assistance and development of the business prosperity and economic welfare of such area;

(*i*) To receive stocks, bonds, donations, gifts and to otherwise raise money for the above outlined purposes;

(*j*) To elect, appoint and employ officers, agents and employees; to make contracts and incur liabilities for any of the purposes of the corporation;

(*k*) To do all things and acts necessary or convenient to carry out the powers expressly granted in this act; provided, however, that the

purposes shall not include the right to apply for a license to sell alcoholic beverages; and that no part of the funds, property or net earnings of this corporation shall inure to the benefit of any member, stockholder, officer of the corporation, or any private individual, and no member, officer of this corporation, or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation except to the extent that stockholders are entitled to participate in the distribution of that corporation's assets upon dissolution under section sixteen, nor shall the corporation allow any of its property to be used directly or indirectly in carrying on, nor shall any of the activities of the corporation consist of the carrying on, or propaganda, or otherwise attempting to influence legislation. The corporation shall not participate in or intervene in any political campaign on behalf of any candidate for public office or publish or distribute any statements with respect thereto. Notwithstanding any other provisions herein contained, neither the members, directors, officers, stockholders nor the corporation shall participate in any of the "prohibited transactions" as defined in Section 503 of the Internal Revenue Code, as the same may, from time to time, be amended, nor shall the corporation accumulate income or engage in any activities if the accumulation of income or the activities so engaged in are or would be within the prohibitions of Section 504 of the Internal Revenue Code as presently enacted or hereafter amended nor shall the corporation be operated at any time for the primary purpose of carrying on a trade or business for profit.

SECTION 5. The authorized capital stock of the corporation shall consist to two hundred thousand shares of nonvoting, nondividend paying common capital stock with a par value of ten dollars each. The members may at any time by majority vote issue any part or all of said stock upon such terms as they shall determine or by majority vote the members may delegate to the directors the power by majority vote to issue any part or all of said stock upon such terms as they shall determine. An individual, corporation, estate or trust, company or partnership shall be entitled to purchase the same from the corporation, from time to time, so long as the latter has in its treasury authorized common capital stock not distributed. Such stock may also be purchased from other individuals, corporations, estates, trusts, companies or partnerships. None of the earnings or profits of the corporation shall accrue to or be paid to the stockholders of common capital stock as dividend or profits in any form.

SECTION 6. Notwithstanding any rule at common law or any authorization, limitation or any such other provision of any general or special law, or any provision in their respective charters, agreements of association, articles of organization, or trust indentures, all domestic corporations organized for the purpose of carrying on business within the commonwealth, including without implied limitation any electric or gas company as defined in section one of chapter one hundred and sixty-four of the General Laws, railroad corporations as defined in section one of chapter one hundred and sixty of the General Laws, financial institutions, and trustees, are hereby authorized to acquire, purchase, hold, sell, assign, transfer or otherwise dispose of any stocks, bonds, securities or other evidence of indebted-

ness of the corporation and to make contributions to the corporation, all without the approval of any regulatory authority of the commonwealth; provided, that in so acquiring the capital stock of the corporation or in making contributions thereto, no life insurance company shall expend, in the aggregate, in any one year an amount greater than one half of one per cent of its net gain from operations before dividends to policyholders and before federal income taxes for the next preceding fiscal year, and in the case of an insurance company, other than life, one half of one per cent of its net income before dividends to policyholders and before federal and foreign income taxes for the next preceding fiscal year; and no other financial institution shall expend, in the aggregate, in any one year an amount greater than one half of one per cent of its income for the next preceding fiscal year; and provided, further, that such acquisitions or contributions may be made over a period not to exceed five years.

Any contribution made under this section to the corporation shall be in addition to any contributions authorized by section twelve C of chapter one hundred and fifty-five, section sixty-eight of chapter one hundred and sixty-eight and section thirty-five of chapter one hundred and seventy of the General Laws, and by other provisions of general or special law.

SECTION 7. The members shall have the following powers of the corporation: (*a*) to determine the number of and elect directors as provided in section nine; (*b*) to make, amend and repeal by-laws; (*c*) to amend this charter as provided in section eight; (*d*) to dissolve the corporation as provided in section sixteen; (*e*) to exercise such other powers of the corporation as may be conferred on the members by the by-laws.

SECTION 8. This charter may be amended by a two thirds vote of the members, provided that no amendment of this charter which is inconsistent with the general purposes expressed herein or which eliminates or curtails the right of the commissioner of commerce and development to examine the corporation or the obligation of the corporation to make reports as provided in section eleven shall be made; and provided, further, that no amendment of this charter which affects a stockholder's rights on dissolution, as provided in section sixteen, shall be made without the consent of each stockholder affected by such amendment.

Within thirty days after any meeting at which amendments of this charter have been adopted, articles of amendment sworn to by the president, treasurer and a majority of the directors, setting forth such amendment and the adoption thereof, shall be submitted to the commissioner of commerce and development who shall examine them, and, if he finds that they conform to the requirements of this act, he shall so certify and endorse his approval thereon. Thereupon the articles of amendment shall be filed in the office of the secretary of the commonwealth, whereupon such articles shall take effect.

SECTION 9. The business and affairs of the corporation shall be managed and conducted by a board of directors of not less than five nor more than eighteen members. There shall be elected by and from the board of directors a president, an executive vice-president, a vice-president, a treasurer, a clerk, an executive committee consisting of the foregoing five officers and two other directors, and there may be so

elected a secretary who may also be the clerk. The directors may also appoint such assistant secretaries and assistant treasurers as the directors shall deem necessary.

The executive committee may exercise between meetings of the board of directors such of the powers of the directors as are delegated to the executive committee by said board.

Directors and officers shall not be responsible for losses unless the same shall have been occasioned by the willful misconduct of such directors and officers.

SECTION 10. The corporation shall not deposit any of its funds in any banking institution unless such institution has been designated as a depository by a vote of a majority of the directors present at an authorized meeting of the board of directors, exclusive of any director who is an officer or director of the depository so designated. The corporation shall not receive money on deposit.

SECTION 11. The corporation shall be subject to the examination of the commissioner of commerce and development, and shall make reports of its condition not less than annually to said commissioner, who in turn shall make copies of such reports available to the commissioner of insurance and to the commissioner of banks, and the corporation shall also furnish such other information as may, from time to time, be required by the commissioner of commerce and development.

SECTION 12. The first meeting of the corporation shall be called by a notice signed by three or more of the incorporators, stating the time, place and purpose of the meeting, a copy of which notice shall be mailed, or delivered, to each incorporator at least five days before the day appointed for the meeting. Said first meeting may be held without such notice upon agreement in writing to that effect signed by all the incorporators. There shall be recorded in the minutes of the meeting a copy of said notice or of such unanimous agreement of the incorporators.

At such first meeting the incorporators shall organize by the choice, by ballot, of a temporary clerk, by the adoption of by-laws, by the election by ballot of directors, and by action upon such other matters within the powers of the corporation as the incorporators may see fit. The temporary clerk shall be sworn and shall make and attest a record of the proceedings until the clerk has been chosen and sworn. Four of the incorporators shall be a quorum for the transaction of business.

Whenever the certificate required by section thirteen of chapter one hundred and fifty-five of the General Laws has been filed in the office of the secretary of the commonwealth, said secretary shall issue and deliver to the incorporators a certified copy of this act under the seal of the commonwealth, and said corporation shall then be authorized to commence business, and stock thereof to the extent herein or hereafter duly authorized may be issued from time to time.

SECTION 13. The corporation shall not be subject to any of the provisions of chapter sixty-three of the General Laws, nor to any taxes, based upon or measured by income which may be enacted by the commonwealth.

Real property owned by the corporation shall not be subject to taxation by the city or town in which it is located until ten years

from the date of its acquisition or until such property is leased, rented or otherwise disposed of, whichever is first.

Any stockholder or holder of any securities, evidences of indebtedness or shares of the capital stock of the corporation who realizes a loss from the sale, redemption or other disposition of any securities, evidences of indebtedness, or shares of the capital stock of the corporation, including any such loss realized on a partial or complete liquidation of the corporation, and who is not entitled to deduct such loss in computing any of such stockholder's, or holder's taxes to the commonwealth, shall be entitled to credit against any taxes subsequently becoming due to the commonwealth from such stockholders, or other holders, a percentage of such loss equivalent to the highest rate of tax assessed for the year in which the loss occurs upon mercantile and business corporations as referred to in section two of chapter sixty-three of the General Laws.

SECTION 14. The provisions of chapter one hundred and ten A of the General Laws shall not apply to the shares of the capital stock, bonds, debentures, notes, evidences of indebtedness, or any other securities of this corporation.

SECTION 15. The period of duration of the corporation shall be fifty years, subject, however, to the right of the members to dissolve the corporation prior to the expiration of said period as provided in section sixteen.

SECTION 16. The corporation may by a two thirds vote of its members petition for its dissolution by order of the supreme judicial or superior court, in the manner provided in section fifty of chapter one hundred and fifty-five of the General Laws. Upon any dissolution of the corporation the stockholders, if any, shall be paid on a pro rata basis that percentage of the assets of the corporation in excess of the obligations of the corporation which the amounts paid into the corporation for all the stock bears to the sums of (1) such amounts paid into the corporation for all the stock and (2) the amounts of all donations made to the corporation; provided, that in no event shall a stockholder be paid upon such dissolution more than the amount paid into the corporation for his stock, and all the remaining asset shall be transferred to the city of Fitchburg, for its use and benefit and for the use and benefit of the citizens thereof or to one or more corporations, trusts, funds or foundations operating in said city or the vicinity thereof which are described in Section 501 (*c*) (3) of the Internal Revenue Code, as presently enacted or hereafter amended, and which are exempt from federal income taxes under Section 501 (*a*) of the Internal Revenue Code, as presently enacted or hereafter amended.

SECTION 17. If the corporation shall fail to commence operations within three years from the effective date of this act, then this act shall become null and void.

SECTION 18. Under no circumstances is the credit of the commonwealth or any political division thereof pledged herein.

SECTION 19. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not impair any of the remaining provisions. *Approved May 20, 1971.*

Chap. 310. AN ACT PROVIDING FOR THE PAYMENT OF THE FUNERAL AND BURIAL EXPENSES OF FIRE FIGHTERS AND POLICE OFFICERS KILLED IN THE PERFORMANCE OF DUTY.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 100F, inserted by chapter 613 of the acts of 1970, the following section:—

Section 100G. Any city operating under a Plan D or Plan E charter, by the affirmative vote of a majority of all the members of its city council, any other city, by a majority vote of its city council with the approval of its mayor, and any town, by a majority vote at an annual or special town meeting, shall pay the reasonable expenses, not exceeding two thousand dollars, of the funeral and burial of any fire fighter who while in the performance of his duties and as a 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 of any police officer who 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. The provisions of this section shall become effective in a city or town when accepted by such city or town, and, if accepted prior to January the first, nineteen hundred and seventy-two, shall apply to deaths occurring on or after January the first, nineteen hundred and seventy, otherwise, only to deaths occurring after its acceptance by such city or town.

Approved May 20, 1971.

Chap. 311. AN ACT PERMITTING THE QUESTION OF A FOUR-YEAR TERM FOR MAYORS IN CERTAIN CITIES TO BE PLACED UPON THE OFFICIAL BALLOT USED AT REGULAR CITY ELECTIONS.

Be it enacted, etc., as follows:

Chapter 43 of the General Laws is hereby amended by inserting after section 17B the following two sections: —

Section 17C. Upon the filing with the city clerk of a petition, which petition shall be subject to the provisions of section seven or section seven A of chapter fifty-three, signed by at least five per cent of the number of registered voters residing in the city at the last regular city election, the city clerk shall place upon the ballot for the next regular city election to be held not less than sixty days after the date of the filing of such petitions the following question: —

"Shall the term of office of mayor of the city of be four years?"

YES.	
NO.	

If a majority of the votes cast in answer to said question is in the affirmative, the term of office of the mayor of said city shall thereafter be for four years and until the election and qualification of his successor, beginning with the next regular city election following the acceptance of this question.

This section shall apply only in cities which have adopted Plan A, Plan B or Plan F under this chapter and in cities which have, under

the provisions of any special act or any charter adopted under the provisions of Article LXXXIX of the Amendments to the Constitution, a mayor, as defined in subsection (*a*) of section ten of chapter forty-three B.

The provisions of this section shall be applicable notwithstanding the provisions of section eighteen of said chapter forty-three B. Nothing contained herein shall be construed to prevent the amendment of a city charter by any method available under said Article LXXXIX of the Amendments to the Constitution or under said chapter forty-three B.

Section 17D. In any city in which the term of office of mayor is four years under the provisions of section seventeen C, upon the filing with the city clerk of a petition, which petition shall be subject to the provisions of section seven or section seven A of chapter fifty-three, signed by at least five per cent of the number of registered voters residing in said city at the last regular city election, the city clerk shall place upon the ballot for the next regular city election to be held not less than sixty days after the date of the filing of such petitions the following question: —

"Shall the term of office of mayor of the city of be two years?"

YES.	
NO.	

If a majority of the votes cast in answer to said question is in the affirmative, the term of office of the mayor of said city shall thereafter be for two years and until the election and qualification of his successor, beginning with the next regular city election following the acceptance of this question. *Approved May 20, 1971.*

Chap. 312. AN ACT REQUIRING THE LICENSING OF DEALERS IN PORCINE ANIMALS, AND REGULATING THE TRANSPORTATION OF SUCH ANIMALS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 129 of the General Laws is hereby amended by striking out section 39, added by section 1 of chapter 607 of the acts of 1941, and inserting in place thereof the following section: —

Section 39. Every person engaging in the business of dealing in bovine and porcine animals shall obtain a license therefor from the director, the fee for which shall be five dollars, and such license shall expire on November the thirtieth following the date of issuance, unless sooner revoked. The director shall, subject to the approval of the commissioner of agriculture and of the governor, make rules and regulations governing the issuance and revocation of such licenses and the conduct of the businesses so licensed and relative to the maintenance of premises, buildings and conveyances, the health of bovine and porcine animals and the method and time of inspection and checking of said animals.

SECTION 2. Section 40 of said chapter 129, as amended by section 1 of chapter 416 of the acts of 1946, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Each vehicle used for the transportation of bovine or porcine animals by any person engaged in the business of dealing in

such animals, when operated on any way in the commonwealth, shall bear a metal license plate, attached to the side of the vehicle to the left of the person operating or driving the same, such plate to be furnished by the director upon the payment of a fee of fifty cents.

Approved May 20, 1971.

Chap. 313. AN ACT MAKING CERTAIN CORRECTIVE CHANGES IN THE LAWS AUTHORIZING TRUST COMPANIES TO INVEST IN OR ACQUIRE THE CAPITAL STOCK OF CERTAIN COMPANIES AND CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Clause 8 of section 48 of chapter 172 of the General Laws, as most recently amended by chapter 238 of the acts of 1962, is hereby further amended by striking out, in line 4, the words ", surplus account and guaranty fund" and inserting in place thereof the words: — and surplus account.

SECTION 2. Clause 18 of said section 48 of said chapter 172, added by chapter 143 of the acts of 1963, is hereby amended by striking out, in line 2, the words ", surplus account and guaranty fund" and inserting in place thereof the words: — and surplus account.

SECTION 3. The first paragraph of section 58 of said chapter 172, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by striking out, in lines 11 and 12, in line 14, and in line 19, respectively, the words ", surplus account, and guaranty fund," and inserting in place thereof, in each instance, the words: — and surplus account.

SECTION 4. Paragraph 6 of section 4A of chapter 167A of the General Laws, as appearing in chapter 899 of the acts of 1969, is hereby amended by striking out, in line 7, the words ", surplus account and guaranty fund" and inserting in place thereof the words: — and surplus account.

Approved May 20, 1971.

Chap. 314. AN ACT RELATIVE TO THE COST OF INVESTIGATIONS OF APPLICANTS FOR LICENSES TO CONDUCT A COLLECTION AGENCY.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by striking out section 24B, inserted by section 3 of chapter 670 of the acts of 1962, and inserting in place thereof the following section: —

Section 24B. The commissioner may require such financial statements and references of all applicants for a license as he deems necessary and may make an investigation or cause an independent investigation to be made concerning the applicant's reputation, integrity and net worth. The cost of any investigation shall not exceed fifty dollars, shall be borne by the applicant and shall be payable in such manner and at such time as the commissioner may direct.

Approved May 20, 1971.

Chap. 315. AN ACT EXCLUDING RELOCATION PAYMENTS FROM ATTACHMENT ON TRUSTEE PROCESS, TAKING ON EXECUTION, OR FROM DETERMINING ELIGIBILITY FOR CERTAIN PUBLIC BENEFITS.

Be it enacted, etc., as follows:

Section 7 of chapter 79A of the General Laws is hereby amended by adding the following paragraph: —

Relocation payments granted under the provisions of this chapter shall not be subject to attachment by trustee process or otherwise, nor shall they be subject to be taken on execution or other process. Payments received under this chapter shall not be considered as income for such purposes as establishing eligibility or the extent of eligibility of any person or family for publicly sponsored housing or public assistance programs including, without limitation, state and federal assistance to veterans. *Approved May 20, 1971.*

Chap. 316. AN ACT FURTHER REGULATING THE REAL ESTATE OF A TRUST COMPANY WHICH MAY BE HELD FOR THE TRANSACTION OF ITS OWN BUSINESS.

Be it enacted, etc., as follows:

Section 30 of chapter 172 of the General Laws is hereby amended by striking out the first sentence, as amended by section 4 of chapter 648 of the acts of 1970, and inserting in place thereof the following sentence: — Such corporation may hold real estate suitable for the transaction of its business; provided, however, that if the aggregate amount invested and proposed to be invested therein, including the cost of alterations and additions in the nature of permanent fixtures exceeds, directly or indirectly, thirty per cent of its capital stock and surplus account or one hundred per cent of its capital stock whichever is greater, such excess investment shall be made only with the approval of the commissioner. *Approved May 20, 1971.*

Chap. 317. AN ACT AUTHORIZING THE ESTABLISHMENT OF DIRECT CHARGE COOPERATIVES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 157 of the General Laws is hereby amended by inserting after section 3A the following section: —

Section 3B. Seven or more persons, residents of the commonwealth, may associate themselves as a corporation, association, society or company engaging in cooperative purchasing of goods for the personal use and consumption of the stockholders thereof, members of their families and their guests. A corporation organized under this section shall, in pricing its goods, make no provision for earnings, the accumulation of capital, or operating costs, and shall provide for its operating costs by levying upon its shareholders a direct-charge therefor, on a pro rata basis. The words "direct charge" and the word "cooperative" shall form a part of the name of the corporation, and for the purposes of this section and sections four to nine, inclusive, the words "associa-

tion", "company", "society" and "union" shall have the same signification and shall import a corporation. The corporation shall be formed as provided in chapter one hundred and fifty-six B, with shares having par value, and shall be subject to the provisions thereof so far as consistent with said sections.

SECTION 2. The first sentence of the first paragraph of section 4 of said chapter 157, as amended by chapter 26 of the acts of 1958, is hereby further amended by striking out, in line 2, the words "or section three A" and inserting in place thereof the words: —, three A or three B.

SECTION 2A. The second paragraph of said section 4 of said chapter 157, as appearing in section 3 of chapter 378 of the acts of 1949, is hereby amended by striking out, in line 3, the words "or section three A" and inserting in place thereof the following words: —, three A or three B.

SECTION 3. Section 9 of said chapter 157, as appearing in section 6 of said chapter 378, is hereby amended by striking out, in line 2, the words "or section three A" and inserting in place thereof the words: —, three A or three B. *Approved May 20, 1971.*

Chap. 318. AN ACT AUTHORIZING THE CITY OF GARDNER TO GRANT AN ANNUITY TO HELMI M. NADEAU, WIDOW OF POLICE SERGEANT RAYMOND L. NADEAU.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the city of Gardner may, from and after the effective date of this act, grant to Helmi M. Nadeau, the widow of Raymond L. Nadeau, a former police sergeant in the police department of said city, an annuity, so long as she remains unmarried, in such amount as said city may determine, but not to exceed the two thirds of the actuarial equivalent to which she would have been entitled had said Raymond L. Nadeau had the right to elect and had elected option (*c*) of subdivision (2) of section twelve of chapter thirty-two of the General Laws on his retirement. The annuity provided by this section shall be in lieu of any annuity or pension payable to said widow under any other general or special law.

SECTION 2. This act shall take effect upon its acceptance by the city of Gardner. *Approved May 20, 1971.*

Chap. 319. AN ACT AUTHORIZING THE BOARD OF SELECTMEN OF THE TOWN OF MILTON TO ACT AS WATER COMMISSIONERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section twenty-one of chapter forty-one of the General Laws or any other provision of law to the contrary, the board of water commissioners in the town of Milton is hereby abolished, and all the powers and duties of the water commissioners shall be transferred to and be performed by the selectmen of said town, who shall continue to be elected annually and shall serve for terms of one year.

SECTION 2. This act shall take effect on March five, nineteen hundred and seventy-two. *Approved May 20, 1971.*

Chap. 320. AN ACT REPEALING THE REQUIREMENT THAT NATURALIZED CITIZENS PRODUCE THEIR NATURALIZATION PAPERS UPON MAKING APPLICATION TO QUALIFY FOR VOTING.

Be it enacted, etc., as follows:

SECTION 1. The application contained in the second paragraph of section 1A of chapter 51 of the General Laws, as appearing in section 1 of chapter 367 of the acts of 1966, is hereby amended by striking out lines 26 to 34, inclusive.

SECTION 2. Section forty-five of said chapter fifty-one is hereby repealed. *Approved May 20, 1971.*

EMERGENCY LETTER — June 21, 1971 at 4:36 P.M.

Chap. 321. AN ACT AUTHORIZING THE TOWN OF NAHANT TO REVOKE ITS ACCEPTANCE OF THE TENEMENT HOUSE LAW, SO-CALLED.

Be it enacted, etc., as follows:

There may be submitted at the next annual meeting, or at any town meeting called for the purpose within three years from the effective date of this act, in the town of Nahant the question of the revocation of its acceptance of chapter six hundred and thirty-five of the acts of nineteen hundred and twelve, being an act relative to tenement houses in towns, and if said town votes in favor of such revocation, then the provisions of chapter one hundred and forty-five of the General Laws shall not apply in said town. Nothing herein contained shall prevent said town from again accepting the provisions of said chapter one hundred and forty-five after the revocation of its acceptance thereof.

Approved May 20, 1971.

Chap. 322. AN ACT INCREASING THE NUMBER OF QUESTIONS OF PUBLIC POLICY WHICH MAY BE PLACED ON THE BALLOT IN A SENATORIAL OR REPRESENTATIVE DISTRICT.

Be it enacted, etc., as follows:

Section 21 of chapter 53 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: — Not more than three questions under section nineteen shall be placed upon the ballot at one election, and they shall be submitted in the order in which the applications are filed. *Approved May 20, 1971.*

Chap. 323. AN ACT AUTHORIZING SCHOOL COMMITTEES TO COMPENSATE CERTAIN PROFESSIONAL EMPLOYEES ON LEAVE OF ABSENCE FROM GRANTS AND GIFTS RECEIVED BY A CITY, TOWN OR REGIONAL SCHOOL DISTRICT COMMITTEE.

Be it enacted, etc., as follows:

Section 41A of chapter 71 of the General Laws, as most recently amended by chapter 136 of the acts of 1968, is hereby further amended by adding the following sentence: — A school committee may pay

compensation to any employee granted a leave of absence under this section from any grants or gifts received for the purpose of this section pursuant to section thirty-seven A, as well as from funds appropriated therefor. *Approved May 20, 1971.*

Chap. 324. AN ACT AUTHORIZING THE CITY OF QUINCY TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN SUMS TO CERTAIN FEMALE NURSES AIDES EMPLOYED AT THE QUINCY CITY HOSPITAL.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the city council of the city of Quincy is hereby authorized to appropriate a sum, not to exceed eighty thousand dollars, for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, certain female nurses aides employed by the Quincy City Hospital from February the first, nineteen hundred and sixty-eight through December the thirty-first, nineteen hundred and seventy the sum to which each of them may be entitled under the provisions of the Fair Labor Standards Amendments of 1966 (Public Law 89-601).

Approved May 20, 1971.

Chap. 325. AN ACT REQUIRING LICENSED WAREHOUSEMEN TO NOTIFY DEPOSITORS OF FAMILY, PERSONAL OR HOUSEHOLD GOODS THAT SUCH GOODS ARE NOT COVERED BY INSURANCE AGAINST FIRE OR THEFT.

Be it enacted, etc., as follows:

Section 4 of chapter 105 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph: —

Any warehouse receipt delivered to a depositor of family, personal or household goods shall contain the following notice conspicuously printed in at least eight point type: "The property which you are putting in storage is not covered by insurance against fire or theft. You may contact the warehouseman for instructions on placing insurance coverage for fire and theft on the deposited property."

Approved May 20, 1971.

Chap. 326. AN ACT AUTHORIZING THE APPROPRIATION OF CERTAIN FUNDS OF THE TOWN OF SOUTH HADLEY, PREVIOUSLY RAISED BY BOND ISSUE.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the town of South Hadley may, at an annual or special town meeting called for the purpose, by a two thirds vote of the town meeting members present and voting thereon, appropriate sums, not exceeding four hundred and ten thousand four hundred and twenty-eight dollars and twenty-six cents, in the aggregate, from the

proceeds of a loan issued November the first, nineteen hundred and sixty-eight, which proceeds are not presently necessary for the purposes specified in the authorization of said loan, for any purpose for which said town may be authorized to borrow for a period of twenty years or longer. *Approved May 20, 1971.*

Chap. 327. AN ACT AUTHORIZING THE TOWN OF TOPSFIELD TO PURCHASE LAND IN THE TOWN OF BOXFORD FOR CONSERVATION PURPOSES.

Be it enacted, etc., as follows:

The town of Topsfield is hereby authorized to purchase for conservation purposes the following described parcel of land situated in the town of Boxford: — A certain parcel of land consisting of 7.9 acres and being shown as Lot C on a Plan entitled, "Plan of Property Bordering Pye Brook, Topsfield, Compiled for the Town of Topsfield, from old surveys and aerial photograph, C. Lawrence Bond, Reg'd Surveyor, December, 1970. Scale 1 in, equals 200 ft."; said Plan being on file with the town clerk of the town of Boxford.

Approved May 20, 1971.

Chap. 328. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-ONE 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 four hundred and eighty of the acts of nineteen hundred and seventy for the fiscal year ending June the thirtieth, nineteen hundred and seventy-one, 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.

Treasurer and Receiver-General.

State Board of Retirement.

Item

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 **$1,000,000**

Highway Fund 22.0%
General Fund 78.0%

Item		
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 .	$250
	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	40,000
	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	6,000
	MDC Sewerage District Fund 100.0%	
0612–8000	For retirement of certain veterans formerly in the service of the metropolitan water system	33,000
	MDC Water District Fund 100.0%	

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

Approved May 27, 1971.

Chap. 329. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF TEWKSBURY TO THE TEWKSBURY HOUSING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately facilitate the construction of housing for the elderly in order to alleviate the critical housing shortage existing in the town of Tewksbury, 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 commissioner of public health, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the governor and council, to sell and convey to the Tewksbury Housing Authority a parcel of land containing 16.1 acres, more or less, located on the southerly side of Maple street in said town and being shown on a plan of land entitled, "Compiled Plan of Land in Tewksbury, Massachusetts, drawn for Tewksbury Housing Authority, dated July 11, 1970, Robert P. Morris, Land Surveyor", which plan is recorded in the northern district registry of deeds in Middlesex county.

Said land shall be used for the construction of a housing development for the elderly, and title to said land shall revert to and revest in the commonwealth whenever said land shall cease to be used for the purposes hereinbefore provided. *Approved May 27, 1971.*

Chap. 330. AN ACT MAKING APPROPRIATIONS FOR THE CARE, MAINTENANCE AND REPAIR OF THE HAMPSHIRE COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampshire county are hereby authorized to expend for the year nineteen hundred and seventy-one 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.

HAMPSHIRE COUNTY.

Item		
1.	For personal services	$459,366 22
2.	For contractual services	10,000 00
3.	For supplies and materials	75,000 00
4.	For current charges and obligations	45,685 45
5.	For equipment	610 00
8.	For debt and interest	154,000 00
11.	For reserve fund	8,000 00
12.	For group insurance	13,340 52
	For total expenditures	$766,002 19

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

Approved May 27, 1971.

Chap. 331. AN ACT PROVIDING FOR THE APPOINTMENT OF A TREASURER-TAX COLLECTOR AND A CLERK IN THE TOWN OF SOUTHWICK.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one of chapter forty-one of the General Laws, the board of selectmen, the chairman of the board of assessors and the chairman of the finance committee of the town of Southwick, acting jointly, shall appoint a suitably qualified person to hold the combined office of town treasurer-tax collector and may appoint the town clerk of said town. The person so appointed shall have all the powers and perform all of the duties imposed by law upon town treasurers, tax collectors and town clerks, and shall be appointed for a term of three years and shall serve until his successor is appointed and qualified. Said board and chairmen shall fill any vacancy in said office by appointing a qualified successor for the remainder of any unexpired term.

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

Approved May 27, 1971.

Chap. 332. AN ACT AUTHORIZING THE CITY OF WALTHAM TO BORROW MONEY TO PROVIDE CAPITAL IMPROVEMENTS TO ITS RECREATIONAL FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of making certain capital improvements to its recreational facilities, including constructing wading pools, basketball courts, lighted and unlighted tennis courts, softball fields, comfort stations, a ski slope and ski lift and lighting therefor and a culvert and waterway for a skating area, the city of Waltham may borrow from time to time such sums as may be necessary not exceeding, in the aggregate, one hundred and seventy-five thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Waltham Recreational Facilities Loan, Act of 1971. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws exclusive of any limitation or requirement contained in section seven thereof.

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

Approved May 27, 1971.

Chap. 333. AN ACT AUTHORIZING THE APPROPRIATION OF CERTAIN FUNDS OF THE TOWN OF ANDOVER, PREVIOUSLY RAISED BY BOND ISSUE AND VALIDATING CERTAIN ACTION TAKEN BY SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty of chapter forty-four of the General Laws, the town of Andover may, by a two thirds vote, authorize the expenditure of sums, not exceeding, in the aggregate, five hundred forty-eight thousand nine hundred twenty-five dollars from the proceeds of a loan authorized for the construction, original equipping and furnishing of a town hall by the vote adopted under subsection three of Article eleven of the warrant for the nineteen hundred and sixty-five annual town meeting, and issued on April the first, nineteen hundred and sixty-six under authority of clause (3) of section seven of chapter forty-four of the General Laws, which proceeds are not presently necessary for the purpose specified in said vote, for any other purposes for which a loan may be incurred for a term of twenty years or longer.

SECTION 2. The proceedings taken by the town of Andover pursuant to Article thirty-one of the warrant for its nineteen hundred and seventy-one annual town meeting, in which said town voted to abandon or discontinue a previously authorized project for the construction, original equipping and furnishing of a town hall, are hereby in all respects validated and confirmed.

SECTION 3. The proceedings taken by the town of Andover pursuant to Article thirty-six of the warrant for its annual town meeting held on March twenty-five, nineteen hundred and seventy-

one are hereby in all respects validated and confirmed, and said town is hereby authorized to expend the sum of five hundred forty-eight thousand nine hundred twenty-five dollars from the proceeds of the loan described in section 1 for the construction of a water treatment plant as described in said proceedings, without the necessity for further town meeting action, said sum to be expended for such purpose, in lieu of a like amount of the bonds or notes authorized in said proceedings.

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

Approved May 27, 1971.

Chap. 334. AN ACT PROVIDING THAT HAIRDRESSERS APPLYING FOR EXAMINATION AND REGISTRATION AS INSTRUCTORS OR ASSISTANT INSTRUCTORS IN REGISTERED SCHOOLS OF BEAUTY CULTURE POSSESS CERTAIN EDUCATIONAL QUALIFICATIONS.

Be it enacted, etc., as follows:

Section 87BB of chapter 112 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph:—

No person shall be examined as an instructor or registered as such nor granted a temporary license as an assistant instructor, as provided in this section, unless at the time of filing his application for examination he has successfully completed a four-year high school course or possesses the educational equivalent thereof.

Approved May 27, 1971.

Chap. 335. AN ACT RELATIVE TO THE DISCLOSURE BY PHYSICIANS OF INFORMATION CONCERNING PATIENTS WHO ARE ELIGIBLE AND APPLY FOR CERTAIN HEALTH CARE BENEFITS.

Be it enacted, etc., as follows:

SECTION 1. Section 12E of chapter 112 of the General Laws, inserted by chapter 847 of the acts of 1970, is hereby renumbered as *Section 12F*.

SECTION 2. Said chapter 112 is hereby further amended by inserting after section 12F, as renumbered by section 1 of this act, the following section:—

Section 12G. The disclosure by a physician, a hospital or by an agent of either of any information concerning the diagnosis, treatment, or condition of a patient in connection with the establishment of eligibility for, or entitlement to, benefits under chapters one hundred and fifteen, one hundred and seventeen, one hundred and eighteen, one hundred and eighteen A, one hundred and eighteen D, one hundred and eighteen E or in connection with any reporting required by law under chapters ninety-four, one hundred and eleven, one hundred and twelve, one hundred and twenty-three, or required by any other law, shall not constitute libel, slander, invasion of privacy, or otherwise be grounds for any civil or criminal liability on the part of any such physician, hospital or agent of either who, without first obtaining consent from a patient or a patient's next of

kin, discloses such information to any department, bureau or commission of the commonwealth or to any federal agency which, by law, requires such information or which provides health care benefits to eligible recipients who apply therefor. *Approved May 27, 1971.*

Chap. 336. AN ACT PROVIDING FOR APPEALS FROM DISTRICT COURTS IN SUFFOLK COUNTY IN JUVENILE CASES TO THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

Section 56 of chapter 119 of the General Laws is hereby amended by adding the following paragraph:—

Rules adopted in concurrence by the superior court and the Boston juvenile court ~~may~~ provide, subject to such conditions as said rules may specify, that a child adjudged a ~~wayward child or a~~ delinquent child in any district court in Suffolk county or in the Boston juvenile court may appeal to the Boston juvenile court and claim a jury of twelve in said juvenile court. Such claim shall be in writing. When a claim for a trial by a jury of twelve in the Boston juvenile court has been made under the provisions of said rules, the clerk of such district court in Suffolk county shall forthwith forward all papers in the case to the clerk of the Boston juvenile court. The justice presiding over a jury of twelve in said juvenile court 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 appeals under the first paragraph. No justice shall preside over a jury of twelve under the provisions of said rules in a case in which he has sat or otherwise taken part in any proceeding therein. The number of peremptory challenges shall be the same as in criminal cases in the superior court. Jurors shall be drawn from the pool of jurors available for the jury sessions in the superior court for Suffolk county. In the event of a trial by a jury of twelve in said juvenile court, review may be had directly by the supreme judicial court by a bill of exceptions, appeal, report or otherwise in the same manner as provided for trials by jury in the superior court. A claim of trial by a jury of twelve under this section may be withdrawn before trial, in which event trial and disposition of the case shall be by a justice in the Boston juvenile court, or the defendant may withdraw his appeal and the case shall thereupon be remanded to the district court or to the justice of said juvenile court who originally tried the case, for final disposition.

Approved May 27, 1971.

Chap. 337. AN ACT RELATIVE TO THE MEMBERSHIP OF THE SCHOOL COMMITTEE OF THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and thirteen of the acts of nineteen hundred and eight is hereby repealed.

SECTION 2. Chapter 169 of the acts of 1881 is hereby amended by striking out section 24, as amended by section 3 of chapter 255 of the acts of 1964, and inserting in place thereof the following section:—

Section 24. The school committee of the city of Malden shall hereafter consist of seven members, the mayor of said city, ex officio, and six members to be elected by such persons as shall be qualified to vote for school committee in said city. No person shall be eligible for election to the school committee who is not an inhabitant of the city and has not been a resident for at least three years continuously prior to the election. The members of the school committee shall serve without compensation, and their terms of office shall begin with the beginning of the municipal year following their election.

If at any time a vacancy occurs in the school committee from any cause, the mayor, the entire city council and the remaining school committeemen, meeting in joint convention, shall, within fifteen days after the vacancy arises, choose, as school committeeman for the unexpired term, whichever of the defeated candidates for the office of school committeeman at the regular municipal election at which school committeemen were elected for the term in which the vacancy occurs, who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the city duly qualified to vote for a candidate for the office of school committeeman. If at a regular municipal election there is a failure to elect a school committeeman or if a person elected school committeeman at such election resigns or dies before taking office or refuses to accept the same, within fifteen days after the remaining school committeemen-elect take office, such school committeemen and the then mayor and the entire city council shall meet in joint convention and choose as school committeeman for the unexpired term whichever of the defeated candidates for the office of school committeeman at such election, who are eligible and willing to serve, received the highest number of votes at such election, or, if there is no such defeated candidate eligible and willing to serve, a registered voter of the city duly qualified to vote for a candidate for the office of school committeeman.

The committee shall choose a chairman from among their own members. The mayor shall have the right to vote on any matter coming before the school committee, as any other school committee member. Said committee shall appoint from its own members, or otherwise, a secretary, to be under the direction and control of said committee, and may appoint, but not from its own members, a superintendent of the schools, and the compensation of such secretary and superintendent shall be determined from year to year by the school committee. The school committee may remove the secretary and the superintendent of schools at its pleasure.

SECTION 3. At the regular municipal election to be held in the year nineteen hundred and seventy-three, three persons shall be elected as aforesaid to hold office for terms of four years and one person for a term of two years. At the regular municipal election to be held in the year nineteen hundred and seventy-five, three persons shall be elected for terms of four years, and thereafter at each regular municipal election there shall be elected for the term of four years so many persons as may be necessary to fill the places of the member or members of said committee whose term or terms are about to expire.

SECTION 3A. Notwithstanding the provisions of section twenty-four of chapter one hundred and sixty-nine of the acts of eighteen hundred and eighty-one, as amended by section two of this act, the mayor of the city of Malden shall not have the right to vote on any matter coming before its school committee until January the seventh, nineteen hundred and seventy-four.

SECTION 4. The following question shall be placed upon the official ballot to be used in the city of Malden at the regular municipal election to be held in the current year:—

"Shall the school committee of the city of Malden consist of the mayor, ex officio, as a voting member and six members elected at large?"

YES.	
NO.	

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 27, 1971.

Chap. 338. AN ACT AUTHORIZING THE CARNEY HOSPITAL TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. The Carney Hospital, a charitable corporation established by chapter seventy-eight of the acts of eighteen hundred and sixty-five, may hold real and personal estate in an amount not exceeding thirty million dollars.

SECTION 2. This act shall take effect as of April the first, nineteen hundred and seventy-one. *Approved May 27, 1971.*

Chap. 339. AN ACT RELATIVE TO THE PLACING OF QUESTIONS AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES IN CITIES AND TOWNS ON THE OFFICIAL BALLOT AT BIENNIAL STATE ELECTIONS.

Be it enacted, etc., as follows:

Section 11 of chapter 138 of the General Laws, as most recently amended by chapter 511 of the acts of 1966, is hereby further amended by striking out, in line 1, the words "The" and inserting in place thereof the words:—Except as hereinafter provided, the,—and by adding the following paragraph:—

The state secretary shall not cause any subdivision of the foregoing question, including a subdivision required by the provisions of any special act, to be placed on the ballot at any biennial state election in any city or town in which the voters in response to such subdivision have voted in the affirmative three consecutive times or in the negative three consecutive times, beginning with the biennial state election in the year nineteen hundred and sixty-six, unless there has been filed with said secretary, not later than the sixtieth day before the election at which such subdivision is to be submitted, a petition, the forms for which may be obtained from said secretary, signed by a number of voters of the city or town at least equal to five per cent of the total number of voters registered at the last preceding city or town

election. Such petitions shall be subject to the provisions of section seven of chapter fifty-three relative to the identification and certification of signatures and the time of submission to registrars.

Approved May 27, 1971.

Chap. 340. AN ACT FURTHER DEFINING A RETAIL INSTALMENT CONTRACT UNDER THE LAW REGULATING RETAIL INSTALMENT SALES OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

The definition of "Retail instalment contract" or "contract" in section 1 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, in lines 1 and 2, the words "entered into" and inserting in place thereof the words:—signed by the buyer. *Approved May 27, 1971.*

Chap. 341. AN ACT FURTHER DEFINING A RETAIL INSTALLMENT SALE AGREEMENT UNDER THE LAW REGULATING RETAIL INSTALLMENT SALES AND SERVICES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 255D of the General Laws is hereby amended by striking out the definition of "Retail installment sale agreement", as amended by chapter 91 of the acts of 1970, and inserting in place thereof the following definition:—

"Retail installment sale agreement", an agreement, other than a revolving credit agreement or an agreement reflecting a sale made pursuant thereto, signed by the buyer in this commonwealth, involving a finance charge and providing for the sale of goods or the rendering of services or both for a specified amount which the buyer undertakes to pay in more than one payment subsequent to the making of the agreement, or not involving a finance charge and providing for the sale of goods or the rendering of services or both for a specific amount which the buyer undertakes to pay in five or more installments subsequent to the making of the agreement. "Retail installment sale agreement" shall also include 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 value of the goods 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 goods upon full compliance with his obligations under the contract. A retail installment sale agreement shall not include an agreement which provides (*a*) for the payment of the deferred payment price in not more than three monthly installments and (*b*) a finance charge not in excess of one dollar and (*c*) no collateral security for the seller.

SECTION 2. The definition of "Revolving credit agreement" in said section 1 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 "entered into" and inserting in place thereof the words:—signed by the buyer. *Approved May 27, 1971.*

Chap. 342. AN ACT RELATIVE TO THE FEE FOR THE ISSUANCE OF NEW CERTIFICATES REPLACING CERTAIN CERTIFICATES OR LICENSES ISSUED BY THE DEPARTMENT OF PUBLIC SAFETY WHICH ARE LOST OR DESTROYED.

Be it enacted, etc., as follows:

Section 59 of chapter 146 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:—The fee for such new certificate shall be two dollars.

Approved May 27, 1971.

Chap. 343. AN ACT PROVIDING THAT THE HOLDER OF A MOTOR VEHICLE RETAIL INSTALLMENT CONTRACT SHALL BE SUBJECT TO ALL DEFENSES WHICH THE RETAIL BUYER MAY HAVE AGAINST THE RETAIL SELLER.

Be it enacted, etc., as follows:

Chapter 255B of the General Laws is hereby amended by inserting after section 19 the following section:—

Section 19A. The holder of a retail installment contract, or other person acting in his behalf, shall be subject to all defenses, real and personal, which the retail buyer may have against the retail seller thereof.

Approved May 27, 1971.

Chap. 344. AN ACT PROVIDING THAT WILLIAM WINN SHALL, NOTWITHSTANDING CERTAIN VISUAL ACUITY REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A CORRECTION OFFICER, HERDSMAN AT THE MASSACHUSETTS CORRECTIONAL INSTITUTION, CONCORD.

Be it enacted, etc., as follows:

Notwithstanding any law or rule to the contrary, regulating the minimum visual acuity requirement of correction officers, William Winn, provided he meets all other requirements, shall be eligible for certification and appointment as a correction officer, herdsman, at the Massachusetts correctional institution, Concord.

Approved May 27, 1971.

Chap. 345. AN ACT RELATIVE TO MOTOR VEHICLE POLICIES ISSUED BY FARM FAMILY MUTUAL INSURANCE COMPANY.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, Farm Family Mutual Insurance Company, a foreign insurance company, may refuse to renew motor vehicle liability policies of persons who fail to meet the requirements contained in the by-laws of said company which prohibit the sale of such policies to nonmembers, provided that said company shall continue to participate in any assigned risks plan established under section one hundred and thirteen H of chapter one hundred and seventy-five of the General Laws.

Approved May 27, 1971.

Chap. 346. AN ACT PROVIDING THAT CERTAIN POLICE OFFICERS AND FIRE FIGHTERS SHALL HAVE EQUAL PREFERENCE WITH VETERANS IN THEIR PLACEMENT ON ELIGIBLE LISTS FOR PROMOTION.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by inserting after section 23B the following section:—

Section 23C. Notwithstanding the provisions of section twenty-three or the provisions of any other law or rule to the contrary, any regular police officer who has served for twenty-five years and who passes an examination for promotion to the grade of lieutenant or higher, and any regular fire fighter who has served for twenty-five years and who passes an examination for promotion to the grade of captain or higher, shall have equal preference with veterans in being placed upon the eligible list for said promotion.

Approved May 27, 1971.

Chap. 347. AN ACT REQUIRING THE WAIVER OF A BOND OF SECURITY FOR THE PAYMENT OF RENT OF AN INDIGENT DEFENDANT IN SUMMARY PROCESS APPEALS AND IN CERTAIN PETITIONS TO VACATE JUDGMENT AND IN CERTAIN WRITS OF REVIEW.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 239 of the General Laws is hereby amended by striking out the second paragraph, added by chapter 366 of the acts of 1969, and inserting in place thereof the following paragraph:—

The court shall 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. The court may require any person for whom such bond or security has been waived to pay in installments as the same becomes due, pending appeal, all or any portion of any rent which shall become due after the date of such waiver, for the continued occupancy of the premises.

SECTION 2. Section 17 of chapter 250 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following two sentences:—The court shall vacate judgment and stay or supersede the execution without requiring bond or surety, if it is satisfied that the petitioner has insufficient funds available to him to furnish the necessary bond or security and that the petitioner has a defense which is not frivolous. If such bond or security is waived, any attachment or other security then outstanding shall continue in force as if such petition had not been filed, and shall not be dissolved if the original judgment is vacated or the execution stayed or superseded.

SECTION 3. Section 24 of said chapter 250 is hereby amended by striking out the last sentence, added by chapter 290 of the acts of 1969, and inserting in place thereof the following two sentences:—The court shall vacate judgment and stay or supersede the execution with-

out requiring bond or security, if it is satisfied that the petitioner has insufficient funds available to him to furnish the necessary bond or security and the petitioner has a defense which is not frivolous. If such bond or security is waived, any attachment or other security then outstanding shall continue in force as if such writ had not been filed, and shall not be dissolved if the original judgment is vacated or the execution is stayed or superseded. *Approved May 27, 1971.*

Chap. 348. AN ACT AUTHORIZING ESTABLISHMENT OF OFF-STREET PARKING FACILITIES IN THE CITY OF SALEM.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that excessive curb parking of motor vehicles on the streets of the city of Salem and the lack of adequate off-street parking facilities create congestion, obstruct the free circulation of traffic, diminish property values, and endanger the health, safety and general welfare of the public; that the provision of conveniently located off-street parking facilities at a reasonable cost is therefore necessary to alleviate such conditions; and that the establishment of public off-street automobile parking facilities and fostering the provision of commercial, special purpose, or co-operative off-street automobile parking facilities are decreed to be a proper public or municipal purpose.

SECTION 2. For the purposes of this act (1) public off-street automobile parking facilities are defined as accommodations provided by public authority for the parking of automobiles off the street or highway and open to public use, with or without charge. Such facilities may be publicly owned and publicly operated, or they may be publicly owned and privately operated; (2) commercial off-street automobile parking facilities are defined as accommodations provided by private enterprise for the parking of automobiles off the street or highway, open to public use for a fee; (3) special purpose off-street automobile parking facilities are defined as accommodations provided by public authority or private groups or individuals, for restricted use in connection with public improvements, particular businesses, theaters, hotels and other private enterprises, or combinations thereof, or as adjuncts to housing developments or private residence. Such facilities may or may not be jointly established and operated; (4) co-operative off-street automobile parking facilities are defined as accommodations provided by joint action of public and private interests. Parking facilities may consist of lots, garages or other structures and accessories; they may be surface facilities or facilities above or under the ground.

SECTION 3. The city of Salem is hereby authorized to establish a commission, to be known as the Salem Off-Street Parking Commission, hereinafter called "the commission", for the purpose of establishing public off-street automobile parking facilities and of fostering the provision of commercial, special purpose and co-operative off-street automobile parking facilities within the city of Salem. Such commission shall consist of five members who shall be appointed by the mayor, subject to confirmation by the city council. The commission

shall choose a chairman from its own membership, who shall hold office for such term as may be provided in the rules of the commission, adopted pursuant to section eleven hereof.

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.

The five members of the commission appointed by the mayor shall serve for terms of five years; provided, that the initial appointees shall serve for terms of one, two, three, four and five years, respectively. Members, unless sooner removed, shall serve until the qualification of their successors, and vacancies other than by reason of expiration of term shall be filled by appointment and confirmation for the balance of the unexpired terms. The mayor may file written charges against any of the members for misfeasance, nonfeasance or malfeasance in office, and such member may be removed, after a hearing on such charges, by a two thirds vote of the city council. Any member against whom charges have been filed shall be given a written and attested copy of said charges and written notice of the date and place of such hearing not less than fourteen days before said hearing. A public hearing shall be held only at the request of the member against whom charges have been filed, and such member shall be afforded the right to be represented by counsel and an opportunity to be heard in his own defense.

SECTION 4. The commission, acting alone or in co-operation with any federal, state, municipal or private agency, is hereby authorized to plan, design, locate, acquire property for, construct, alter, enlarge, use, maintain, operate, lease (either as lessee or lessor) public off-street parking facilities and to otherwise provide, or foster the provision of, commercial, co-operative, or special purpose off-street automobile parking facilities, wherever and to the extent that it deems such facilities to be necessary or desirable in the city of Salem.

SECTION 5. (*a*) For the purposes of this act, the commission is hereby authorized to acquire such private or public, real or personal property and property rights above, at or below the surface of the earth, as it deems necessary or desirable for off-street parking facilities, by purchase, eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, gift, lease, bequest, devise or grant; provided, that the power of eminent domain shall be exercised subject to appropriation and approval by the city council. Wherever possible and practicable, real property acquired under the provision of this act shall be in fee simple.

(*b*) The commission may sell, lease, exchange or otherwise dispose of property and property rights acquired under this act, if in so doing it deems that the interest of the city of Salem will be best served and if approved by a two thirds vote of the city council.

SECTION 6. (*a*) The commission is authorized to design and locate such off-street parking facilities as the public interest and the purposes of this act require. Such facilities may consist of lots, improved or unimproved, single or multilevel garages, other structures and accessories, or any combination thereof; provided, that no products used in or for the servicing of motor vehicles shall be sold or dispensed at or in connection with public off-street parking facilities

by the commission or any lessee thereof; and provided, further, that such facilities shall be in strict compliance with the then existing zoning ordinances, building code, subdivision regulations and police and fire regulations. Any facility so designed or located may be on the surface or above or below the surface.

(*b*) For the purposes of this section, the commission is authorized to use the personnel and services of other departments of the city of Salem; provided, that the cost of such services and personnel is properly charged against the commission.

The commission is further authorized to contract with such firms and for such studies and surveys as it deems necessary to the accomplishment of the purposes of the act.

SECTION 7. The commission is authorized to construct, or cause to be constructed, public off-street parking facilities of such design and in such locations as authorized by section six. No contracts shall be awarded under this section unless proposals for the same shall have been invited by advertisements in a daily newspaper published in the city, once a week for at least three consecutive weeks, the last publication to be at least seven days before the time specified for the opening of said proposals, then only to the lowest responsible bidder as determined by the commission. Such advertisements shall state the time and place where plans and specifications of the proposed construction or work may be had, and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the commission the right to reject any or all proposals. All such proposals shall be opened in public. Any contract made as aforesaid may be required to be accompanied by a bond with sureties satisfactory to the commission, or by a deposit of money, certified check or other security for the faithful performance thereof, and such bonds or other securities shall be deposited with the city treasurer until the contract has been carried out in all respects.

SECTION 8. (*a*) The commission is hereby authorized to maintain and operate public off-street parking facilities or to contract therefor; or to lease such facilities to any corporation, upon such terms as the public interest may warrant; provided, that any lease or contract may, and any lease on an unimproved parking facility for a period in excess of three years shall, contain a covenant on the part of the lessee that he shall construct or cause to be constructed on the demised land a public parking facility as designed by the commission in compliance with section six, such facility on completion to become the property of the city of Salem.

(*b*) No lease or contract for the maintenance and operation of a parking facility shall be awarded under this section unless proposals for the same shall have been invited by advertisements in a daily newspaper published in the city, once a week for at least three consecutive weeks, the last publication to be at least seven days before the time specified for the opening of said proposals, then only to the highest responsible bidder as determined by the commission. Such advertisements shall state the term of the lease or contract, the place where plans and specifications for required construction may be examined, and the time and place for opening the proposals in answer to such advertisements, and shall reserve to the commission the right

to reject any or all proposals. All proposals shall be opened in public. Every lease or contract made as aforesaid shall be accompanied by a bond with sureties satisfactory to the commission, or by a deposit of money, certified check, or other security for the faithful performance thereof, and such bond or other security shall be deposited with the city treasurer until the lease has been carried out in all respects.

(*c*) Reasonable regulations for the orderly use of public parking facilities shall be prescribed by the commission, as well as a schedule of parking fees and other charges for the use of such facilities, whether such parking facility is operated by the commission itself, or under contract or under lease to any private agency. Such regulations and schedule of fees and charges may be revised from time to time; provided, that consideration shall be given to the need of providing off-street parking facilities at reasonably low cost.

(*d*) When adequate parking facilities for the accommodation of traffic in the city have been provided and paid for, including the payment of bonds issued hereunder or otherwise, fees and charges for the use of any parking system or systems in the city shall be adjusted to provide funds for maintenance and operation only.

(*e*) The commission may employ necessary and qualified personnel to insure compliance with the provisions and purpose of this act. The then existing personnel policies of the city of Salem shall be observed in such employment.

SECTION 9. (*a*) The city of Salem may for the purposes of this act borrow, from time to time within a period of five years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, three and one half million dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of Salem Public Off-Street Parking Loan, Act of 1971. 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 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. All funds required by the commission for the purposes of this act shall be appropriated to it by the city of Salem and shall be maintained by said commission as a separate account. Any funds appropriated to the commission and not required by it in any fiscal year for the purposes of this act shall be returned to the city of Salem at the end of such fiscal year.

(*b*) The commission may from time to time accept such portion of parking meter revenue as is properly allocated to it; provided that such funds shall be maintained by said commission as a separate account; and provided, further, that such funds shall be used only in strict accordance with the provisions of sections twenty-two B and C of chapter forty of the General Laws.

(*c*) The commission shall maintain proper accounting and financial records of all transactions, and provide annual financial statements. An annual report of all activities shall be made to the city council.

SECTION 10. The commission is authorized to exercise all powers necessary, convenient or desirable to carry out the purpose of this act.

SECTION 11. The commission shall adopt rules, not inconsistent with the provisions of any statute or ordinance, 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 a majority vote of the members.

SECTION 12. The land or parking facilities acquired, constructed, maintained or operated under the provisions of this act, whether or not leased, shall be deemed to be so acquired, constructed, maintained and operated by the city of Salem in its governmental capacity, and the city shall not be liable for any injury, loss or damage suffered by any person or property on or about any property so acquired, constructed, maintained or operated.

SECTION 13. Nothing in this act shall be construed as giving the commission power to supersede the police department of the city of Salem in the regulation and enforcement of parking on the streets of Salem.

SECTION 14. If any provision of this act shall be declared invalid or inapplicable to any person or circumstance, such invalidity or inapplicability shall not be construed to affect the portions not so held or persons or circumstances not so affected. All laws or portions of laws inconsistent with the policy and provisions of this act are hereby repealed to the extent of such inconsistency.

SECTION 15. This act shall take effect upon its acceptance by the city of Salem. *Approved May 27, 1971.*

Chap. 349. AN ACT EXEMPTING CERTAIN PROPERTY FROM SEIZURE ON EXECUTION.

Be it enacted, etc., as follows:

Section 34 of chapter 235 of the General Laws, as amended by chapter 616 of the acts of 1970, is hereby further amended by adding the following clause:—

Fifteenth, Cash, savings deposits in a banking institution, or money owed to him as wages for personal labor or services, not exceeding eighty dollars. *Approved May 27, 1971.*

Chap. 350. AN ACT VALIDATING CERTAIN SEWER ASSESSMENTS IN THE TOWN OF SCITUATE.

Be it enacted, etc., as follows:

Notwithstanding the failure of the town of Scituate to comply with the provisions of section eight of chapter six hundred and thirty-six of the acts of nineteen hundred and fifty-seven, all assessments made by said town as a result of its adoption of said chapter six hundred and thirty-six are hereby validated and confirmed as if said section eight had been complied with at the time of the making of said assessments. *Approved May 27, 1971.*

Chap. 351. AN ACT PROVIDING THAT THE MODERATOR OF THE TOWN OF LUDLOW SHALL BE ELECTED FOR A THREE YEAR TERM.

Be it enacted, etc., as follows:

Chapter 336 of the acts of 1929 is hereby amended by striking out section 6 and inserting in place thereof the following section:—

Section 6. A moderator shall be elected by ballot at an annual town meeting for a term of three years and shall serve as moderator of all town meetings except as otherwise provided by law, until a successor is elected and qualified. Nominations for and election of a moderator shall be as in the case of other elective town officers and any vacancy in the office shall be filled by the town meeting members at a meeting held for that purpose. If a moderator is absent a moderator pro tempore shall be elected by the town meeting members.

Approved May 27, 1971.

Chap. 352. AN ACT ENLARGING THE POWERS OF SAVINGS BANKS TO MAKE MORTGAGE LOANS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase the powers of savings banks to make mortgage loans, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 35 of chapter 168 of the General Laws is hereby amended by striking out the words inserted by section 1 of chapter 206 of the acts of 1964 and inserting in place thereof the following words:—, and, in the case of loans of the class specified in paragraph 4, on leasehold interests created pursuant to chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, as amended, in air rights over land owned or held by the Massachusetts Turnpike Authority, or on leasehold interests created pursuant to section twenty-two E of chapter forty, in air rights over land owned or held by a city or town, mortgaged or to be mortgaged.

SECTION 2. Paragraph 4 of said section 35 of said chapter 168, as amended by section 1 of chapter 278 of the acts of 1969, is hereby further amended by inserting after the word "to", in line 3, the words:—section twenty-two E of chapter forty, or.

SECTION 3. Said section 35 of said chapter 168 is hereby amended by adding the following paragraph:—

14. Notwithstanding the limitation contained in paragraph 4, any such corporation may make or acquire a first mortgage loan not exceeding eighty per cent of the value of a leasehold interest created pursuant to section twenty-two E of chapter forty or chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, if such leasehold interest is occupied, or to be occupied, by a nursing home, extended care facility or convalescent home, licensed under chapter one hundred and eleven. *Approved June 1, 1971.*

Chap. 353. AN ACT AUTHORIZING THE MERGER OF THE TRUSTEES OF MONSON ACADEMY INTO WILBRAHAM ACADEMY, THE CHANGE OF NAME TO WILBRAHAM AND MONSON ACADEMY AND THE HOLDING OF UNLIMITED REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

SECTION 1. The Trustees of Monson Academy, hereinafter called Monson, a corporation established by chapter ten of the acts of eighteen hundred and four, is hereby authorized to merge into Wilbraham Academy, hereinafter called Wilbraham, a corporation established by chapter eighty of the acts of eighteen hundred and twenty-three. Wilbraham shall be the surviving corporation and its name shall be changed to Wilbraham and Monson Academy, hereinafter referred to as the surviving corporation, when the merger shall become effective.

SECTION 2. The surviving corporation shall have the purposes, powers, privileges and exemptions of Monson as well as those of Wilbraham, hereinafter sometimes referred to as the merging corporations, as they existed prior to the merger, and in furtherance thereof the surviving corporation may hold real and personal estate without limit as to amount.

SECTION 3. When the merger shall become effective, all property real, personal and mixed, and all rights and interests, legal and equitable, of each merging corporation, including all devises, bequests, gifts and transfers heretofore or hereafter made to or for each merging corporation, shall vest in or for the benefit of the surviving corporation without further act or deed and shall be held and administered by the surviving corporation upon and subject to the same terms, conditions, limitations, and trusts as they are now held or would have been held had the merger not been effected; and without limiting the foregoing, each of the officers of each merging corporation and of the surviving corporation is hereby authorized to execute, acknowledge and deliver all such instruments and to perform all such other acts as may be deemed necessary or proper to carry out the merger and to confirm in the surviving corporation the record title to the property, rights and interests of the merging corporation; provided, however, that real estate owned by Monson immediately prior to the merger shall become taxable if and when such real estate shall cease to be occupied by the surviving corporation or its officers for educational purposes or by another charitable organization or organizations or its or their officers for the purposes of such other charitable organization or organizations. To the extent required to carry out the provisions of this section the separate existence of each merging corporation as constituted prior to the merger shall continue thereafter in and through the surviving corporation.

SECTION 4. When the merger shall become effective the surviving corporation shall be deemed to have assumed and shall be liable for all liabilities and obligations of Monson as well as those of Wilbraham.

SECTION 5. Chapter four hundred and forty-eight of the acts of nineteen hundred and seventy is hereby repealed as of the time the merger shall become effective. At that time the trustees of each

merging corporation immediately prior thereto shall become the trustees of the surviving corporation, and thereafter new trustees may be chosen from time to time pursuant to the by-laws of the surviving corporation.

SECTION 6. The merger shall not become effective unless each of the merging corporations, by vote of a majority of its trustees at a meeting duly called for the purpose, shall have accepted this act, shall have approved by-laws of the surviving corporation, and shall have elected the first officers of the surviving corporation.

SECTION 7. The merger shall be complete and effective upon the filing with the secretary of the commonwealth, within two years after the passage of this act, of a certificate signed by the presidents of the merging corporations to the effect that the conditions of section six have been satisfied.

SECTION 8. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the General Court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act. If the application of any provision of this act to any property or funds held by either merging corporation shall be held invalid, the application of such provision to property and funds other than those to which it is held invalid shall not be affected thereby. *Approved June 2, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 2, 1971.

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 353 of the Acts of 1971, entitled "AN ACT AUTHORIZING THE MERGER OF THE TRUSTEES OF MONSON ACADEMY INTO WILBRAHAM ACADEMY, THE CHANGE OF NAME TO WILBRAHAM AND MONSON ACADEMY AND THE HOLDING OF UNLIMITED REAL AND PERSONAL PROPERTY." and the enactment of which received my approval on June 2, 1971, 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 order to avoid delay in the implementation of the educational program of the surviving corporation.

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

OFFICE OF THE SECRETARY, BOSTON, June 2, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at

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

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

Chap. 354. AN ACT MAKING PERMANENT THE AUTHORITY OF CO-OPERATIVE BANKS AND SAVINGS BANKS TO PAY SUPPLEMENTAL OR VARIABLE RATES OF DIVIDENDS OR INTEREST ON CERTAIN SHARE AND DEPOSIT ACCOUNTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make permanent the authority of co-operative banks and savings banks to pay supplemental or variable rates of dividends or interest on certain share and deposit accounts in order that such banks continue to be placed on an equitable basis with other banks 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 168 of the General Laws is hereby amended by adding after section 22B the following section:—

Section 22C. Any of the deposits authorized by sections twenty-one and twenty-two may, if the trustees of such corporation so determine, be received as term deposits, subject to the limits contained in said sections and to the provisions of this section.

1. *Term Deposit Account Plans.*—Any such deposit shall be received subject to the terms of a written plan submitted to and approved by the commissioner which plan shall specify (*a*) the proposed rates of dividends to be paid on such term deposits, including day-to-day dividends or interest if the plan so provides, (*b*) the minimum amount which shall be not less than one thousand dollars, and the maximum amount of deposit balances and the minimum period, which shall be not less than six months, of maintenance of such balances to which such specified rates shall apply, (*c*) the additional reserves to be established for such rates of dividends, (*d*) the form and substance of the certificate or passbook which shall represent the deposits to which such dividends may apply and (*e*) such other provisions as are termed necessary or advisable to give effect to the purposes of such plan.

2. *Substitution for Prior Law.*—Deposits received under the provisions of this section shall be deemed to be, for purposes of references in any other section of the General Laws or any regulations thereunder, deposits received under the authority of chapter five hundred and forty-seven of the acts of nineteen hundred and sixty-six, as amended; and any deposits received under the authority of said chapter five hundred and forty-seven before the effective date of this section shall be deemed hereafter to be deposits received under the provisions of this section.

SECTION 2. The first sentence of section 26 of said chapter 168, as appearing in chapter 169 of the acts of 1962, is hereby amended by inserting after the words "section twenty-two B,", in line 3, the words:—section twenty-two C, .

SECTION 3. Said chapter 168 is hereby further amended by inserting after section 60A the following section:—

Section 60B. Dividends on term deposits shall be paid at such rates, at such times, and in such manner, as may be provided in the plan or plans pursuant to which such term deposits were received as provided in section twenty-two C.

SECTION 4. Section 13 of chapter 170 of the General Laws is hereby amended by adding after subsection 3A the following subsection:—

3B. *Term Deposit Accounts.*—Any of the deposits in savings share accounts referred to in subsection 3 may, if the board of directors of such corporation so determine, be received as term deposits, subject to the limitations contained in said subsection 3 and to the following provisions:

1. *Term Deposit Account Plans.*—Any such deposit shall be received subject to the terms of a written plan submitted to and approved by the commissioner which plan shall specify (*a*) the proposed rates of dividends to be paid on such term deposits, including day-to-day dividends or interest if the plan so provides, (*b*) the minimum amount which shall be not less than one thousand dollars, and the maximum amount of deposit balances and the minimum period, which shall be not less than six months, of maintenance of such balances to which such specified rates shall apply, (*c*) the additional reserves to be established for such rates of dividends, (*d*) the form and substance of the certificate or passbook which shall represent the deposits to which such dividends may apply and (*e*) such other provisions as are deemed necessary or advisable to give effect to the purposes of such plan.

2. *Substitution for Prior Law.*—Deposits received under the provisions of this subsection shall be deemed to be, for purposes of references in any section of the General Laws or any regulations thereunder, deposits received under the authority of chapter five hundred and forty-seven of the acts of nineteen hundred and sixty-six, as amended; and any deposits received under the authority of said chapter five hundred and forty-seven before the effective date of this subsection shall be deemed hereafter to be deposits received under the provisions of this subsection.

SECTION 5. Paragraph (*c*) of subsection 3 of section 13 of said chapter 170, as appearing in chapter 267 of the acts of 1968, is hereby amended by adding the following sentence:—Interest or dividends on term deposits shall be paid at such rates, at such times, and in such manner, as may be provided in the plan or plans pursuant to which such term deposits were received as provided in subsection 3B.

SECTION 6. The last paragraph of section 17 of said chapter 170, as appearing in section 2 of chapter 184 of the acts of 1968, is hereby amended by adding the words:—, and in accordance with the provisions of the plan or plans pursuant to which term deposits are received as provided in subsection 3B.

SECTION 7. Chapter five hundred and forty-seven of the acts of nineteen hundred and sixty-six, as amended by chapter seventy-three of the acts of nineteen hundred and sixty-eight, is hereby repealed.

Approved June 3, 1971.

Chap. 355. AN ACT AUTHORIZING THE CITY OF HAVERHILL TO REAPPOINT LOUIS T. FOSSARELLI AS A PERMANENT PATROLMAN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law or of any rule, Louis T. Fossarelli, who passed a competitive examination for patrolman and who was appointed a permanent patrolman from a civil service list in the police department of the city of Haverhill on July the twenty-eighth, nineteen hundred and sixty-eight but who did not serve his probationary period, may be reappointed as a permanent patrolman in said police department as of February the twenty-fourth, nineteen hundred and seventy-one.

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

Approved June 3, 1971.

Chap. 356. AN ACT ABOLISHING THE BOARD OF LICENSE COMMISSIONERS OF THE TOWN OF MONTAGUE AND PROVIDING THAT THE DUTIES OF SAID BOARD SHALL BE PERFORMED BY THE BOARD OF SELECTMEN OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The board of license commissioners of the town of Montague, established under the provisions of chapter one hundred and sixty of the acts of nineteen hundred and eight, is hereby abolished and the powers and duties of said board shall be performed by the board of selectmen of said town.

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

Approved June 3, 1971.

Chap. 357. AN ACT AUTHORIZING THE TOWN OF STOW TO APPROPRIATE MONEY ANNUALLY IN ANTICIPATION OF THE CELEBRATION OF THE TWO HUNDREDTH ANNIVERSARY OF THE AMERICAN REVOLUTION.

Be it enacted, etc., as follows:

SECTION 1. The town of Stow may appropriate money annually, from and including the year nineteen hundred and seventy-one to and including the year nineteen hundred and seventy-five, for the celebration of the two hundredth anniversary of the American Revolution.

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 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 the board of selectmen,

be expended for the purposes of said celebration. 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 June 3, 1971.

Chap. 358. AN ACT PROVIDING AN ALTERNATIVE NONCRIMINAL DISPOSITION OF VIOLATIONS OF THE ANTI-LITTER LAWS, SO-CALLED.

Be it enacted, etc., as follows:

Chapter 270 of the General Laws is hereby amended by inserting after section 16 the following section:—

Section 16A. If any officer empowered to enforce section sixteen takes cognizance of a violation thereof, he may request the offender to state his name and address. Whoever, upon such request, refuses to state his name and address may be arrested without a warrant, or if he states a false name and address or a name and address which is not his name and address in ordinary use, he shall be punished by a fine of not less than twenty nor more than fifty dollars. Such officer may, as an alternative to instituting criminal proceedings, forthwith give to the offender a written notice to appear before the clerk of the district court having jurisdiction at any time during office hours, not later than twenty-one days after the date of such violation. Such notice shall be made in triplicate, and shall contain the name and address of the offender and, if served with notice in hand at the time of such violation, the number of his license, if any, to operate motor vehicles; the registration number of the vehicle or motorboat involved, if any; the time and place of the violation; the specific offense charged; and the time and place for his required appearance. Such notice shall be signed by the officer, and shall be signed by the offender whenever practicable in acknowledgement that the notice has been received. The officer shall if possible deliver to the offender at the time and place of the violation a copy of said notice. Whenever it is not possible to deliver a copy of said notice to the offender at the time and place of the violation, said copy shall be mailed or delivered by the officer, or by his commanding officer or any person authorized by said commanding officer, to the offender's last known address, or in the case of a violation involving a motor vehicle or motorboat registered under the laws of this commonwealth, within five days of the offense, or in the case of any motor vehicle or motorboat registered under the laws of another state or country, within ten days thereof, exclusive, in either case, of Sundays and holidays, to the address of the registrant of the motor vehicle or motorboat involved, as appearing, in the case of a motor vehicle registered under the laws of this commonwealth, in the records of the registry of motor vehicles or the division of motorboats or in the case of a motor vehicle or motorboat registered under the laws of another state or country in the records of the official in such state or country having charge of the registration of such motor vehicle or motorboat. Such notice mailed, by the officer, his commanding officer, or the person so authorized to the last address of said

registrant as appearing as aforesaid, shall be deemed a sufficient notice, and a certificate of the officer or person so mailing such notice that it has been mailed in accordance with this section shall be deemed prima facie evidence thereof and shall be admissible in any court of the commonwealth as to the facts contained therein. At or before the completion of each tour of duty the officer shall give to his commanding officer those copies of each notice of such a violation he has taken cognizance of during such tour which have not already been delivered or mailed by him as aforesaid. Said commanding officer shall retain and safely preserve one of such copies and shall, at a time not later than the next court day after said delivery or mailing, deliver another of such copies to the clerk of the court before whom the offender has been notified to appear. The clerk of each district court shall maintain a separate docket of all such notices to appear.

Any person notified to appear before the clerk of a district court as hereinbefore provided may appear before such clerk and confess the offense charged, either personally or through an agent duly authorized in writing, or by mailing to such clerk, with the notice, the sum provided herein, such payment to be made only by postal note, money order or check. If it is the first, second or third offense subject to this section committed by such person within the jurisdiction of the court in the calendar year, payment to such clerk of the sum of twenty dollars shall operate as a final disposition of the case; if it is the fourth or subsequent such offense so committed in such calendar year, payment to such clerk of the sum of one hundred dollars shall operate as a final disposition of the case. Proceedings under this paragraph shall not be deemed criminal; and no person notified to appear before the clerk of a district court as provided herein shall be required to report to any probation officer, and no record of the case shall be entered in the probation records.

If any person notified to appear before the clerk of the district court fails to appear and pay the fine provided hereunder or, having appeared, desires not to avail himself of the procedure hereinbefore provided for the noncriminal disposition of the case, the clerk shall, as soon as may be, notify the officer concerned, who shall forthwith make a complaint and follow the procedure established for criminal cases, and shall notify, if a motor vehicle is involved, the registrar of motor vehicles, or, if a motorboat is involved, the division of motorboats. If any person fails to appear in accordance with the summons issued upon such complaint the clerk shall send such person by certified mail, return receipt requested, a notice that the complaint is pending and that if the person fails to appear within twenty-one days from the sending of such notice a warrant for his arrest will be issued. If any person fails to appear within twenty-one days from the sending of such notice, the court shall issue a warrant for his arrest.

The notice to appear, provided herein, shall be printed in such form as the chief justice of the municipal court of the city of Boston may prescribe for said court, and as the administrative committee of the district courts as created by section forty-three A of chapter two hundred and eighteen may prescribe for district courts other than said municipal court. *Approved June 3, 1971.*

Chap. 359. AN ACT FURTHER REGULATING THE LAW ESTABLISHING HISTORIC DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 40C of the General Laws is hereby amended by striking out sections 2 to 13, inclusive, and inserting in place thereof the following sixteen sections:—

Section 2. The purpose of this chapter is to promote the educational, cultural, economic and general welfare of the public through the preservation and protection of the distinctive characteristics of buildings and places significant in the history of the commonwealth and its cities and towns or their architecture, and through the maintenance and improvement of settings for such buildings and places and the encouragement of design compatible therewith.

Section 3. A city or town may, by ordinance or by-law adopted by two thirds vote of the city council in a city or by a two thirds vote of a town meeting in a town, establish historic districts subject to the following provisions:—Prior to the establishment of any historic district in a city or town an investigation and report on the historical and architectural significance of the buildings, structures or sites to be included in the proposed historic district or districts shall be made by an historic district study committee or by an historic district commission, as provided in this section and in section four, who shall transmit copies of the report to the planning board, if any, of the city or town, and to the Massachusetts historical commission for their respective consideration and recommendations. The Massachusetts historical commission may consult with the commissioner of commerce and development, the commissioner of community affairs and the commissioner of natural resources with respect to such reports, and may make guidelines for such reports, and, after public hearing, establish rules as to their form and manner of transmission. Not less than sixty days after such transmittal the study committee shall hold a public hearing on the report after due notice given at least fourteen days prior to the date thereof, which shall include a written notice mailed postage prepaid, to the owners as they appear on the most recent real estate tax list of the board of assessors of all properties to be included in such district or districts. The committee shall submit a final report with its recommendations, a map of the proposed district or districts and a draft of a proposed ordinance or by-law, to the city council or town meeting.

An historic district may be enlarged or reduced or an additional historic district in a city or town created in the manner provided for creation of the initial district, except that (*a*) in the case of the enlargement or reduction of an existing historic district the investigation, report and hearing shall be by the historic district commission having jurisdiction over such historic district instead of by a study committee; (*b*) in the case of creation of an additional historic district the investigation, report and hearing shall be by the historic district commission of the city or town, or by the historic district commissions acting jointly if there be more than one, instead of by a study committee unless the commission or commissions recommend otherwise; and (*c*) if the district is to be reduced written notice as

above provided of the commission's hearing on the proposal shall be given to said owners of each property in the district.

Any ordinance or by-law creating an historic district may, from time to time, be amended in any manner not inconsistent with the provisions of this chapter by a two thirds vote of the city council in a city or by a two thirds vote of a town meeting in a town, provided that the substance of such amendment has first been submitted to the historic district commission having jurisdiction over such district for its recommendation and its recommendation has been received or sixty days have elapsed without such recommendation.

No ordinance or by-law creating an historic district, or changing the boundaries of an historic district, shall become effective until a map or maps setting forth the boundaries of the historic district, or the change in the boundaries thereof, has been filed with the city clerk or town clerk and has been recorded in the registry of deeds for the county or district in which the city or town is located, and the provisions of section thirteen A of chapter thirty-six shall not apply.

Section 4. An historic district study committee may be established in any city or town by vote of the city council or board of selectmen for the purpose of making an investigation of the desirability of establishing an historic district or districts therein. The study committee shall consist of not less than three nor more than seven members appointed in a city by the mayor, subject to confirmation by the city council, or in a town by the board of selectmen, including one member from two nominees submitted by the local historical society or, in the absence thereof, by the Society for the Preservation of New England Antiquities, one member from two nominees submitted by the chapter of the American Institute of Architects covering the area, and one member from two nominees of the board of realtors, if any, covering the area. If within thirty days after submission of a written request for nominees to any of the organizations herein named no such nominations have been made the appointing body may proceed to appoint the study committee without nominations by such organization.

Whenever an historic district is established as provided in section three an historic district commission shall be established which shall consist of not less than three nor more than seven members. An historic district commission shall be appointed in a city by the mayor, subject to confirmation by the city council, or in a town by the board of selectmen, in the same manner as an historic district study committee unless (*a*) the report recommending its establishment recommends alternate or additional organizations to submit nominees for membership and states reasons why such alternate or additional organizations would be appropriate or more appropriate for the particular city or town, the Massachusetts historical commission does not recommend otherwise prior to the public hearing on the establishment of the district, and the ordinance or by-law so provides; or (*b*) there is an existing historic district commission in the city or town which the report recommends should administer the new district, and the ordinance or by-law so provides. Unless the report recommends otherwise on account of the small number of residents or individual property owners, and the ordinance or by-law so provides, the members

of the historic district commission shall include one or more residents of or owners of property in an historic district to be administered by the commission. If within thirty days after submission of a written request for nominees to an organization entitled to submit nominations for membership on the commission no such nominations have been made the appointing body may proceed to make the appointment to the commission without nomination by such organization. The appointments to membership in the commission shall be so arranged that the term of at least one member will expire each year, and their successors shall be appointed in the same manner as the original appointment for terms of three years. Vacancies shall be filled in the same manner as the original appointment for the unexpired term. Ordinances or by-laws adopted hereunder may provide for the appointment of alternate members not exceeding in number the principal members who need not be from nominees of organizations entitled to nominate members. In case of the absence, inability to act or unwillingness to act because of self-interest on the part of a member of the commission, his place shall be taken by an alternate member designated by the chairman. Each member and alternate shall continue in office after the expiration of his term until his successor is duly appointed and qualified. All members shall serve without compensation. The commission shall elect annually a chairman and vice-chairman from its own number and a secretary from within or without its number.

Section 5. As used in this chapter the word "altered" includes the words "rebuilt", "reconstructed", "restored", "removed" and "demolished" and the phrase "changed in exterior color"; the word "building" means a combination of materials forming a shelter for persons, animals or property; the word "commission" means the commission acting as the historic district commission; the word "constructed" includes the words "built", "erected", "installed", "enlarged" and "moved"; the words "exterior architectural feature" mean such portion of the exterior of a building or structure as is open to view from a public street, public way, public park or public body of water, including but not limited to the architectural style and general arrangement and setting thereof, the kind, color and texture of exterior building materials, the color of paint or other materials applied to exterior surfaces and the type and style of windows, doors, lights, signs and other appurtenant exterior fixtures; and the word "structure" means a combination of materials other than a building, including a sign, fence, wall, terrace, walk or driveway.

Section 6. Except as the ordinance or by-law may otherwise provide in accordance with section eight or said section eight or nine, no building or structure within an historic district shall be constructed or altered in any way that affects exterior architectural features unless the commission shall first have issued a certificate of appropriateness, a certificate of nonapplicability or a certificate of hardship with respect to such construction or alteration.

Any person who desires to obtain a certificate from the commission shall file with the commission an application for a certificate of appropriateness, a certificate of nonapplicability or a certificate of hardship, as the case may be, in such form as the commission may

reasonably determine, together with such plans, elevations, specifications, material and other information, including in the case of demolition or removal a statement of the proposed condition and appearance of the property thereafter, as may be reasonably deemed necessary by the commission to enable it to make a determination on the application.

No building permit for construction of a building or structure or for alteration of an exterior architectural feature within an historic district and no demolition permit for demolition or removal of a building or structure within an historic district shall be issued by a city or town or any department thereof until the certificate required by this section has been issued by the commission.

Section 7. In passing upon matters before it the commission shall consider, among other things, the historic and architectural value and significance of the site, building or structure, the general design, arrangement, texture, material and color of the features involved, and the relation of such features to similar features of buildings and structures in the surrounding area. In the case of new construction or additions to existing buildings or structures the commission shall consider the appropriateness of the size and shape of the building or structure both in relation to the land area upon which the building or structure is situated and to buildings and structures in the vicinity, and the commission may in appropriate cases impose dimensional and set-back requirements in addition to those required by applicable ordinance or by-law. The commission shall not consider interior arrangements or architectural features not subject to public view.

The commission shall not make any recommendation or requirement except for the purpose of preventing developments incongruous to the historic aspects or the architectural characteristics of the surroundings and of the historic district.

Section 8. (*a*) Any city or town may provide in the ordinance or by-law establishing a district or in any amendment thereof that the authority of the commission shall not extend to the review of one or more of the following categories of buildings or structures or exterior architectural features in the historic district, and, in this event, the buildings or structures or exterior architectural features so excluded may be constructed or altered within the historic district without review by the commission:

(1) Temporary structures or signs, subject, however, to such conditions as to duration of use, location, lighting, removal and similar matters as the commission may reasonably specify.

(2) Terraces, walks, driveways, sidewalks and similar structures, or any one or more of them, provided that any such structure is substantially at grade level.

(3) Walls and fences, or either of them.

(4) Storm doors and windows, screens, window air conditioners, lighting fixtures, antennae and similar appurtenances, or any one or more of them.

(5) The color of paint.

(6) The color of materials used on roofs.

(7) Signs of not more than one square foot in area in connection with use of a residence for a customary home occupation or for pro-

fessional purposes, provided only one such sign is displayed in connection with each residence and if illuminated is illuminated only indirectly; and one sign in connection with the nonresidential use of each building or structure which is not more than twelve square feet in area, consist of letters painted on wood without symbol or trademark and if illuminated is illuminated only indirectly; or either of them.

(8) The reconstruction, substantially similar in exterior design, of a building, structure or exterior architectural feature damaged or destroyed by fire, storm or other disaster, provided such reconstruction is begun within one year thereafter and carried forward with due diligence.

(*b*) A commission may determine from time to time after public hearing that certain categories of exterior architectural features, colors, structures or signs, including, without limitation, any of those enumerated under paragraph (a), if the provisions of the ordinance or by-law do not limit the authority of the commission with respect thereto, may be constructed or altered without review by the commission without causing substantial derogation from the intent and purposes of this chapter.

(*c*) A city or town may provide in its ordinance or by-law, or in any amendment thereof, that the authority of the commission shall be limited to exterior architectural features within a district which are subject to view from one or more designated public streets, public ways, public parks or public bodies of water, although other portions of buildings or structures within the district may be otherwise subject to public view, and, in the absence of such provision of the ordinance or by-law, a commission may determine from time to time after public hearing that the authority of the commission may be so limited without substantial derogation from the intent and purposes of this chapter.

(*d*) Upon request the commission shall issue a certificate of nonapplicability with respect to construction or alteration in any category then not subject to review by the commission in accordance with the provisions of paragraph (*a*), (*b*) or (*c*).

Section 9. Nothing in this chapter shall be construed to prevent the ordinary maintenance, repair or replacement of any exterior architectural feature within an historic district which does not involve a change in design, material, color or the outward appearance thereof, nor to prevent landscaping with plants, trees or shrubs, nor construed to prevent the meeting of requirements certified by a duly authorized public officer to be necessary for public safety because of an unsafe or dangerous condition, nor construed to prevent any construction or alteration under a permit duly issued prior to the effective date of the applicable historic district ordinance or by-law.

Section 10. The commission shall have the following additional powers, functions and duties:—

(*a*) If the commission determines that the construction or alteration for which an application for a certificate of appropriateness has been filed will be appropriate for or compatible with the preservation or protection of the historic district, the commission shall cause a certificate of appropriateness to be issued to the applicant. In the

case of a disapproval of an application for a certificate of appropriateness the commission shall place upon its records the reasons for such determination and shall forthwith cause a notice of its determination, accompanied by a copy of the reasons therefor as set forth in the records of the commission, to be issued to the applicant, and the commission may make recommendations to the applicant with respect to appropriateness of design, arrangement, texture, material and similar features. Prior to the issuance of any disapproval the commission may notify the applicant of its proposed action accompanied by recommendations of changes in the applicant's proposal which, if made, would make the application acceptable to the commission. If within fourteen days of the receipt of such notice the applicant files a written modification of his application in conformity with the recommended changes of the commission, the commission shall cause a certificate of appropriateness to be issued to the applicant.

(*b*) In the case of a determination by the commission that an application for a certificate of appropriateness or for a certificate of nonapplicability does not involve any exterior architectural feature, or involves an exterior architectural feature which is not then subject to review by the commission in accordance with the provisions of section eight, the commission shall cause a certificate of nonapplicability to be issued to the applicant.

(*c*) If the construction or alteration for which an application for a certificate of appropriateness has been filed shall be determined to be inappropriate, or in the event of an application for a certificate of hardship, the commission shall determine whether, owing to conditions especially affecting the building or structure involved, but not affecting the historic district generally, failure to approve an application will involve a substantial hardship, financial or otherwise, to the applicant and whether such application may be approved without substantial detriment to the public welfare and without substantial derogation from the intent and purposes of this chapter. If the commission determines that owing to such conditions failure to approve an application will involve substantial hardship to the applicant and approval thereof may be made without such substantial detriment or derogation, or, in the event of failure to make a determination on an application within the time specified in section eleven, the commission shall cause a certificate of hardship to be issued to the applicant.

(*d*) Each certificate issued by the commission shall be dated and signed by its chairman, vice-chairman, secretary or such other person designated by the commission to sign such certificates on its behalf.

(*e*) The commission shall keep a permanent record of its resolutions, transactions and determinations and of the vote of each member participating therein, and may adopt and amend such rules and regulations not inconsistent with the provisions of this act and prescribe such forms as it shall deem desirable and necessary for the regulation of its affairs and the conduct of its business. The commission shall file a copy of any such rules and regulations with the city or town clerk.

(*f*) The commission shall file with the city or town clerk and with any department of the city or town having authority to issue building

permits a copy or notice of all certificates and determinations of disapproval issued by it.

(*g*) A commission may after public hearing set forth in such manner as it may determine the various designs of certain appurtenances, such as light fixtures, which will meet the requirements of an historic district and a roster of certain colors of paint and roofing materials which will meet the requirements of an historic district, but no such determination shall limit the right of an applicant to present other designs or colors to the commission for its approval.

(*h*) The commission may, subject to appropriation, employ clerical and technical assistants or consultants and incur other expenses appropriate to the carrying on of its work, and may accept money gifts and expend the same for such purposes. The commission may administer on behalf of the city or town any properties or easements, restrictions or other interests in real property which the city or town may have or may accept as gifts or otherwise and which the city or town may designate the commission as the administrator thereof.

(*i*) The commission shall have, in addition to the powers, authority and duties granted to it by this act, such other powers, authority and duties as may be delegated or assigned to it from time to time by vote of the city council or town meeting.

Section 11. Meetings of a commission shall be held at the call of the chairman and shall be called at the request of two members of the commission and in such other manner as the commission shall determine in its rules. A majority of the members of a commission shall constitute a quorum. The concurring vote of a majority of the members of the commission shall be necessary to issue a certificate of appropriateness, a certificate of nonapplicability or a certificate of hardship.

A commission shall determine promptly, and in all events within fourteen days after the filing of an application for a certificate of appropriateness, a certificate of nonapplicability or a certificate of hardship, as the case may be, whether the application involves any exterior architectural features which are subject to approval by the commission. If a commission determines that such application involves any such features which are subject to approval by the commission the commission shall hold a public hearing on such application unless such hearing is dispensed with as hereinafter provided.

The commission shall fix a reasonable time for the hearing on any application and shall give public notice of the time, place and purposes thereof at least fourteen days before said hearing in such manner as it may determine, and by mailing, postage prepaid, a copy of said notice to the applicant, to the owners of all adjoining property and other property deemed by the commission to be materially affected thereby as they appear on the most recent real estate tax list of the board of assessors, to the planning board of the city or town, to any person filing written request for notice of hearings, such request to be renewed yearly in December, and to such other persons as the commission shall deem entitled to notice.

As soon as convenient after such public hearing but in any event within sixty days after the filing of the application, or such lesser period as the ordinance or by-law may provide, or within such further

time as the applicant may allow in writing, the commission shall make a determination on the application. If the commission shall fail to make a determination within such period of time the commission shall thereupon issue a certificate of hardship.

A public hearing on an application need not be held if such hearing is waived in writing by all persons entitled to notice thereof. In addition, a public hearing on an application may be waived by the commission if the commission determines that the exterior architectural feature involved or its category or color, as the case may be, is so insubstantial in its effect on the historic district that it may be reviewed by the commission without public hearing on the application, provided, however, that if the commission dispenses with a public hearing on an application notice of the application shall be given to the owners of all adjoining property and other property deemed by the commission to be materially affected thereby as above provided and ten days shall elapse after the mailing of such notice before the commission may act upon such application.

Section 12. Any applicant aggrieved by a determination of the commission may, within twenty days after the filing of the notice of such determination with the city or town clerk, appeal to the superior court sitting in equity for the county in which the city or town is situated. The court shall hear all pertinent evidence and shall annul the determination of the commission if it finds the decision of the commission to be unsupported by the evidence, or to exceed the authority of the commission, or may remand the case for further action by the commission or make such other decree as justice and equity may require. The remedy provided by this section shall be exclusive; but the parties shall have all rights of appeal and exception as in other equity cases. Costs shall not be allowed against the commission unless it shall appear to the court that the commission acted with gross negligence, in bad faith or with malice in the matter from which the appeal was taken. Costs shall not be allowed against the party appealing from such determination of the commission unless it shall appear to the court that the appellant acted in bad faith or with malice in making the appeal to the court.

Section 13. The superior court sitting in equity for the county in which the city or town is situated shall have jurisdiction to enforce the provisions of this chapter and any ordinance or by-law enacted hereunder and the determinations, rulings and regulations issued pursuant thereto and may, upon the petition of the mayor or of the board of selectmen or of the commission, restrain by injunction violations thereof; and, without limitation, such court may order the removal of any building, structure or exterior architectural feature constructed in violation thereof, or the substantial restoration of any building, structure or exterior architectural feature altered or demolished in violation thereof, and may issue such other orders for relief as may be equitable.

Whoever violates any of the provisions of this chapter shall be punished by a fine of not less than ten dollars nor more than five hundred dollars. Each day during any portion of which a violation continues to exist shall constitute a separate offense.

Section 14. If the city council or town meeting so votes a commission established hereunder shall have the powers and duties of an

historical commission as provided in section eight D of chapter forty and, in this event, a commission may be entitled an historical commission.

Section 15. All ordinance or by-laws creating an historic district adopted by a city or town under authority of this chapter and under authority of any special law, unless the special law shall otherwise provide, amendments thereto, maps of historic districts created thereunder, and annual reports and other publications of commissions, and rosters of membership therein, shall be filed with the Massachusetts historical commission.

Section 16. A city or town in which there is located an historic district established under a special law may, upon recommendation of the historic district commission having jurisdiction over such district, accept the provisions of this chapter with respect to such district by a two thirds vote of the city council in a city or by two thirds vote of a town meeting in a town, and thereafter such historic district shall be subject to the provisions of this chapter notwithstanding the terms of any special act pursuant to which such historic district was created. The provisions of this chapter shall not impair the validity of an historic district established under any special act.

Section 17. The provisions of this chapter shall be deemed to be severable. If any of its provisions shall be held to be invalid or unconstitutional by any court of competent jurisdiction the remaining provisions shall continue in full force and effect.

SECTION 2. This act shall not affect the validity of any historic district, historic district commission or historic district study committee established under chapter forty C of the General Laws prior to the effective date hereof or of certificates of appropriateness issued thereunder or the appointment of members of historic district commissions or historic district study committees made prior to the effective date hereof, and such members shall continue to serve under the provisions of this act, and all their acts done in compliance with prior provisions of said chapter forty C shall constitute compliance with comparable provisions of this act. *Approved June 3, 1971.*

Chap. 360. AN ACT FURTHER REGULATING THE DESIGN, MANUFACTURE AND USAGE OF THE FLAGS, COAT OF ARMS AND SEAL OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 2 of the General Laws is hereby amended by striking out sections 1 to 6, inclusive, and inserting in place thereof the following six sections:—

Section 1. The coat of arms of the commonwealth shall consist of a blue shield with an Indian thereon, dressed in a shirt, leggings, and moccasins, holding in his right hand a bow, and in his left hand an arrow, point downward, all of gold; and, in the upper right-hand corner of the field a silver star of five points. The crest shall be, on a wreath of gold and blue, a right arm, bent at the elbow, clothed and ruffled, and grasping a broad-sword, all of gold. The motto "Ense petit placidam sub libertate quietem" shall appear in gold on a blue ribbon.

Section 2. The seal of the commonwealth shall be circular in form, bearing upon its face a representation of the arms of the commonwealth encircled with the inscription within a beaded border, "Sigillum Reipublicae Massachusettensis". The colors of the arms shall not be an essential part of said seal, and an impression from a seal engraved according to said design on any commission, paper or document shall be valid without such colors or the representation thereof by heraldic lines or marks.

Section 3. The flag of the commonwealth shall consist of a white rectangular field, bearing on either side a representation of the arms of the commonwealth, except that the star shall be white. The naval and maritime flag of the commonwealth shall consist of a white rectangular field bearing on either side a representation of a green pine tree.

Section 4. The flag of the governor shall conform to the design of the flag of the commonwealth, except that the field of the flag of the governor shall be triangular in shape.

Section 5. The state secretary shall be the custodian of the coat of arms, seal and flags of the commonwealth and all representations of said arms, seal and flags shall conform strictly to the specifications which shall be prepared under the direction of the state secretary in the year nineteen hundred and seventy-one and deposited in his office. The proper use and display of said arms, seal and flags of the commonwealth and their manufacture are hereby subject to such regulations relating thereto which the state secretary may from time to time issue, provided that such regulations shall be in conformity with all the relevant legislation of the United States and of the commonwealth.

Section 6. The flag of the United States and the flag of the commonwealth shall be displayed on the main or administration building of each public institution of the commonwealth. The flags shall be of suitable dimensions and shall be flown every day when the weather permits.

SECTION 2. All flags of the commonwealth made previous to the effective date of this act shall remain valid, but all flags made subsequent to said effective date shall conform strictly to the specifications issued by the state secretary.

SECTION 3. This act shall take effect on November the first, nineteen hundred and seventy-one. *Approved June 3, 1971.*

Chap. 361. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR FRED G. ADAMS, INCUMBENT OF THE OFFICE OF SUPERINTENDENT OF STREETS OF THE TOWN OF OXFORD.

Be it enacted, etc., as follows:

Fred G. Adams, incumbent of the office of superintendent of streets of the town of Oxford, shall continue to hold said office during good behavior until he reaches age 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 before the board of selectmen. *Approved June 3, 1971.*

Chap. 362. AN ACT FURTHER REGULATING THE COMPOSITION OF THE RESERVE FUND OF TRUST COMPANIES.

Be it enacted, etc., as follows:

Subsection B of section 27 of chapter 172 of the General Laws is hereby amended by striking out clause 2, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following clause:—

2. Bonds, notes, bills and certificates of indebtedness of the United States or this commonwealth, computed at their current market value, which are unpledged and the absolute property and under the control of the corporation.	Not more than 80%

Approved June 3, 1971.

Chap. 363. AN ACT REQUIRING REEXAMINATION FOR A NEW CERTIFICATE OF COMPETENCY TO INSPECT STEAM BOILERS IN CERTAIN CASES, AND ESTABLISHING A FEE THEREFOR.

Be it enacted, etc., as follows:

Chapter 146 of the General Laws is hereby amended by striking out section 62, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 62. If the applicant is found competent he shall receive a certificate of competency to inspect steam boilers; provided, however, that if the holder of a certificate ceases to be employed as an inspector for a period of one year or more his certificate shall lapse and he shall be required to submit to reexamination for a new certificate. The fee for such reexamination shall be twenty dollars. Said certificate shall continue in force until the date of birth of the holder of the certificate occurring more than twelve months but not more than twenty-four months after the effective date of such certificate unless sooner revoked.

If any such certificate of competency to inspect steam boilers or the renewal thereof expires in an even year, any subsequent renewal shall expire on the next anniversary of the holder's date of birth occurring in an even year.

If any such certificate of competency to inspect steam boilers or renewal thereof expires in an odd year, any subsequent renewal shall expire on the next anniversary of the holder's date of birth occurring in an odd year. A certificate of competency to inspect steam boilers issued to a person born on February the twenty-ninth shall, for the purposes of this section, expire on March the first. The fee for the renewal of the certificate of competency shall be four dollars. Certificates not renewed at expiration date shall become void, and shall after one year be reinstated only by reexamination of the former holder of the certificate. A notice of the date of expiration of a certificate of competency to inspect steam boilers shall, at least thirty days prior to such date, be sent to the holder of the certificate. The inspector of the

division for the town where a holder of the certificate resides may issue a renewal certificate. A person whose certificate of competency is suspended or revoked shall surrender his certificate to the chief or an inspector of the division. *Approved June 3, 1971.*

Chap. 364. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE FEES FOR THE LICENSING OF CERTAIN FIREMEN BY THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

Section 57 of chapter 146 of the General Laws, as amended by section 3 of chapter 541 of the acts of 1952, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—Each such application shall be accompanied by an examination fee, as follows: For a first class engineer's license, second class engineer's license or for a special license, fourteen dollars; for a third class, fourth class or portable class engineer's license or a steam fire engineer's license, six dollars; for a first class or second class fireman's license, four dollars; and for a license for operating hoisting machinery not run by steam, six dollars. *Approved June 3, 1971.*

Chap. 365. AN ACT AUTHORIZING THE BOARD OF BOILER RULES TO EXTEND THE TIME FOR THE ANNUAL INSPECTION OF A PRESSURE VESSEL OR BOILER.

Be it enacted, etc., as follows:

Section 6 of chapter 146 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:—Upon written application made to it by the owner or user of a pressure vessel or boiler, the board may, when the public interest and convenience require, extend the time for the making of such inspection for a period not to exceed six months as the board may determine. *Approved June 3, 1971.*

Chap. 366. AN ACT FURTHER REGULATING DEPOSITS OF RESERVES OF MEMBER BANKS OF THE CO-OPERATIVE CENTRAL BANK.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 45 of the acts of 1932, as amended by section 2 of chapter 696 of the acts of 1950, is hereby further amended by inserting after the word "each", the first time it appears in line 4, the words:—, except as hereinafter provided,—and by striking out, in line 17, the words "two and one quarter" and inserting in place thereof the word:—three.

SECTION 2. Said section 6 of said chapter 45 is hereby further amended by inserting after the first sentence the following sentence:—All assessments made hereunder shall be in the same proportion for each member bank, except that in calculating the amount of the assessment of a member bank, which bank at the time of such

assessment, is also a member of the Federal Home Loan Bank, there shall be first deducted from the amount otherwise calculated to be due the amount invested by such bank in stock of the Federal Home Loan Bank. *Approved June 3, 1971.*

Chap. 367. AN ACT PROHIBITING CERTAIN ACTIONS BY TRUSTS AND CORPORATIONS HAVING CHARITABLE INTERESTS AND REQUIRING THE DISTRIBUTION BY THEM OF CERTAIN INCOME.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after Chapter 68 the following chapter:—

CHAPTER 68A.

LIMITATIONS UPON THE CONDUCT OF CERTAIN TRUSTS AND CORPORATIONS HAVING CHARITABLE INTERESTS.

Section 1. In the administration of any trust which is a "private foundation", as defined in section 509 of the Internal Revenue Code of 1954, or a "split-interest trust", as defined in section 4947 (a) (2) of said Code, the following acts shall be prohibited:

(*a*) engaging in any act of "self-dealing" (as defined in section 4941 (d) of said Code) which would give rise to any liability for the tax imposed by section 4941 (a) of said Code;

(*b*) retaining any "excess business holdings" (as defined in section 4943 (c) of said Code) which would give rise to any liability for the tax imposed by section 4943 (a) of said Code;

(*c*) making any investments which would jeopardize the carrying out of any of the exempt purposes of the trust, within the meaning of section 4944 of said Code, so as to give rise to any liability for the tax imposed by section 4944 (a) of said Code; and

(*d*) making any "taxable expenditures" (as defined in section 4945 (d) of said Code) which would give rise to any liability for the tax imposed by section 4945 (a) of said Code; provided, however, that this section shall not apply either to those split-interest trusts or to amounts thereof which are not subject to the prohibitions applicable to private foundations by reason of the provisions of section 4947 of said Code.

Section 2. In the administration of any trust which is a "private foundation", as defined in section 509 of said Code, or which is a "charitable trust", as defined in section 4947 (a) (1) of said Code, there shall be distributed, for the purposes specified in the trust instrument, for each taxable year, amounts at least sufficient to avoid liability for the tax imposed by section 4942 (a) of said Code.

Section 3. The provisions of sections one and two shall not apply to any trust to the extent that a court of competent jurisdiction shall determine that such application would be contrary to the terms of the instrument governing such trust and that the same may not properly be changed to conform to such sections.

Section 4. No corporation which is a "private foundation", as defined in section 509 of said Code, shall

(*a*) engage in any act of "self-dealing" (as defined in section 4941 (d) of said Code) which would give rise to any liability for the tax imposed by section 4941 (a) of said Code;

(*b*) retain any "excess business holdings" (as defined in section 4943 (c) of said Code) which would give rise to any liability for the tax imposed by section 4943 (a) of said Code;

(*c*) make any investment which would jeopardize the carrying out of any of its exempt purposes, within the meaning of section 4944 of said Code, so as to give rise to any liability for the tax imposed by section 4944 (a) of said Code; or

(*d*) make any "taxable expenditures" (as defined in section 4945 (d) of said Code) which would give rise to any liability for the tax imposed by section 4945 (a) of said Code.

Section 5. Each corporation which is a "private foundation", as defined in section 509 of said Code, shall distribute, for the purposes specified in its articles of organization, for each taxable year, amounts at least sufficient to avoid liability for the tax imposed by section 4942 (a) of said Code.

Section 6. The provisions of sections four and five shall not apply to any corporation to the extent that a court of competent jurisdiction shall determine that such application would be contrary to the terms of the articles of organization or other instrument governing such corporation or governing the administration of charitable funds held by it and that the same may not properly be changed to conform to such sections.

Section 7. Nothing in this chapter shall impair the rights and powers of the courts or the attorney general of the commonwealth with respect to any trust or corporation.

Section 8. All references in this chapter to sections of the Internal Revenue Code of 1954 shall include future amendments to such sections and corresponding provisions of future Internal Revenue laws.

SECTION 2. This act shall take effect on December the thirty-first, nineteen hundred and seventy-one. *Approved June 3, 1971.*

Chap. 368. AN ACT FURTHER DEFINING THE CRIME OF USURY.

Be it enacted, etc., as follows:

Section 49 of chapter 271 of the General Laws, inserted by chapter 826 of the acts of 1970, is hereby amended by striking out paragraph (e) and inserting in place thereof the following paragraph:—

(*e*) The provisions of this section shall not apply to any loan the rate of interest for which is regulated under any other provision of general or special law or regulations promulgated thereunder or to any lender subject to control, regulation or examination by any state or federal regulatory agency. *Approved June 3, 1971.*

Chap. 369. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR ROBERT BERGERON, 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 Robert Bergeron, 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-two in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and seventy-one, entitled 'An Act providing tenure of office until age sixty-five for Robert Bergeron, 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 June 3, 1971.

Chap. 370. AN ACT FURTHER REGULATING THE MINIMUM AGE FOR APPLICANTS FOR FIRE FIGHTER AND THE MINIMUM HEIGHT FOR APPLICANTS FOR POLICE OFFICER UNDER THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

Section 5B of chapter 31 of the General Laws, inserted by section 2 of chapter 162 of the acts of 1970, is hereby amended by striking out the first and second paragraphs and inserting in place thereof the following two paragraphs:—

No rule regulating the height and weight of persons eligible to become members of fire and police forces of a city or town shall be made or enforced except by the city council or selectmen, provided that no such rule made by a city council or selectmen may require a minimum height for applicants in such a police force greater than five feet seven inches, nor require a lesser minimum height without the approval of the director.

An applicant for fire fighter shall have reached his nineteenth birthday on the date of the examination. *Approved June 3, 1971.*

EMERGENCY LETTER — June 18, 1971 at 9:45 A.M.

Chap. 371. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR JOHN V. GARSTKA, HIGHWAY SUPERINTENDENT OF THE TOWN OF SOUTHAMPTON.

Be it enacted, etc., as follows:

John V. Garstka, incumbent of the office of highway superintendent of the town of Southampton, shall hold said office during good be-

havior until he reaches the age of sixty-five. He shall not, prior to reaching said age, be suspended or removed, except for just cause after a hearing in the manner prescribed by section forty-three of chapter thirty-one of the General Laws. *Approved June 3, 1971.*

Chap. 372. AN ACT PROVIDING TENURE OF OFFICE FOR JEREMIAH KAMENS, INCUMBENT OF THE OFFICE OF CLERK OF COMMITTEES OF THE BOARD OF ALDERMEN OF THE CITY OF CHELSEA.

Be it enacted, etc., as follows:

The tenure of office of Jeremiah Kamens, incumbent of the office of clerk of committees of the board of aldermen of the city of Chelsea, shall, upon the effective date of this act, be unlimited, but he may be removed therefrom for cause after a hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

Approved June 3, 1971.

Chap. 373. AN ACT FURTHER REGULATING THE VISITATION RIGHTS OF MIGRANT WORKERS LIVING IN QUARTERS APART FROM THE LIVING QUARTERS OF THEIR EMPLOYER.

Be it enacted, etc., as follows:

Section 128H of chapter 111 of the General Laws, inserted by section 5A of chapter 718 of the acts of 1967, is hereby amended by striking out the third sentence and inserting in place thereof the following three sentences:—A worker living in quarters apart from the living quarters of his employer shall have reasonable rights of visitation in his living quarters outside of regular working hours and the certificate of occupancy issued by the department shall include notification, in English and in Spanish, of said rights. The department shall establish, by promulgation of regulations, such minimum standards relating to the rights of visitation under this section as will ensure the adequate protection of said rights. The superior court shall have jurisdiction in equity upon petition brought by the department in the name of the commonwealth to restrain and enjoin violations of this, or of section one hundred and twenty-eight G, or regulations promulgated thereunder. *Approved June 3, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS,
EXECUTIVE DEPARTMENT, STATE HOUSE,
BOSTON, June 3, 1971.

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 373 of the Acts of 1971, entitled "AN ACT FURTHER REGULATING THE VISITATION RIGHTS OF MIGRANT WORKERS

LIVING IN QUARTERS APART FROM THE LIVING QUARTERS OF THEIR EMPLOYER." and the enactment of which received my approval on June 3, 1971, 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 order that the act may be effective in protecting visitation rights of migrant workers during the current agricultural season.

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

OFFICE OF THE SECRETARY, BOSTON, June 3, 1971.

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

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

Chap. 374. AN ACT AUTHORIZING THE TOWN OF PALMER TO CONVEY CERTAIN PARK LAND TO THE WING MEMORIAL HOSPITAL ASSOCIATION FOR HOSPITAL PURPOSES.

Be it enacted, etc., as follows:

The town of Palmer is hereby authorized to sell and convey to the Wing Memorial Hospital Association certain park land to be used for hospital purposes, bounded and described as follows:

Beginning at a concrete bound on the Southerly side of the Massachusetts Turnpike Authority at the Northeasterly corner of land of the Palmer Housing Authority, as shown on a plan recorded in Hampden County Registry of Deeds, Plan 119, Page 118 & 119, and runs thence:

Easterly in a curve to the right with a radius of 4780.00 feet, a length of 138.98 feet along the Southerly side of said Massachusetts Turnpike Authority, to a stone bound set to mark Baseline STA 188 + 75.26 of said Massachusetts Turnpike Authority; thence turning and running

N. 85° 8′ 30″ E 330.06 feet along said last named land to a stone bound set to mark — Baseline STA 193 + 00.00 of said Massachusetts Turnpike Authority; thence turning and running

S. 4° 32′ 30″ E 59.95 feet along said last named land to a stone bound at land of Wing Memorial Hospital Association; thence turning and running

S. 84° 6′ 10″ W. 462.78 feet along said last named land and land of C. F. & I. Corporation to a point at land of Palmer Housing Authority aforesaid; thence turning and running

N. 9° 58′ 34″ W 67.23 feet along said last named land to the point of beginning, and containing 29.847 square feet of land, more or less.

Approved June 3, 1971.

Chap. 375. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW CHANGING THE NAME OF THE DIVISION OF MOTORBOATS IN THE DEPARTMENT OF PUBLIC WORKS TO THE DIVISION OF MARINE AND RECREATIONAL VEHICLES.

Be it enacted, etc., as follows:

The first paragraph of section 12 of chapter 16 of the General Laws is hereby further amended by striking out the third sentence, as most recently amended by section 19 of chapter 116 of the acts of 1971, and inserting in place thereof the following sentence: — The director shall receive a salary of fifteen thousand four hundred and seventy-six dollars which shall be paid out of the recreational vehicle fund.

Approved June 3, 1971.

Chap. 376. AN ACT AUTHORIZING THE CITY OF WOBURN TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY CERTAIN SUMS TO CERTAIN SCHOOL CUSTODIANS EMPLOYED BY THE SCHOOL DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the city council of the city of Woburn is hereby authorized to appropriate a sum, not to exceed five thousand seven hundred and eighty-nine dollars and twenty-eight cents, for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, certain school custodians employed by the school department from February the tenth, nineteen hundred and sixty-eight through April the fourth, nineteen hundred and seventy, the sum to which each of them may be entitled under the provisions of the Fair Labor Standards Amendments of 1966 (Public Law 89-601).

Approved June 3, 1971.

Chap. 377. AN ACT AUTHORIZING RICHARD T. GAWRON TO CONTINUE AS A MEMBER OF THE CHICOPEE RESERVE POLICE FORCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty A of chapter thirty-one of the General Laws, Richard T. Gawron, a member of the reserve police force in the city of Chicopee, may continue to hold his status as a reserve patrolman, provided he files with the director of civil service a written request that his name be withheld from certification for appointment to the regular police force until such time as he notifies said director that his physical condition will enable him to accept such an appointment.

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

Approved June 7, 1971.

Chap. 378. AN ACT EXEMPTING CERTAIN SPECIAL PAYROLL ACCOUNTS FROM ATTACHMENT BY THE TRUSTEE PROCESS.

Be it enacted, etc., as follows:

Chapter 246 of the General Laws is hereby amended by striking out section 20, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 20. The goods, effects or credits of the defendant intrusted to, or deposited in the hands or possession of, a person summoned as his trustee shall, except as hereinafter provided, be attached and held to respond to the final judgment as if they had been attached upon an original writ of attachment; provided, that any moneys of the defendant deposited in any bank in special payroll accounts to meet the payroll of employees of said defendant shall not be subject to attachment hereunder. If it is established by a fair preponderance of the evidence that the defendant, with intent to evade attachment under this chapter, has deposited moneys in any such special payroll account for purposes other than meeting the payroll of his employees, said moneys shall be subject to attachment hereunder.

Approved June 7, 1971.

Chap. 379. AN ACT FURTHER REGULATING THE INDEMNIFICATION OF CERTAIN SCHOOL PERSONNEL FOR EXPENSES OR DAMAGES SUSTAINED BY REASON OF CERTAIN ACTIONS OR CLAIMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by striking out section 100C, as most recently amended by chapter 691 of the acts of 1969, 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 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 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 defense 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.

SECTION 2. Chapter 71 of the General Laws is hereby amended by inserting after section 38K the following section:—

Section 38L. The school committee of a city, town or regional school district may purchase liability insurance providing for the indemnification authorized under the provisions of section one hundred C of chapter forty-one. *Approved June 7, 1971.*

Chap. 380. AN ACT RELATIVE TO THE AMOUNT OF RETIREMENT BENEFIT WHICH MAY BE PAID BY THE CHICOPEE PERMANENT FIREFIGHTERS BENEFIT ASSOCIATION, INC.

Be it enacted, etc., as follows:

Chicopee Permanent Firefighters Benefit Association, Inc., a corporation duly established under the laws of the commonwealth, is hereby authorized, upon retirement from the fire department of the city of Chicopee 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. Any amount paid in accordance with this provision shall reduce the death benefit otherwise available upon the death of such member. *Approved June 7, 1971.*

Chap. 381. AN ACT AUTHORIZING THE BUILDING INSPECTOR OF THE TOWN OF WESTWOOD TO ISSUE A PERMIT TO WESTWOOD GLEN TO CONSTRUCT MULTIPLE DWELLING UNITS FOR THE ELDERLY IN SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter forty A and chapter one hundred and forty-five of the General Laws, the building inspector of the town of Westwood may issue a permit to Westwood Glen to construct multiple dwelling units for the elderly in the Special Residence District of the town of Westwood.

Approved June 9, 1971.

Chap. 382. AN ACT REGULATING REGISTRATION FOR VOTING IN THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for registration and voting for citizens nineteen years of age and older at all elections, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 51 of the General Laws is hereby further amended by striking out the first paragraph, as most recently

amended by chapter 109 of the acts of 1966, and inserting in place thereof the following two paragraphs:—

Except as otherwise provided in section one A, every citizen nineteen years of age or older, not being a pauper or person under guardianship and not being temporarily or permanently disqualified by law because of corrupt practices in respect to elections, who has resided in the city or town where he claims the right to vote six months last preceding a state, city or town election, and who has complied with the requirements of this chapter, may have his name entered on the list of voters in such city or town, and may vote therein in any such election, or except insofar as restricted in any town in which a representative town meeting form of government has been established, in any meeting held for the transaction of town affairs. No person otherwise qualified to vote for national or state officers shall, by reason of a change of residence within the commonwealth, be disqualified from voting for such officers in the city or town from which he has removed his residence until the expiration of six months from such removal. A married woman shall be eligible to vote and to register for the purpose of voting in the city or town where she resides.

Any citizen eighteen years of age, but less than nineteen years of age, to whom the remainder of the above qualifications apply, and who has complied with the provisions of this chapter, may have his name entered upon a list of voters qualified to vote for the offices of presidential elector, United States Senator and United States Congressman, and upon reaching the age of nineteen years shall have his name transferred by the board of registrars from said list to the list of voters provided for in the above paragraph, and shall thereafter be deemed a registered voter of the city or town.

SECTION 2. Section 1A of said chapter 51, as most recently amended by section 1 of chapter 367 of the acts of 1966, is hereby further amended by striking out, in line 2, the words "one year" and inserting in place thereof the words:—six months,—and by striking out, in line 3 and in line 7, the word "thirty-one" and inserting in place thereof, in each instance, the word:—twenty-nine.

SECTION 3. The first paragraph of section 4 of said chapter 51, as appearing in section 1 of chapter 67 of the acts of 1955, is hereby amended by striking out, in line 9, the word "twenty" and inserting in place thereof the word:—seventeen.

SECTION 4. Section 10A of chapter 51 of the General Laws, as most recently amended by chapter 176 of the acts of 1955, is hereby further amended by striking out, in line 8, the word "twenty" and inserting in place thereof the word:—seventeen.

SECTION 5. Section 26 of said chapter 51 is hereby further amended by striking out the second sentence, as amended by section 212 of the acts of 1968, and inserting in place thereof the following sentence:— No application under section one A to qualify for voting for electors of president and vice-president shall be received between seven o'clock in the evening on the twenty-ninth day preceding, and the day following, an election at which such electors are to be chosen.

SECTION 6. Section 28 of said chapter 51, as amended by section 3 of chapter 34 of the acts of 1947, is hereby further amended by adding

the following sentence:—They shall hold a continuous session from twelve o'clock noon until ten o'clock in the evening on the twenty-ninth day preceding an election at which electors of president and vice-president are to be elected, for the purpose of qualifying persons who have resided in the commonwealth at least twenty-nine days preceding such election, but less than six months preceding such election and who are eligible to qualify for voting for presidential electors under the provisions of section one A.

SECTION 7. The second paragraph of section 42 of said chapter 51, added by chapter 477 of the acts of 1965, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Registrars, assistant registrars and absent registration officers shall verbally inform each person of the age of nineteen or over being registered as a voter that he may, at the same time and place, establish his enrolment in a political party by signing an appropriate form provided by the registrars of voters.

SECTION 8. Said chapter 51 is hereby further amended by striking out section 44, as most recently amended by chapter 13 of the acts of 1966, and inserting in place thereof the following section:—

Section 44. The registrars, or absent registration officers, as the case may be, shall examine on oath each applicant for registration and each applicant under section one A to qualify for voting for electors of president and vice-president relative to his qualifications for voting, and shall, unless such applicant is prevented by physical disability, afford him the opportunity to write his name in the general register or on the application form prescribed by said section one A, as the case may be. If such applicant is unable to sign his name, otherwise than from physical disability, he shall make his mark, which shall be witnessed by the registrar or assistant registrar. Inability to sign his name shall in no way bar the applicant from becoming a registered voter or from qualifying for voting for presidential elector in accordance with section one A. *Approved June 10, 1971.*

Chap. 383. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Pittsfield 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 thirty-six thousand three hundred and fifty-seven dollars and forty-two cents, for labor performed and materials supplied for alterations and the rehabilitation of Pittsfield high school and annex, as follows: Louis Arace of Pittsfield, general contractor, the sum of eighteen thousand five hundred and six dollars and thirteen cents; Thomas C. Renton of Pittsfield, general contractor, the sum of eight thousand one hundred and eighty dollars and seventy-six cents; McGovern & Sons, Inc., the sum of six thousand and fifty-three dollars and forty-nine cents; Renzi Brothers of Pittsfield, painters, the sum of two hundred and sixty-two dollars and fifty-nine cents; and John H. Fisher, architect,

the sum of three thousand three hundred and fifty-four dollars and forty-five cents; said bills being legally unenforceable against said city by reason of their being incurred in excess of available appropriations.

SECTION 1A. 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 1B. Any person who knowingly files a certificate required by section one A, 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 2. This act shall take effect upon its passage.

Approved June 10, 1971.

Chap. 384. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Chicopee is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, the following unpaid bills:—one hundred thirty-two dollars to Baxter Sand & Gravel, Inc., three hundred twenty-one dollars to the city of Springfield, Massachusetts, one thousand sixty-eight dollars to L & S Trucking Co., Inc., three hundred seventy-nine dollars and fifty cents to J. F. Partyka & Son, Inc., four hundred forty-six dollars and sixty cents to Braun's Welding Service, Inc., three hundred sixty-five dollars to Stanley A. Soja, Inc., and two thousand one hundred and forty-two dollars to Theodore Ondrick, General Contractor, of the city of Chicopee, for services and materials rendered to said city in the year nineteen hundred and seventy, which bills are legally unenforceable against said city by reason of their 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 materials or services for which said bill has been submitted were ordered by an official or an employee of said city, and that such materials were delivered to and actually received by said city, or that such services were rendered to said city, or both.

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 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 3. This act shall take effect upon its passage.

Approved June 10, 1971.

Chap. 385. AN ACT AUTHORIZING THE COUNTY TREASURER OF PLYMOUTH COUNTY TO PAY TO SUFFOLK COUNTY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

The county treasurer of Plymouth county is hereby authorized to pay to Suffolk county sixty-seven dollars and twenty cents for services rendered to said county during the year nineteen hundred and sixty-eight, which bill is legally unenforceable against said Plymouth county.

Approved June 10, 1971.

Chap. 386. AN ACT AUTHORIZING TRUST COMPANIES TO INVEST IN SUBSIDIARY CORPORATIONS OR TRUSTS.

Be it enacted, etc., as follows:

Section 48 of chapter 172 of the General Laws is hereby amended by adding after clause 18 the following clause:—

19. To invest, subject to the approval of the commissioner and under such limitations or conditions as he may impose, in the capital stock or shares of one or more wholly owned subsidiary corporations or trusts organized and operated solely for the purpose of performing functions that the trust company itself is empowered to perform directly.

Approved June 10, 1971.

Chap. 387. AN ACT AUTHORIZING THE BIWEEKLY OR SEMIMONTHLY PAYMENT OF WAGES TO CERTAIN EMPLOYEES.

Be it enacted, etc., as follows:

The first sentence of the first paragraph of section 148 of chapter 149 of the General Laws, is hereby amended by inserting, after the word "commissioner", in line 31, as appearing in chapter 416 of the acts of 1960, the words:—and employees whose salaries are regularly paid on a weekly basis or at a weekly rate for a work week of substantially the same number of hours from week to week.

Approved June 10, 1971.

Chap. 388. AN ACT RELATIVE TO HEARINGS HELD IN CHAMBERS ON ADOPTION PETITIONS.

Be it enacted, etc., as follows:

The third paragraph of section 6 of chapter 210 of the General Laws, added by section 4 of chapter 737 of the acts of 1950, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences:—The probate judge may

determine that the hearing on any adoption petition shall be held in chambers. He shall, on the request of any party to an adoption proceeding, hold the hearing thereon in chambers, except that if said petition is contested the consent of the other party or parties shall be required. *Approved June 10, 1971.*

Chap. 389. AN ACT FURTHER REGULATING INVESTMENTS OF CO-OPERATIVE BANKS IN CERTAIN SECURITIES.

Be it enacted, etc., as follows:

Section 26 of chapter 170 of the General Laws is hereby amended by inserting after subsection 2 the following subsection:—

2A. In securities described as legal investments under the provisions of section fifty-one of chapter one hundred and sixty-eight, subject, however, to the provisions of said section, and subject to the following provision: Officers and members of the security committee and of the board of directors of a co-operative bank may rely upon the legal list referred to in said section fifty-one as representing an accurate listing of stocks, bonds, notes and other interest bearing obligations eligible for investment by it; and no such officer or member shall be personally liable for any loss incurred by such bank arising from the purchase in good faith of any security appearing on said list at the time of such purchase. *Approved June 10, 1971.*

Chap. 390. AN ACT RELATIVE TO THE REGISTRATION OF ARCHITECTS.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Practice of architecture" in section 60A of chapter 112 of the General Laws, as amended by section 1 of chapter 679 of the acts of 1957, is hereby further amended by striking out, in lines 8 and 9, the words "supervision of construction" and inserting in place thereof the words:—administration of construction contracts.

SECTION 2. Said section 60A of said chapter 112 is hereby further amended by inserting after the definition of "Certificate of registration" the following definition:—

"Good moral character", such character as will enable a person to discharge the fiduciary duties of an architect to his client. Evidence of inability to discharge such duties shall include commission of an offense justifying discipline under section sixty G, the practice of architecture in violation of section sixty K, the practice of architecture without a license in violation of the laws of another jurisdiction, or conviction of a felony; provided, that the board may consider evidence of reform.

SECTION 3. The first paragraph of section 60B of said chapter 112, as amended by chapter 101 of the acts of 1969, is hereby further amended by striking out, in line 1, the word "twenty-five" and inserting in place thereof the word:—twenty-one.

SECTION 4. Said chapter 112 is hereby further amended by striking out section 60C, as most recently amended by chapter 503 of the acts of 1967, and inserting in place thereof the following section:—

Section 60C. Every person applying to the board for registration shall submit with his application to the board evidence of graduation from a recognized high school or its equivalent. The applicant shall also submit satisfactory evidence of graduation from an accredited school of architecture and of such practical experience in architectural work as the board may by regulation prescribe. In lieu of evidence of graduation from an accredited school of architecture, the applicant may submit satisfactory evidence of such other academic experience, practical experience, or both, as the board may by regulation prescribe. The board shall thereupon examine the applicant in writing, on such technical and professional subjects as are prescribed by it. A written examination may be supplemented by such oral examination as the board may determine. The board may exempt from said written examination a holder of a certificate of qualification issued by the National Council of Architectural Registration Boards.

The board may adopt as its own rules and regulations governing academic and practical experience those guidelines published from time to time by the National Council of Architectural Registration Boards. The board may also adopt the examinations and recommended grading procedures of the National Council of Architectural Registration Boards.

SECTION 5. Section 60G of said chapter 112, as appearing in section 2 of chapter 696 of the acts of 1941, is hereby amended by striking out, in line 19, the word "or" and by inserting after clause (*f*) the following clause:—

; or (*g*) that the holder of such certificate has an interest in the manufacture, sale or installation of any component or process in a project for which he is the architect, which interest he has not disclosed to his client in such manner as the board shall by regulation prescribe.

SECTION 6. Section 60K of said chapter 112, as appearing in section 3 of chapter 679 of the acts of 1957, is hereby amended by striking out the last sentence.

SECTION 7. Section 60L of said chapter 112, as so appearing, is hereby amended by striking out clauses 3 and 4 and inserting in place thereof the following two clauses:—

3. The preparation of any detailed or shop plans required to be furnished by a contractor, or the administration of construction contracts by persons customarily engaged in contracting work;

4. The employees of a registered architect or persons acting under his direction from carrying out their normal duties in the preparation of plans and specifications or in the administration of construction contracts;—and by adding the following clause:—

; 9. A nonresident who holds a certificate of registration to practice architecture in the state in which he resides and in addition holds a certificate of qualification issued by the National Council of Architectural Registration Boards from agreeing to perform or holding himself out as able to perform any of the professional services involved in the practice of architecture; provided, that he shall not perform any of the professional services involved in the practice of architecture until registered as hereinbefore provided.

Approved June 10, 1971.

Chap. 391. AN ACT AUTHORIZING THE CITY OF WESTFIELD TO GRANT AN ANNUITY TO CATHERINE M. CURRAN, THE WIDOW OF DANIEL J. CURRAN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good, the city of Westfield is hereby authorized to grant to Catherine M. Curran, the widow of Daniel J. Curran, a former employee of the gas and electric light department of the city of Westfield, so long as she remains unmarried, an annuity in the sum of twelve hundred dollars to be paid in equal monthly instalments.

SECTION 2. This act shall take effect upon its acceptance by the city of Westfield. *Approved June 10, 1971.*

Chap. 392. AN ACT EXPANDING THE CORPORATE PURPOSES AND POWERS OF THE MASSACHUSETTS COMPANY, INC.

Be it enacted, etc., as follows:

SECTION 1. The Massachusetts Company, Inc. formerly known as the Massachusetts Hospital Life Insurance Company, which was reorganized pursuant to the provisions of chapter three hundred and twenty-seven of the acts of nineteen hundred and forty-five, is hereby authorized to receive reasonable compensation for acting as trustee of trust certificates under which it holds units of beneficial interest of the Massachusetts Fund whether or not it is also trustee of Massachusetts Fund and receiving compensation for acting in that capacity.

SECTION 2. The Massachusetts Company, Inc., in addition to its authority to act as trustee under any will or instrument creating a trust for the care and management of property, is hereby further authorized to carry on a general business of investment advice, counsel, management and research.

SECTION 3. This act shall take full effect upon its acceptance, ninety days or more after its passage, by The Massachusetts Company, Inc., but not otherwise. *Approved June 10, 1971.*

Chap. 393. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR CERTAIN OFFICERS AND MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF EASTHAM.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of any present or future permanent member of the police department of the town of Eastham, who has served in his respective office for a period of one year and who has served as a police officer in the town of Eastham for a period of five consecutive years, shall be unlimited until he attains age sixty-five, unless he is incapacitated by physical or mental disability from performing his duties, or unless he is removed for just cause by the selectmen in the following manner:

No police officer shall be removed from office or lowered in rank, except for just cause and for reasons specifically given him in writing by the board of selectmen. Before any action affecting employment is

taken, said police officer shall be given a full hearing before the board of selectmen, of which hearing he shall have at least five days' written notice, exclusive of Sundays and holidays, from said board, and he shall be allowed to answer charges preferred against him either personally or by counsel. He shall be notified in writing within three days after the hearing of the decision of the board, stating fully and specifically the reasons for removal or lowering in rank.

Within thirty days after the date of the decision of said board following a hearing as set forth in the preceding paragraph, any police officer who was removed or lowered in rank may bring a petition in the district court within the judicial district in which the town of Eastham is situated, praying that the action of said board in removing or lowering in rank, as the case may be, may be reviewed by the court, and, after such notice in writing to the board which has ordered such removal or lowering in rank, as the court deems necessary, it shall hear witnesses, review such action and determine whether or not upon all the evidence such action was justified. If the court finds such action was justified, the action of the board of selectmen shall be affirmed; otherwise, it shall be reversed and the petitioner shall be reinstated in his office without loss of compensation.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Eastham 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 the annual town meeting to be held in the year nineteen hundred and seventy-two:—"Shall an act passed by the General Court in the year nineteen hundred and seventy-one, entitled 'An Act providing tenure of office until age sixty-five for certain officers and members of the police department of the town of Eastham', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise. *Approved June 10, 1971.*

Chap. 394. AN ACT REQUIRING THE COMMISSIONER OF BANKS TO PROMULGATE RULES AND REGULATIONS ESTABLISHING MINIMUM STANDARDS FOR THE SECURITY AND PROTECTION OF BANKS AND CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 167 of the General Laws is hereby amended by inserting after section 11C the following section:—

Section 11D. The commissioner shall promulgate rules and regulations establishing minimum standards relative to the security and protection of banks and credit unions under his supervision, both for the benefit of employees as well as the general public, including the requirement for the installation, maintenance and operation of security devices and procedures and to assist in the identification and apprehension of criminals.

Said rules and regulations shall fix the time limit within which each such bank or credit union shall comply with the standards so established and may require the submission, in writing, of periodic reports and other information necessary to ensure compliance with

such rules and regulations. A bank or credit union which violates any rule or regulation promulgated pursuant to this section shall forfeit to the commonwealth one hundred dollars for each day during which such violation continues, to be recovered by an information in equity in the name of the attorney general at the request of the commissioner, brought in the supreme judicial court for Suffolk county.

SECTION 2. The commissioner of banks shall promulgate the rules and regulations provided for in section eleven D of chapter one hundred and sixty-seven of the General Laws, inserted by section one of this act, not later than December the thirty-first, nineteen hundred and seventy-one. *Approved June 10, 1971.*

Chap. 395. AN ACT AUTHORIZING THE SHRINERS' HOSPITAL FOR CRIPPLED CHILDREN TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

Chapter 363 of the acts of 1964 is hereby amended by striking out, in line 5, the word "eighteen" and inserting in place thereof the word:—fifty,—so as to read as follows:—The Shriners' Hospital for Crippled Children, a corporation organized under chapter one hundred and eighty of the General Laws for charitable purposes, is hereby authorized to hold real and personal estate in the manner and for the purposes set forth in its charter to an amount not exceeding fifty million dollars. *Approved June 10, 1971.*

Chap. 396. AN ACT AUTHORIZING THE TOWN OF HINGHAM TO REFUND CERTAIN INTEREST PAYMENTS ON A BETTERMENT ASSESSMENT FOR SEWER CONSTRUCTION ERRONEOUSLY CHARGED AND COLLECTED FROM BASIL F. CRONIN.

Be it enacted, etc., as follows:

SECTION 1. The town of Hingham is hereby authorized to refund to the estate of Basil F. Cronin the sum of three hundred and seventy-three dollars and twenty-seven cents, the same being collected from the late Basil F. Cronin as interest paid for the years nineteen hundred and sixty-four to nineteen hundred and sixty-eight, inclusive, on a betterment assessment for sewer construction on land at 185 Otis street in said town, which amount was erroneously assumed by the assessors of said town to have been due from said Cronin.

SECTION 2. Any action taken by the town of Hingham at its annual town meeting held in the current year or at any adjourned session thereof, pursuant to authority contained in this act, is hereby validated and confirmed and shall have the same effect as though this act was in full force and effect on the date of the posting of the warrant for such meeting. *Approved June 10, 1971.*

Chap. 397. AN ACT PROVIDING THAT THE DIRECTOR OF STANDARDS PROMULGATE RULES AND REGULATIONS RELATIVE TO HEATING OILS.

Be it enacted, etc., as follows:

Chapter 94 of the General Laws is hereby amended by inserting after section 249G the following section:—

Section 249H. The director of standards shall promulgate rules and regulations establishing standards for the various grades of heating oils, requiring manufacturers or distributors to furnish samples of the same, and providing for the entry and inspection of the premises of such manufacturers or distributors, and the inspection of heating oils stored thereon. Whoever violates any rule or regulation promulgated under the provisions of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than six months, or both. *Approved June 10, 1971.*

Chap. 398. AN ACT VALIDATING THE ACTION TAKEN AT A SPECIAL TOWN MEETING OF THE TOWN OF ABINGTON HELD IN NINETEEN HUNDRED AND SEVENTY-ONE, INCREASING THE SALARY OF THE TREASURER-COLLECTOR OF SAID TOWN.

Be it enacted, etc., as follows:

The action taken by the town of Abington at a special town meeting held on April the twenty-sixth, nineteen hundred and seventy-one increasing the salary of the treasurer-collector of said town by the amount of nine hundred and fifty dollars and all acts done in pursuance thereof are hereby validated and confirmed.

Approved June 10, 1971.

Chap. 399. AN ACT AUTHORIZING THE REMOVAL OF PRISONERS IN CASE OF BOMB THREATS OR SIMILAR THREATS.

Be it enacted, etc., as follows:

Chapter 126 of the General Laws is hereby amended by striking out section 27, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 27. If a jail or other county prison or any building near thereto is on fire, or if a bomb threat has been received, or there is reason to believe a bomb threat or similar threat exists, and the prisoners are exposed to danger thereby, the sheriff, jailer or other person in charge of the prison may remove them to a safe place, and there confine them as long as necessary to avoid the danger, and such removal and confinement shall not be deemed an escape of the prisoners. *Approved June 10, 1971.*

Chap. 400. AN ACT RELATIVE TO PERSONAL LOANS BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 26 of chapter 170 of the General Laws is hereby amended by striking out subsection 8, as most recently amended by sections 1 and 2 of chapter 302 of the acts of 1970, and inserting in place thereof the following subsection:—

8. Such corporations having assets of five million dollars or more may make a loan or series of loans to one or more responsible borrowers, evidenced by note, loan agreement, or other instrument, with or without security, at such lawful rate of interest and subject to such other lawful charges as the security committee shall by rules or regulations determine. Such loan or loans shall be payable and shall be paid in installments at intervals of not exceeding one month. Such note or other instrument may provide for the payment of the first installment on a date not more than three months from the date of the instrument or of some one subsequent installment on a date not more than three months from the date of the last prior installment. The total obligation of any one person to any such corporation outstanding at any one time in this class of investment shall not exceed four thousand five hundred dollars, exclusive of interest or discount; and the aggregate balance of such loans made by any such corporation, at any time outstanding, shall not exceed ten per cent of its deposits not in excess of fifty million dollars plus five per cent of its deposits in excess of fifty million dollars. The provisions of sections eighty-six to one hundred and ten, inclusive, of chapter one hundred and forty shall not, except as provided in section one hundred and fourteen A of said chapter, apply to loans made under this section. A corporation having assets of less than five million dollars may make such loans with the prior written approval of the commissioner and under such regulations, if any, as he may deem necessary.

Approved June 10, 1971.

Chap. 401. AN ACT RELATIVE TO RETIREMENT OF EMPLOYEES OF SAVINGS BANKS AND EMPLOYEES OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 74 of chapter 168 of the General Laws, as appearing in section 1 of chapter 197 of the acts of 1959, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—A participating bank may contribute to the funds of the association to the extent determined by its trustees, but its contributions for future service, as defined in the by-laws, on account of any employee shall not exceed such employee's contributions or five per cent of his salary or wages, whichever is less, and an additional amount of not more than said five per cent.

SECTION 2. The fourth sentence of said third paragraph of said section 74 of said chapter 168, as so appearing, is hereby amended by inserting after the word "pension", in line 4, the words:—, as

determined on a fixed benefit basis prior to any conversion to any variable pension which may then be available under the by-laws of the association,.

SECTION 3. Said section 74 of said chapter 168 is hereby further amended by striking out the sixth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

No annuity or pension provided by contributions from any and all banks, as defined in the second paragraph of this section, for the benefit of any employee of such a bank on account of past and future service and on account of supplemental and disability benefits hereinbefore provided in this section, shall exceed, in the aggregate, three fourths of the first ten thousand dollars of his average salary for the five years preceding the date of retirement, plus one half of any additional amount of such average salary.

SECTION 4. The third paragraph of section 51 of chapter 170 of the General Laws, as appearing in section 1 of chapter 196 of the acts of 1959, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—A participating bank may contribute to the funds of the association to the extent determined by its board of directors, but its contributions for future service, as defined in the by-laws, on account of any employee shall not exceed such employee's contributions or five per cent of his salary or wages, whichever is less, and an additional amount of not more than said five per cent.

SECTION 5. The fourth sentence of said third paragraph of said section 51 of said chapter 170, as so appearing, is hereby amended by inserting after the word "pension", in line 4, the words:—, as determined on a fixed benefit basis prior to any conversion to any variable pension which may then be available under the by-laws of the association,.

SECTION 6. Said section 51 of said chapter 170 is hereby further amended by striking out the sixth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

No annuity or pension provided by contributions from any and all banks, as defined in the second paragraph of this section, for the benefit of any employee of such a bank on account of past and future service and on account of supplemental and disability benefits hereinbefore provided in this section, shall exceed, in the aggregate, three fourths of the first ten thousand dollars of his average salary for the five years preceding the date of retirement, plus one half of any additional amount of such average salary. *Approved June 10, 1971.*

Chap. 402. AN ACT AUTHORIZING THE ISABELLA STEWART GARDNER MUSEUM, INCORPORATED AND THE ISABELLA STEWART GARDNER MUSEUM IN THE FENWAY, INCORPORATED TO HOLD ADDITIONAL REAL AND PERSONAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 126 of the acts of 1937 is hereby amended by striking out the word "twenty", inserted by chapter 248 of the acts of 1955, and inserting in place thereof the word:—seventy-five.

SECTION 2. Chapter 198 of the acts of 1925 is hereby amended by striking out, in line 4, the word "eight" and inserting in place thereof the word:—seventy-five. *Approved June 10, 1971.*

Chap. 403. AN ACT RECODIFYING THE EXISTING LAWS ESTABLISHING THE FRAME OF GOVERNMENT OF THE TOWN OF NEEDHAM INTO A SPECIAL HOME RULE CHARTER ACT.

Be it enacted, etc., as follows:

PART 1. INCORPORATION, SHORT TITLE, DEFINITIONS

Section 1. Incorporation Continued. All the inhabitants dwelling within the territorial limits of the town of Needham, as presently and hereafter constituted, shall continue to be a body politic and corporate known as the town of Needham, hereinafter referred to as "the town", which shall be a political subdivision of the commonwealth and as such shall have perpetual succession and shall hold and exercise all powers and privileges heretofore exercised by said town, and any additional powers and privileges herein conferred and all powers and privileges conferred upon towns under the constitution and laws of the commonwealth of Massachusetts.

Section 2. Short Title. This act may be cited and shall be known as the Needham Special Home Rule Charter Act.

Section 3. Definitions. As used in this act, the following words and phrases shall have the following meanings unless a different construction is clearly required by the context or by the constitution of the commonwealth.

"Charter act", this act and all acts in amendment thereof and such amendments as may be adopted pursuant to the procedures set forth in chapter forty-three B of the General Laws.

"Civil defense laws", all general laws and temporary laws of the commonwealth and provisions of this charter, relative to: (a) the defense of the commonwealth in anticipation of, during, and following enemy attacks; (b) the suppression of domestic disorders; (c) the protection of order, life and property during and immediately following natural or man-made disasters of great magnitude; and (d) the continuity of government in the commonwealth and in the town during and immediately following such attacks, disorders and disasters.

"Town meeting", a regular or special meeting of the elected representative town meeting members not including, unless the context clearly requires it, a meeting of all registered voters.

"Vote of the town", a town by-law or a vote adopted by the town meeting, including where appropriate to the context the results of referenda.

PART 2. REPRESENTATIVE TOWN MEETING

Section 4. Representative Town Meeting Continued. There shall continue to be in the town the form of representative town government by limited town meetings, all as more fully hereinafter set forth.

Section 5. Establishment of Town Meeting Precincts. After the acceptance of this charter act by the town, as hereinafter provided, the division of the town into ten voting precincts shall continue until redivided pursuant to this section. The selectmen, in exercising their authority to divide the territory of the town into voting precincts, shall make such division as will provide not more than ten precincts each of which contains approximately the same number of inhabitants and not less than five hundred registered voters.

The precincts shall be so established as to consist of compact and contiguous territory and bounded, as far as possible, by the center line of known streets and ways or by other well-defined limits. Their boundaries shall be reviewed and, if need be, wholly or partly revised by the selectmen in December, once in five years, or in December of any year when so directed by a vote of a town meeting not later than November the thirtieth of that year.

The selectmen shall, within twenty days after any establishment or revision of the precincts, but not later than January the twentieth of the succeeding 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 at 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 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. 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 elections, for primaries and for voting upon any question to be submitted to all the registered 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.

Section 6. Representative Town Meeting Membership. Other than the officers designated in section seven as town meeting members at large, the representative town meeting membership shall in each precinct consist of the largest number divisible by three which will admit of a representation thereof in the approximate proportion which the number of inhabitants therein bears to the total number of inhabitants in the town, and which will cause the total elected membership to be as nearly but not more than two hundred and fifty-two as may be.

The registered voters in every precinct shall elect by ballot the number of registered voters in the precinct, other than the officers designated in section seven as town meeting members at large, provided for in the first paragraph of this section to be town meeting members of the town.

The incumbent town meeting members serving at the time this charter becomes effective shall continue to serve the balance of the terms for which they were elected. Their successors shall be elected in the same manner for three year terms as are necessary to provide for each precinct the total number to which it is then entitled. Upon the redivision of the town into a greater or lesser number of precincts in accordance with the procedures set forth in this charter act and in the General Laws, the terms of all incumbent town meeting members shall terminate upon the election and qualification of their successors as provided in the following paragraph.

After any redivision of the town into precincts as provided in this act, the registered voters in every precinct shall elect by ballot the number of registered voters in the precinct, other than the officers designated in section seven as town meeting members at large, provided for in the first paragraph of this section to be town meeting members of the town, as follows:—

The first third in order of votes received of members so elected shall serve three years, the second third in such order shall serve two years, and the remaining third in such order shall serve one year, from the day of such election. 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. Thereafter, except as is otherwise provided herein, at each annual town election the registered voters of each precinct shall, in like manner, elect as town meeting members for the term of three years such number of elected town meeting members as are necessary to provide for such precinct the total number of elected town meeting members to which it is then entitled, and shall at such election fill for the unexpired term or terms any vacancy or vacancies then existing in the number of town meeting members in such precinct. The terms of office of all elected town meeting members from every precinct shall cease upon the election, as herein provided, of their successors. Town meeting members as such shall receive no compensation. The town clerk shall, after every election of town meeting members, forthwith notify each member by mail of his election.

Section 7. Town Meeting Members at Large. Any representative town meeting held under the provisions of this charter act, except as otherwise provided herein, shall be limited to the voters elected under section six, together with the following designated as town meeting members at large, each of whom shall have the right to vote in said meeting: (a) any resident member of the general court from the town; (b) the moderator; (c) the town clerk; (d) the members of the board of selectmen; (e) the town counsel; (f) the town treasurer; (g) the chairman of the school committee; (h) the chairman of the finance committee; (i) the chairman of the board of assessors; (j) the chairman of the planning board; (k) the chairman of the board of health; (l) the chairman of the personnel board.

Section 8. Nomination of Candidates for Town Meeting Members. Nomination of candidates for town meeting members to be elected under this charter act shall be made by nomination papers, which shall bear no political designation, but to the name of an incumbent candidate elected by the people may be added the words "Candidate for reelection." Nomination papers shall be signed by not less than ten

voters of the precinct in which the candidate resides, and filed with the town clerk on or before the date fixed by law as the last day for filing nomination papers by candidates for town office; provided, that any town meeting member may become a candidate for reelection by giving written notice thereof to the town clerk on or before the last date fixed by law for the giving of such notice. No nomination papers shall be valid in respect to any candidate whose written acceptance is not thereon or attached thereto when filed.

Section 9. Resignations and Vacancies in Elected Town Meeting Membership. A town meeting member may resign by filing a written resignation with the town clerk, and such resignation shall take effect upon the date of such filing. Any elected town meeting member who becomes by appointment or election one of the officers designated as town meeting members at large shall upon such appointment or election cease to be an elected town meeting member. 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 so removed by a revision of precincts shall not retain membership after the next annual election as an elected member from the precinct from which he has or is removed.

In the event that a vacancy occurs in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect, or from any other cause, the town clerk shall at once choose the person who received the highest number of votes as a defeated candidate for the office of town meeting member in the preceding election in the precinct where the vacancy occurs, and shall notify him of his appointment as a town meeting member. If for any reason this candidate cannot accept such appointment, the second highest in recorded vote of the defeated candidates in that precinct shall be appointed. In the event neither of those receiving the highest or the second highest number of votes as defeated candidates is available, then 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 present, elect any registered voter of that precinct to fill such vacancy. The town clerk shall count the ballots, make a certificate of the choice and notify the person so chosen; and, upon receipt by the town clerk of a written acceptance by the person so chosen, that person shall be deemed elected and qualified as a town meeting member, subject to the right of all town meeting members to judge the election and qualification of members, as provided in section ten.

A town meeting member appointed or chosen to fill a vacancy as herein provided shall serve only until the next annual town election.

A tie vote between two or more persons for the last place to be filled by elected candidates, or between two or more persons with the highest number of votes as defeated candidates, or between two or more persons with the second highest number of votes as defeated candidates, shall in each instance be resolved by a majority vote of the town meeting members from that precinct attending a meeting called by the town clerk for that purpose. Upon the resolution of such tie vote by the town meeting members, the person or persons not so chosen for the last place to be filled by elected candidates shall be deemed for the purposes of this section to be the person or persons

receiving the highest vote as defeated candidates, and the person or persons so tied at the election with the highest number of votes as defeated candidates who are not so chosen by the town meeting members of the precinct shall be deemed for the purposes of this section to be the person or persons receiving the second highest vote as defeated candidates.

Section 10. Town Meeting to be Judge of Own Members. The representative town meeting shall be the judge of the election and qualifications of its elected members.

Section 11. Time, Notice, Conduct and Adjournment of Town Meeting. The annual town meeting for the election of town officers and such other matters as may be voted on the official ballot thereof, and the annual town meeting for the transaction of business by the representative town meeting, shall be held in February, March, April or May of each year, as shall be determined by vote of the town.

The town clerk shall notify town meeting members of the time and place at which representative town meetings are to be held, such notices to be sent by mail at least seven days before the meeting.

A majority of the town meeting members shall constitute a quorum for transacting business, but a lesser number may organize temporarily and may adjourn from time to time. Notice of every adjourned representative town meeting shall be posted by the town clerk in five or more public places in the town, and the town clerk shall also notify the members by mail of the adjournment at least twenty-four hours before the time of the adjourned representative town meeting, if the period of adjournment will permit. The notices shall state briefly the business to be acted upon at any meeting and shall include notice of any proposed reconsideration. All town meetings shall be open to the public and press; and, subject to such conditions as may be determined from time to time by the representative town meeting, any voter of the town who is not a town meeting member may speak at any representative town meeting, but he shall not vote.

Section 12. Warrant Articles and Voting Thereon by Town Meeting. The articles in the warrant for every town meeting, as far as they relate to the election of the moderator, town officers, town meeting members, and, as herein provided, to referenda and all other matters to be acted upon and determined by ballot, shall be acted upon and determined by the registered voters of the town in their respective precincts.

All other articles in the warrant for any town meeting shall be acted upon and determined exclusively by town meeting members at a meeting to be held at such time and place as shall be set forth by the selectmen in the warrant for the meeting, subject to the referendum provided for by section thirteen.

Section 13. Referenda on Representative Town Meeting Actions. No final vote of town meeting passing or rejecting a measure under any article in the warrant, except a vote to adjourn or dissolve, or vote appropriating money for the payment of notes or bonds of the town and interest thereon becoming due within the then current financial year, or vote for the temporary borrowing of money in anticipation of revenue, or a vote declared by preamble by a two thirds vote of the town meeting members present and voting thereon

to be an emergency measure necessary for the immediate preservation of the peace, health, safety or convenience of the town, shall be operative until after the expiration of seven days, exclusive of Sundays and legal holidays, from the dissolution of the meeting.

Any such measure disposed of by a vote to lay on the table, to postpone indefinitely, or other dilatory vote, shall be deemed to have been rejected in the form in which it was presented and perfected or changed by such amendments, if any, as have been adopted by said meeting.

If, within said seven days, a petition, signed by not less than two hundred and fifty registered voters of the town, containing their names and addresses as they appear on the list of registered voters, is filed with the selectmen requesting that the question or questions involved in any such vote which has not become operative as aforesaid be submitted to the voters of the town at large, then the operation of such vote shall be further suspended pending its determination as hereinafter provided, and the selectmen, within ten days after the filing of the petition, shall call a special meeting, which shall be held within fourteen days after the issuing of the call, for the purpose of presenting to the voters at large the question or questions so involved.

All votes upon any questions so submitted shall be taken by ballot, and the check list shall be used in the same manner as in the election of town officers. If a majority of the registered voters of the town voting thereon, and at least twenty per cent of all the registered voters, shall vote in the negative, the action of the town meeting shall be null and void, otherwise it shall take effect immediately upon the declaration by the selectmen of the vote upon the referendum.

The questions so submitted shall be stated upon the ballot in substantially the same language and form in which they were stated when presented to said town meeting by the moderator as appears from the records of said meeting. If such petition is not filed within said period of seven days, the vote of the town meeting shall become operative upon the expiration of said period.

Section 14. Powers of Town and Town Meeting. The town shall continue to have the capacity to act through and be bound by its said town meeting members who shall, when convened from time to time as provided by law, constitute representative town meeting; and the representative town meeting shall exercise exclusively, so far as will conform to the provisions of this charter act, all powers vested in the municipal corporation. Action in conformity with all provisions of law, now or hereafter applicable to the transaction of town affairs in town meetings, shall, when taken by any town meeting in accordance with the provisions of this charter, have the same force and effect as if such action had been taken in a town meeting open to all the voters of the town as heretofore organized and conducted.

Section 15. Certain Rights of the People not Abridged. This charter act shall not abridge the right of the inhabitants of the town to hold general meetings, as that right is secured to them by the constitution of this commonwealth; nor shall this charter act confer upon any representative town meeting of the town the power finally

to commit the town to any measure affecting its municipal existence or changing its government, without action taken thereon by the voters of the town at large, using the official ballot and check list therefor.

PART 3. TOWN OFFICERS

Section 16. Selectmen. There shall continue to be a board of selectmen for the town consisting of three or five members elected at each annual town election for terms of one or three years as determined by vote of the town. The selectmen shall continue to have and exercise all the powers and duties vested in boards of selectmen by the laws of the commonwealth or by vote of the town, except as otherwise provided herein.

The selectmen shall have general authority to execute the civil defense laws within the town and to make any declaration of emergency required by law.

Section 17. School Committee. There shall continue to be a school committee for the town consisting of three, five, six, seven or nine members elected at each annual town election for terms of three years as the town may vote. The committee shall have general charge of all the public schools, the employment of teachers and other school personnel and the maintenance of all school property. They shall execute the laws of the commonwealth pertaining to all educational responsibilities assigned to the town and such further responsibilities as may be delegated to them by vote of the town.

Section 18. Moderator. A moderator shall be elected by ballot at each annual town election and shall serve as moderator of all town meetings except as otherwsie provided by law, until a successor is elected and qualified. Nominations for and election of a moderator shall be as in the case of other elective town officers, and any vacancy in the office may be filled by the town meeting members at a meeting held for that purpose. If a moderator is absent, a moderator pro tempore may be elected by the town meeting members.

Section 19. Other Elected Officers. The town at its annual meeting shall in every year when the term of office of any incumbent expires, and except when other provision is made by law, choose by ballot from its registered voters the following town officers for the following terms of office:

A town clerk for a term of one or more years.

A town treasurer for the term of one or three years, who shall serve as tax collector and collector of accounts pursuant to section thirty-eight A of chapter forty-one of the General Laws.

Three or five park and recreation commissioners for a term of three years as established by vote of the town.

One or more constables for a term of three years unless the town by vote provides that they shall be appointed.

Three or more assistant assessors, if the town shall so vote for the term of three years.

One, three or five assessors, but as nearly one third of their number as may be shall be elected or appointed annually, each to hold office for three years as provided by vote of the town.

Three members of the board of health for a term of three years.

Not less than five or more than nine planning board members elected pursuant to section eighty-one A of chapter forty-one of the General Laws as established by vote of the town.

Six trustees of the Needham Public Library for three year terms.

Four members of the Needham Housing Authority for five year terms.

Three or five trustees of Memorial Park for three year terms, as determined by vote of the town; and,

Such other officers as may be provided for by the General Laws or by vote of the town.

Section 20. Appointed Officials. The selectmen shall appoint the following officers of the town:—

Three regular members and two associate members of the board of appeals, as more fully set forth in section thirty-six of this charter act.

A building inspector.

A chief of the fire department.

A chief of the police department.

A superintendent of public works.

A town accountant.

A town counsel.

Such number of trustees of the Glover Memorial Hospital as may be determined by vote of the town; and

Such other officers as may be provided by the General Laws or by vote of the town.

Section 21. Other Boards, Committees and Commissions. The following boards and committee shall continue to perform the duties and responsibilities assigned to them by the General Laws or by vote of the town, as follows:—

A finance committee consisting of such number as established by vote of the town.

A personnel board.

Commissioners of trust funds; and,

Such other boards, committees and commissions as may be provided for by the General Laws or by vote of the town.

PART 4. PUBLIC WORKS

Section 22. Selectmen to be Board of Public Works. The board of selectmen of the town, as constituted from time to time, shall continue to be and shall exercise the functions of a board of public works and in said capacity shall exercise under the designation of selectmen all the powers and duties vested by law in the following boards and offices, to wit: highway surveyors, water commissioners, sewer commissioners and tree wardens and such boards and offices shall remain abolished during such time that the provisions of this section are operative. The selectmen, acting as said board of public works, shall in all respects continue to be the lawful successor of the boards and offices so abolished.

Section 23. Superintendent of Public Works. The selectmen shall appoint a superintendent of public works, who shall administer, under the supervision of the selectmen, such departments of the town under

the control of the selectmen as they may designate. He shall be responsible for the efficient administration of all departments within the scope of his duty, and shall hold office subject to the will of the selectmen.

He shall be specially fitted by education, training and experience to perform the duties of said office, and may or may not be a resident of the town. During his tenure he shall hold no elective office or other appointive office, nor shall he be engaged in any other business or occupation.

He shall give bond to the town for the faithful performance of his duties with a surety company authorized to transact business in the commonwealth, as surety in such sum and upon such conditions as the selectmen may require, and shall, subject to the approval of the selectmen, appoint such assistants, agents and employees as the performance of the duties of the various departments under his supervision may require, and may with like approval remove them.

He shall keep full and complete records of the doings of his office and shall have charge of and shall preserve, arrange and index so as to be readily accessible to the public all plans, surveys, field notes, records, documents and inventories connected with engineering operations of the town, and render to the selectmen, as often as they may require, a full report of all operations under his control during the period reported upon; and annually, or from time to time as required by the selectmen, he shall make a synopsis of all such reports for publication.

He shall keep the selectmen fully advised as to the needs of the town within the scope of his duties, and shall furnish to the selectmen a carefully prepared and detailed estimate in writing of the appropriations required during the ensuing fiscal year for the proper conduct of all departments of the town under his supervision.

Section 24. Laying Out, and Maintenance of Drains, etc. The town may lay out, construct, maintain and operate a system or systems of main drains and common sewers for a part or the whole of its territory, with such connections and other works as may be required for a system of sewage disposal, and may construct such sewer or drains over and under land in the town as may be necessary to conduct the sewage to the south metropolitan sewerage system, and, for the purpose of providing better surface or other drainage, may make, lay and maintain such drains as it seems best. The town may, within its limits, make and maintain subdrains and, with the approval of the state department of public health, discharge the water into any brook, stream or watercourse within the town. The town may make and maintain within its limits in any way where main drains or common sewers are constructed such connecting drains, underdrains and sewers within the limits of such way as may be necessary to connect any estate which abuts upon such way.

Section 25. Particular Sewers. The town, through its board of selectmen, acting as the board of public works, may, upon the application of the owner of any estate abutting on any way where a main drain or common sewer is constructed, lay in such sewered way and in the private land of such owner such particular sewer or connecting drain as may be necessary to connect any building on such

estate with such main drain or sewer, and said board may make all necessary contracts in the name and behalf of the town for such purpose. The expenses thereof shall be paid out of any appropriation that may be made by the town therefor.

Section 26. Exercise of Eminent Domain, etc., for Sewer and Drain Purposes. The selectmen, as the board of public works, acting for and on behalf of the town, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water rights, rights-of-way or easements, public or private, in the town, necessary for accomplishing any purpose mentioned in sections twenty-four to thirty-one, inclusive, of this charter act, and may construct such main drains and sewers under or over any bridge, railroad, railway, boulevard or other public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such drains and sewers and of maintaining and repairing the same, and may do any other thing proper or necessary for the purposes of sections twenty-four to thirty-one, inclusive, of this charter act; provided, that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any drain or sewer within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the state department of public utilities. Any person injured in his property by any action of the selectmen under this section may recover damages from the town under said chapter seventy-nine.

Section 27. Apportionment of Costs of Sewage Disposal. The town shall by vote of its town meeting determine what proportion of the cost of said system or systems of sewerage and sewage disposal the town shall pay; provided, that it shall pay not less than one fourth nor more than two thirds of the whole cost. In providing for the payment of the remaining portion of the cost of said system or systems or for the use of said system or systems, the town may avail itself of any or all of the methods permitted by general law, and the provisions of general law relative to the assessment, apportionment, division, reassessment, abatement, and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made hereunder. At the same meeting at which it determines the proportion of the cost which is to be borne by the town, it may by vote determine by which of such methods the remaining portion of said cost shall be provided for. The collector of taxes of the town shall certify the payment or payments of such assessments or apportionments thereof to the board of selectmen, who shall preserve a record thereof.

Section 28. Assessment of Sewer Betterment. The cost of constructing each particular sewer or connecting drain described in section twenty-five shall be assessed by the board upon the estate benefited thereby. Such assessment shall be made by filing with the collector of taxes of the town a certificate, designating the way and the private land in which such particular sewer or connecting drain has been constructed, and giving the name or names of the owners of the estate for which such connection has been made and the amount

of the assessment to be paid by such owner or owners. A copy or duplicate of this certificate shall, within ten days after the filing of the same with said collector of taxes, be recorded in the registry of deeds for the county of Norfolk, or, in the case of registered land, filed in the office of the assistant recorder for the Norfolk County Registry District. The collector of taxes shall, upon receipt of such certificate, make a written demand for the payment of such assessment or charge, and every owner shall, within three months after such demand is served upon him or on the occupancy of such estate, or sent by mail to the last address of the owner known to the collector of taxes, pay to said collector of taxes the sum so assessed or charged. Except as provided in this paragraph, the provisions of the General Laws relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this paragraph. In applying said provisions to such assessments, the notice referred to in this paragraph shall be deemed to be the demand of the tax collector required thereunder. The lien for any assessment made under this paragraph shall attach upon the recording or filing for registration of the copy of duplicate of the certificate of assessment. In the apportionment of such assessments thereunder, no installment shall be less than ten dollars.

Section 29. Application of Sewer Receipts. The receipts from sewer assessments and from payments made in lieu thereof shall be applied to the payment of charges and expenses incident to the maintenance and operation of said system of sewerage, or to the extension thereof, to the payment of interest upon bonds and notes issued for sewer purposes or to the payment or redemption of such bonds or notes.

Section 30. Sewer Contracts. All contracts made by the board of selectmen, as the board of public works, for the purposes of sections twenty-four to thirty-one, inclusive, shall be made in the name of the town and shall be signed by said board. No contract shall be made, or obligation incurred, hereunder by said board for said purposes in excess of the amount of money appropriated by the town therefor.

Section 31. Sewer Regulations. The board of selectmen, as the board of public works, may from time to time prescribe rules and regulations for the connection of estates and buildings with main drains and sewers, and for inspection of the materials, the construction, alteration and use of all connections and drains entering into such main drains or sewers, and may prescribe penalties, not exceeding fifty dollars, for each violation of any such rule or regulation. Such rules and regulations shall be published at least once a week for three successive weeks in some newspaper published in the town, if there be any, and if not then in some newspaper published in the county of Norfolk, and shall not take effect until such publications have been made.

PART 5. PARK, RECREATION AND CONSERVATION

Section 32. Park and Recreation Commission. There shall continue to be in the town a park and recreation commission consisting of such number of commissioners, elected for such terms as authorized by

vote of the town pursuant to section nineteen of this act. The park and recreation commission shall have the powers, duties and functions: (a) vested by general law in boards of park commissioners, playground or recreation commissions and town forest committees; and (b) vested in said commission by this charter or by vote of the town. Said commission shall continue to have the management and care of the town forest, formerly managed by the special town forest committee.

Section 33. Memorial Park. The land known as the Memorial Park in the town of Needham shall continue to be under the jurisdiction of the board of trustees of the Memorial Park. Said board of trustees shall continue to have the power and duty: (1) to receive, hold and manage, with the approval of the town meeting, any devise, bequest or gift for the establishment or equipment of memorials for properly commemorating the services of members of the armed forces of the commonwealth and of the United States; and (2) to maintain and operate, upon such portion of said Memorial Park as they determine, an athletic field, with suitable equipment, and in their discretion to regulate its use for athletic games and other entertainments of a public nature, to which an admission fee may be charged, upon such terms and conditions as said trustees may impose.

Section 34. Conservation Commission. There shall continue to be in the town a conservation commission of not less than three nor more than seven members, as determined by vote of the town and appointed by the board of selectmen. The term of office of approximately one third of the members will expire each year and their successors shall be appointed for terms of three years each. The commission shall have the powers, duties and functions specified by section eight C of chapter forty of the General Laws and such additional duties as may be assigned to it by vote of the town.

Said commission may receive gifts of property, both real and personal, in the name of the town subject to the approval of the selectmen. Said commission may acquire by gift, purchase, grant, bequest, devise, lease or otherwise the fee in such land or water rights or any lesser interest, development right, easement, covenant, or other contractual right including conveyances on conditions or with limitations or reversions, as may be necessary to acquire, maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open spaces and other land and water areas within the town, and shall manage and control the same. The commission may adopt rules and regulations governing the use of land and waters under its control, and prescribe penalties not exceeding a fine of one hundred dollars, for any violation thereof.

PART 6. MUNICIPAL PLANNING

Section 35. Planning Board. There shall continue to be in the town a planning board which shall consist of not less than five nor more than nine members, who shall be elected or appointed, as determined by vote of the town. The planning board members shall be elected or appointed for terms of such length and so arranged that the term of at least one member will expire each year and their successors shall be elected or appointed for terms of five years each.

Section 36. Board of Appeals. There shall continue to be a board of appeals established under the provisions of section fourteen of chapter forty A of the General Laws, which shall be the existing board of appeals under the town building by-law and shall perform the duties of the board of appeals under section eighty-one AA of chapter forty-one of the General Laws. The board of appeals shall consist of three members, who shall be appointed by the selectmen for three-year terms so arranged that the term of one appointee will expire each year. The selectmen in a like manner shall appoint two associate members.

The board of appeals shall have and shall exercise all the powers and duties of boards of appeal under the zoning enabling act, the subdivision control law and the building by-laws and such further powers and duties as may be granted to said board by vote of the town.

PART 7. GENERAL PROVISIONS

Section 37. Construction. The provisions of this charter act shall be construed as if said act had been adopted by the procedure set forth in sections three and four of Article LXXXIX of the Amendments to the Constitution of the Commonwealth. The powers granted to the town by this charter act shall be liberally construed in order to give full effect to the powers specifically granted herein. The provisions of this charter act as originally adopted shall be construed as a continuation of the provisions of the existing law in effect at the time of its adoption unless the contrary is clearly required by the context thereof.

Section 38. Severability. The provisions of this charter act are severable. If any of the provisions of this charter act are held to be unconstitutional, or invalid, the remaining provisions of said act shall not be affected thereby. If the application of this charter act or any of its provisions to any person or circumstances is held to be invalid, the application of said act and its provisions to other persons or circumstances shall not be affected thereby.

Section 39. Repeal of Certain Acts. Chapter seventy-three of the acts of nineteen hundred and twenty-three, chapter four hundred and fifty-four of the acts of nineteen hundred and twenty-four, chapter one hundred and eighty-nine of the acts of nineteen hundred and thirty-two, chapter two hundred and seventy-nine of the acts of nineteen hundred and thirty-two, chapter twenty-nine of the acts of nineteen hundred and thirty-four, chapter sixty-eight of the acts of nineteen hundred and thirty-seven, chapter thirty-one of the acts of nineteen hundred and fifty, chapter twenty-one of the acts of nineteen hundred and fifty-five, chapter seventy-four of the acts of nineteen hundred and fifty-five, chapter three hundred and fifty-nine of the acts of nineteen hundred and fifty-six, chapter three hundred and sixty-eight of the acts of nineteen hundred and fifty-six, chapter eighty-four of the acts of nineteen hundred and fifty-nine and chapter one hundred and forty of the acts of nineteen hundred and sixty-five are hereby repealed.

Section 40. Existing Law. All general laws, and all special laws, town by-laws, rules and regulations of or pertaining to the town which are in force when this charter act takes full effect, and which are not

specifically repealed hereby, shall continue in full force and effect until amended or rescinded by due course of law or expire by their own limitation. Nothing in this charter act shall affect or impair the rights or privileges of persons who are town officials or employees at the time it takes effect or derogate from the protection afforded to them by the civil service law, laws relating to veterans' tenure, or chapter thirty-two of the General Laws. Nothing contained herein shall impair any existing contractual rights established prior to the adoption of this charter act or any amendment thereto.

Section 41. Effective Date. Sections forty-one and forty-two of this act shall take effect upon the passage of this act. Sections one to forty, inclusive, of this act shall become effective on the first day of April immediately following the next town election specified in section forty-two if a majority of the voters of the town voting thereon at such election have voted in favor of its adoption. Any amendment or revision adopted subsequent to said date shall become effective upon the date specified in such amendment or revision.

Section 42. Submission of Act to Voters. This charter act shall be submitted for acceptance to the registered voters of the town of Needham at the town election next held following the passage of this charter act. The vote shall be taken by ballot in accordance with the provisions of the General Laws, so far as the same shall be applicable, in answer to the following question which shall be placed upon the official ballot to be used in said town at said election:—"Shall an act passed by the General Court in the year nineteen hundred and seventy-one, entitled 'An Act recodifying the existing laws establishing the frame of government of the town of Needham into a special home rule charter act', be accepted?"

Upon its acceptance by a majority of the registered voters of said town voting thereon at said town election, as aforesaid, this charter act shall take effect in the town of Needham on the first day of April immediately following said election, as herein provided, but not otherwise. *Approved June 14, 1971.*

Chap. 404. AN ACT FURTHER REGULATING INVESTMENTS OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 26 of chapter 170 of the General Laws is hereby amended by inserting after subsection 10 the following subsection:—

11. In investments authorized by section fifty-one A of chapter one hundred and sixty-eight for savings banks, subject, however, to the provisions of said section and to the following provision: Investments authorized solely by this subsection shall not be deemed investments in which co-operative banks may legally invest for the purpose of any other provision of law which restricts investments to those in which co-operative banks may legally invest. *Approved June 14, 1971.*

Chap. 405. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-ONE, 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 four hundred and eighty of the acts of nineteen hundred and seventy for the fiscal year ending June the thirtieth, nineteen hundred and seventy-one, 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.

Judiciary.

Pensions for Certain Retired Justices.

Item

0307-0001 For pensions of retired judges or their widows . . . **$55,036**

Treasurer and Receiver General.

0612-9000 For annuities for widows of certain former members of the uniformed branch of the state police **$9,500**

Highway Fund 66.0%

General Fund 34.0%

Department of Labor and Industries.

Division of Industrial Accidents.

1650-3000 For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years **$400,000**

Highway Fund 35.0%

General Fund 65.0%

Department of Public Welfare.

1901-1000 } From the unexpended balance remaining in item 1903-2000 of section
1903-2000 } two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, the sum of two million dollars is hereby transferred and made available for the purposes of item 1901-1000 of section two of said chapter four hundred and eighty.

1902-5000 For a medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund (1969, 800); and provided further, that no expenditure or commitment made pursuant to this item or to any agreements authorized by said chapter 800, for the purpose of complying with the provisions of Public Law 89-97, Title XIX shall be incurred in excess of available funds which have been appropriated therefor, prior appropriation continued **$13,000,000**

Item		
1905–2000	For an old age assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenditures . . .	$3,000,000
1906–2000	For a program of general relief, including prior year charges; provided, that notwithstanding the provisions of any law to the contrary, no increase in the budgetary standard allowance, so-called, shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for said increase; and, provided further, that said commissioner shall notify in writing the house and senate committees on ways and means thirty days prior to the effective date of said increase . . .	3,000,000
1907–2000	For totally and permanently disabled persons program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenditures .	750,000

Department of Education.

Board of Education.

Division of Administration and Personnel.

7025–9004	For the payment of the commonwealth's share in financing the teachers' retirement system	$1,000,000

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

Approved June 16, 1971.

Chap. 406. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-ONE 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 four hundred and eighty of the acts of nineteen hundred and seventy for the fiscal year ending June the thirtieth, nineteen hundred and seventy-one, 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.

Executive.

Secretariat.

Item		
0450–1100	For the office of the secretary of the communities and development, including not more than four permanent positions . .	$2,654
0450–1200	For the office of the secretary of consumer affairs, including not more than four permanent positions	2,654
0450–1300	For the office of the secretary of educational affairs, including not more than five permanent positions	4,056
0450–1400	For the office of the secretary of environmental affairs, including not more than five permanent positions	3,440

Item		
0450–1500	For the office of the secretary of human services, including not more than eight permanent positions	$6,444
0450–1600	For the office of the secretary of elder affairs, including not more than four permanent positions	2,654
0450–1700	For the office of the secretary of manpower affairs, including not more than four permanent positions	2,654
0450–1800	For the office of the secretary of public safety, including not more than four permanent positions	2,654
0450–1900	For the office of the secretary of transportation and construction, including not more than five permanent positions	2,998

Executive Office for Administration and Finance.

0451–1100	Item 0451–1100 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "thirty-three" and inserting in place thereof the word: — thirty-six	$3,100
	Highway Fund 30.0%	
	General Fund 70.0%	
0451–1101	For certain rentals to provide space for administrative offices for the cabinet secretaries, including necessary moving and space renovations, and for necessary supplies, furnishings and equipment of said offices, including necessary renovations of presently occupied space, appropriation to expire June the thirtieth, nineteen hundred and seventy-two	125,000

SECTION 2A. The new permanent positions authorized in section two of this act shall become available to be filled upon the effective date of this act; provided, however, that all such new positions, except the position of secretary of each of the Executive Offices, and the position of administrative secretary in each such offices, shall not be available to be filled except by the transfer and promotion of a present permanent state officer or employee. Any such employee so promoted from a permanent classified position shall be granted a leave of absence from such permanent position and if said employee has been permanently appointed under the provisions of chapter 31 of the General Laws or has tenure by reason of section 9A of chapter 30 of the General Laws he shall retain all civil service and other rights to his permanent position during such leave of absence and upon termination of his service in such position such 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. Any permanent position becoming vacant on the transfer of such an employee may be filled on a temporary basis with the approval of the commissioner of administration upon certification by the appointing authority of the agency from which said employee was transferred that the position is essential to its operation. The restriction as provided in this section requiring such positions to be filled by transfer shall expire thirty days after the passage of this act and shall require that certification by the secretary of such Executive Offices be made to the governor, director of civil service, chairmen of senate and house ways and means committees, that there is no available qualified state employee eligible to be so transferred.

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

Approved June 16, 1971.

Chap. 407. AN ACT INCREASING THE PENALTIES FOR REMOVING FLOWERS, FLAGS OR MEMORIAL TOKENS FROM GRAVES.

Be it enacted, etc., as follows:

Section 75 of chapter 272 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4, the words "one hundred dollars" and inserting in place thereof the words:—five hundred dollars or by imprisonment for not more than six months. *Approved June 16, 1971.*

Chap. 408. AN ACT INCREASING THE PENALTY FOR CAUSING A FALSE ALARM OF FIRE.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by striking out section 13, as amended by chapter 391 of the acts of 1970, and inserting in place thereof the following section:—

Section 13. Whoever, without reasonable cause, by outcry or the ringing of bells, or otherwise, makes or circulates or causes to be made or circulated a false alarm of fire shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars, or by imprisonment in a jail or house of correction for not more than one year. *Approved June 16, 1971.*

Chap. 409. AN ACT RELATIVE TO VOTING PROCEDURES FOR CERTAIN PHYSICALLY DISABLED PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Section 86 of chapter 54 of the General Laws is hereby amended by inserting after the word "of", in line 13, as appearing in section 1 of chapter 213 of the acts of 1961, the word:—temporary,— and by inserting after the word "election", in line 22, as so appearing, the words:—; and provided, further, that a voter who will be unable by reason of permanent physical disability to cast his vote in person at the polling place shall file once with the city or town clerk a certificate executed by a registered physician who is personally acquainted with the voter and aware of his permanent physical disability, stating that the voter will never be able by reason of permanent physical disability to cast his vote in person at the polling place on the day of election. The city or town clerk shall maintain a list of such permanently disabled voters and such voters shall not be required to file any such certification thereafter with his application for an absentee ballot.

SECTION 2. The caption preceding the form of certificate in subsection (*b*) of section 87 of said chapter 54, as appearing in section 1 of chapter 368 of the acts of 1966, is hereby amended by inserting after the word "PRACTITIONER", in line 3, the following:— NOTE: This certificate is not required if a certificate of permanent disability of the applicant has been filed with said city or town clerk.

SECTION 3. The paragraph preceding the form of certificate of disability in subsection (*f*) of said section 87 of said chapter 54, as

appearing in chapter 592 of the acts of 1965, is hereby amended by inserting after the word "Practitioner", in line 3, the following words:—, unless a certificate of your permanent disability has already been filed with said city or town clerk.

SECTION 4. Section 91 of said chapter 54 is hereby amended by inserting after the first sentence the following sentence:—If a certificate of permanent disability has been filed as provided in section eighty-six, the clerk shall write a statement to that effect on the application required by section eighty-seven under the caption of the certificate of physical disability contained in said application and sign his name before forwarding the application to the registrars and shall make such list of permanently disabled voters available to the registrars. *Approved June 16, 1971.*

Chap. 410. AN ACT PROVIDING FOR THE VERIFICATION BY THE STATE LABOR RELATIONS COMMISSION OF SIGNATURES ON A PETITION OF CERTAIN EMPLOYEES FOR THE RECOGNITION OF A BARGAINING REPRESENTATIVE.

Be it enacted, etc., as follows:

Paragraph (2) of section 178H 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 the following sentence:—If within ten days after the filing of such petition, said commission shall receive a request, signed by at least five per cent of the employees in a specified unit, that the signatures on such petition be verified, the commission shall verify such signatures, and shall satisfy itself as to their validity before ordering such hearing. *Approved June 16, 1971.*

Chap. 411. AN ACT FURTHER REGULATING THE RIGHTS OF INHERITANCE OF ADOPTED CHILDREN.

Be it enacted, etc., as follows:

Section 22 of chapter 191 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 462 of the acts of 1970, and inserting in place thereof the following sentence:—The words "child", "issue" and "other relation", as used in this section, shall include adopted children. *Approved June 16, 1971.*

Chap. 412. AN ACT PROHIBITING THE USE OF METAL-STUDDED SNOW TIRES ON PUBLIC WAYS BETWEEN MAY THE FIRST AND NOVEMBER THE FIRST.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the protection of the public ways 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 16 of chapter 90 of the General Laws is hereby amended by adding the following paragraph: —

No person shall operate a motor vehicle equipped with metal-studded snow tires upon a public way between May the first and November the first. Whoever violates the provisions of this paragraph shall be punished by a fine of not more than fifty dollars.

Approved June 21, 1971.

Chap. 413. AN ACT DIRECTING THE BUILDING INSPECTOR OF THE TOWN OF BRAINTREE TO ISSUE A PERMIT TO THE BRAINTREE HOUSING AUTHORITY TO CONSTRUCT A MULTIPLE HOUSING PROJECT FOR THE ELDERLY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapters forty A and one hundred and forty-five of the General Laws, the building inspector of the town of Braintree shall issue a permit to the Braintree Housing Authority to construct a multiple housing project for the elderly of not more than thirty units, no building of which project shall exceed two stories, on land off Hayward Street in said town as shown on a plan entitled, "Plan of land in Braintree, Mass.", dated December 8, 1947, Frank L. Heaney, Civil Engr., 49 Sherbrooke Avenue, Braintree, Mass., and more particularly described as Plots 28, 31, 32 and 33 of Assessors' Plan 3051, and containing 7.30 acres, more or less. The erection of buildings on, and the use of, said parcel of land shall conform to the Section III, Residence C, District Uses of the zoning by-laws of the town of Braintree, except where specific relief therefrom is granted by the zoning board of appeals, said project to be known as Braintree 667–2.

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

Approved June 21, 1971.

Chap. 414. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Braintree is hereby authorized to pay to Fern Hanaway, Inc., of Providence, Rhode Island the sum of seven thousand and eighty-two dollars for services rendered to the electric light department of said town in the year nineteen hundred and seventy, said bill being legally unenforceable against said town. For the purpose of paying said bill the sum of seven thousand and eighty-two dollars shall be transferred from the revenue of the electric light department of said town for the current year.

SECTION 2. Said bill shall not be approved by the town accountant of said town for payment or paid by the treasurer thereof until a certificate has been signed and filed with said town accountant, stating under the penalties of perjury that the services for which said bill has been submitted were ordered by an official or an employee of said town, and that such services were rendered to said town.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby receives payment for

services which were not rendered to said town shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

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

Approved June 21, 1971.

Chap. 415. 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 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 seventy-one.

PLYMOUTH COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$87,558 25
2.	For reduction of county debt		268,000 00
3.	For county commissioners, salaries and expenses		58,892 98
	1. Personal services	$54,467 18	
	2. Contractual services	1,900 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	325 80	
	5. Equipment	200 00	
4.	For transportation and expenses of county and acting commissioners		800 00
5.	For clerk of courts, salaries and expenses		170,229 51
	1. Personal services	149,076 73	
	2. Contractual services	8,500 00	
	3. Supplies and materials	6,000 00	
	4. Current charges and obligations	3,000 00	
	5. Equipment	3,652 78	
6.	For county treasurer, salaries and expenses		51,681 25
	1. Personal services	44,410 25	
	2. Contractual services	3,500 00	
	3. Supplies and materials	2,450 00	
	4. Current charges and obligations	495 00	
	5. Equipment	826 00	
7.	For sheriff, salary and expenses		15,567 50
	1. Personal services	14,617 00	
	2. Contractual services	125 00	
	3. Supplies and materials	200 00	
	4. Current charges and obligations	625 50	

Item		Subtotal	Total
8.	For registry of deeds, salaries and expenses		$319,230 38
	1. Personal services	$275,039 38	
	2. Contractual services	19,795 00	
	3. Supplies and materials	11,500 00	
	4. Current charges and obligations	12,485 00	
	5. Equipment	411 00	
8a.	For registry of probate, salaries and expenses		27,165 33
	1. Personal services	4,905 33	
	2. Contractual services	9,000 00	
	3. Supplies and materials	8,500 00	
	4. Current charges and obligations	2,500 00	
	5. Equipment	2,260 00	
9.	For law library, salaries and expenses		13,142 27
	1. Personal services	5,442 27	
	3. Supplies and materials	200 00	
	4. Current charges and obligations	7,500 00	
10.	For highways, including state highways, bridges and land damages		370,950 00
12.	For criminal costs in superior court		390,232 87
	1. Personal services	115,564 87	
	2. Contractual services	265,325 00	
	3. Supplies and materials	3,600 00	
	4. Current charges and obligations	2,775 00	
	5. Equipment	2,968 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		224,365 50
	1. Personal services	69,790 50	
	2. Contractual services	153,950 00	
	3. Supplies and materials	125 00	
	5. Equipment	500 00	
14.	For district courts, salaries and expenses		
	District Court of Brockton		415,317 18
	1. Personal services	339,040 68	
	2. Contractual services	23,830 00	
	3. Supplies and materials	9,524 00	
	4. Current charges and obligations	39,829 00	
	5. Equipment	3,093 50	
	Second District Court of Plymouth		243,753 63
	1. Personal services	218,387 83	
	2. Contractual services	12,700 00	
	3. Supplies and materials	6,100 00	
	4. Current charges and obligations	2,806 40	
	5. Equipment	3,759 40	
	Third District Court of Plymouth		134,385 37
	1. Personal services	121,569 32	
	2. Contractual services	5,322 45	
	3. Supplies and materials	6,275 00	
	4. Current charges and obligations	781 00	
	5. Equipment	437 60	
	Fourth District Court of Plymouth		130,100 54
	1. Personal services	107,736 04	
	2. Contractual services	10,854 00	
	3. Supplies and materials	3,550 00	
	4. Current charges and obligations	6,537 00	
	5. Equipment	1,423 50	
	District Court — Juvenile Division		83,903 44
	1. Personal services	78,149 24	
	2. Contractual services	4,500 00	
	3. Supplies and materials	1,000 00	
	4. Current charges and obligations	175 00	
	5. Equipment	79 20	

Item		Subtotal	Total
	District Court — Appellate Division		$200 00
	2. Contractual services	$200 00	
15.	For medical examiners and commitments of insane		44,835 00
16.	For jail and house of correction, maintenance and operation		705,913 37
	1. Personal services	492,183 37	
	2. Contractual services	68,000 00	
	3. Supplies and materials	120,000 00	
	4. Current charges and obligations	12,000 00	
	5. Equipment	13,730 00	
17.	For training school		50,000 00
18.	For court houses and registry buildings, maintenance and operation		209,719 54
	1. Personal services	121,516 54	
	2. Contractual services	56,500 00	
	3. Supplies and materials	20,300 00	
	4. Current charges and obligations	7,723 00	
	5. Equipment	3,680 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		113,326 84
	1. Personal services	98,826 84	
	2. Contractual services	9,000 00	
	3. Supplies and materials	3,400 00	
	4. Current charges and obligations	2,100 00	
24.	For noncontributory pensions		47,500 00
25.	For contributory retirement system and supervisory expenses		189,372 24
26.	For miscellaneous and contingent expenses		22,745 94
27.	For unpaid bills of previous years		28,334 04
28.	For reserve fund		50,000 00
29.	For advertising recreational, industrial, agricultural and historical advantages of the county		25,000 00
30.	For forest fire patrol		7,550 00
31.	For police radio system		295 00
32a.	For maintenance, forest fire apparatus		1,630 00
33.	For police training school and bureau of criminal investigation		45,787 30
38.	For county airplane		2,435 00
39.	For group insurance		50,348 77
	Total amount of appropriations		$4,625,269 04
	Less estimated amount available for reduction of county tax		1,087,798 58
	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		$3,537,470 46

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

Approved June 21, 1971.

Chap. 416. AN ACT AUTHORIZING THE CITY OF QUINCY TO CONSTRUCT AN ICE SKATING RINK ON CERTAIN PARK LAND IN SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section seven of chapter forty-five of the General Laws, the city of Quincy is hereby authorized to construct a skating rink not in excess of forty thousand square feet in an area on park land known as Merrymount park in said city.

Approved June 21, 1971.

Chap. 417. AN ACT RELATIVE TO THE HOURS OF EMPLOYMENT IN RESTAURANTS OF BOYS AND GIRLS BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out section 66, as most recently amended by section 3 of chapter 323 of the acts of 1968, and inserting in place thereof the following section:—

Section 66. No person shall employ a boy or a girl under eighteen or permit such boy or girl to work in, about or in connection with any establishment or occupation named in sections fifty-six or sixty before six o'clock in the morning, or after ten o'clock in the evening; provided, that boys or girls under eighteen may be employed as operators in regular service telephone exchanges or telegraph offices until, but not after, eleven o'clock in the evening; and provided further, that boys or girls between the ages of sixteen and eighteen may be employed in restaurants until, but not after, twelve o'clock in the evening on Fridays and Saturdays and during school vacation periods, excepting the last day of such vacation period.

Approved June 21, 1971.

Chap. 418. AN ACT TO PROHIBIT DISCRIMINATION ON THE BASIS OF SEX IN PUBLIC ACCOMMODATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 272 of the General Laws is hereby amended by striking out section 92A, as most recently amended by chapter 437 of the acts of 1953, and inserting in place thereof the following section:—

Section 92A. No owner, lessee, proprietor, manager, superintendent, agent or employee of any place of public accommodation, resort or amusement shall, directly or indirectly, by himself or another, publish, issue, circulate, distribute or display, or cause to be published, issued, circulated, distributed or displayed, in any way, any advertisement, circular, folder, book, pamphlet, written, or painted or printed notice or sign, of any kind or description, intended to discriminate against or actually discriminating against persons of any religious sect, creed, class, race, color, denomination, sex ~~or nationality~~, in the full enjoy-

ment of the accommodations, advantages, facilities or privileges offered to the general public by such places of public accommodation, resort or amusement.

A place of public accommodation, resort or amusement within the meaning hereof shall be defined as and shall be deemed to include any place, whether licensed or unlicensed, which is open to and accepts or solicits the patronage of the general public and, without limiting the generality of this definition, whether or not it be (1) an inn, tavern, hotel, shelter, roadhouse, motel, trailer camp or resort for transient or permanent guests or patrons seeking housing or lodging, food, drink, entertainment, health, recreation or rest; (2) a carrier, conveyance or elevator for the transportation of persons, whether operated on land, water or in the air, and the stations, terminals and facilities appurtenant thereto; (3) a gas station, garage, retail store or establishment, including those dispensing personal services; (4) a restaurant, bar or eating place, where food, beverages, confections or their derivatives are sold for consumption on or off the premises; (5) a rest room, barber shop, beauty parlor, bathhouse, seashore facilities or swimming pool, except such rest room, bathhouse or seashore facility as may be segregated on the basis of sex; (6) a boardwalk or other public highway; (7) an auditorium, theatre, music hall, meeting place or hall, including the common halls of buildings; (8) a place of public amusement, recreation, sport, exercise or entertainment; (9) a public library, museum or planetarium; or (10) a hospital, dispensary or clinic operating for profit; provided, however, that with regard to the prohibition on sex discrimination, those establishments which rent rooms on a temporary or permanent basis for the exclusive use of persons of the same sex shall not be considered places of public accommodation. The foregoing exemption shall not apply to any other part of such an establishment.

Any person who shall violate any provision of this section or who shall aid in or incite, cause or bring about, in whole or in part, such a violation shall be punished by a fine of not more than one hundred dollars, or by imprisonment for not more than thirty days, or both.

SECTION 2. Section 98 of said chapter 272 is hereby amended by striking out the first sentence, as most recently amended by section 5 of chapter 613 of the acts of 1963, and inserting in place thereof the following sentence:—Whoever makes any distinction, discrimination or restriction on account of race, color, religious creed, national origin, sex or ancestry relative to the admission of any person to, or his treatment in, any place of public accommodation, resort or amusement, as defined in section ninety-two A, or whoever aids or incites such distinction, discrimination or restriction, shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both, and shall forfeit to any person aggrieved thereby not less than one hundred nor more than five hundred dollars; but such person so aggrieved shall not recover against more than one person by reason of any one act of distinction, discrimination or restriction. *Approved June 21, 1971.*

Chap. 419. AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL PROPERTY WHICH WENTWORTH INSTITUTE MAY HOLD.

Be it enacted, etc., as follows:

Chapter 221 of the acts of 1904 is hereby amended by striking out section 1, as most recently amended by chapter 161 of the acts of 1969, and inserting in place thereof the following section:—

Section 1. The Wentworth Institute is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate in the amount of thirty-five million dollars.

Approved June 21, 1971.

Chap. 420. AN ACT REQUIRING THAT ALL CREDIT UNION SHARE AND DEPOSIT LIABILITIES BE INSURED IN FULL UNDER FEDERAL OR STATE LAW OR BOTH.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 171 of the General Laws is hereby amended by inserting after the fifth sentence the following sentence:—The limitations in the preceding sentence shall also apply to members of credit unions which are insured by the Administrator of the National Credit Union Administration; provided, however, that no such credit union shall, pursuant to this sentence, accept deposits or payments for shares for the account or accounts of a member in excess of the amount which is insured by said administrator.

SECTION 2. Section 10A of said chapter 171, as amended by section 1 of chapter 200 of the acts of 1970, is hereby further amended by striking out, in lines 3 and 4, the words "by the Massachusetts Credit Union Share Insurance Corporation" and inserting in place thereof the words:—in full under federal or state law, or under both.

SECTION 3. The second sentence of section 19 of said chapter 171, as amended by section 1 of chapter 208 of the acts of 1964, is hereby further amended by striking out, in lines 2 and 3, the words "which is a member of the Massachusetts Credit Union Share Insurance Corporation" and inserting in place thereof the words:—the shares and deposits of which are insured in full under federal or state law, or under both.

SECTION 4. Section 20A of said chapter 171 is hereby amended by striking out the last sentence, added by section 2 of chapter 294 of the acts of 1961, and inserting in place thereof the following sentence:—The provisions of this section shall not apply to a credit union the shares and deposits of which are insured in full under federal or state law, or under both.

SECTION 5. The third paragraph of section 22 of said chapter 171, as amended by chapter 144 of the acts of 1968, is hereby further amended by striking out, in lines 7 and 8, the words "which is a member of the Massachusetts Credit Union Share Insurance Corporation" and inserting in place thereof the words:—the shares and deposits of which are insured in full under federal or state law, or under both.

SECTION 6. Said chapter 171 is hereby further amended by striking out section 24 and inserting in place thereof the following section:—

Section 24. A credit union may make loans of the following classes to its members:

(a) Personal loans evidenced by the note of the borrower; and

(b) Loans secured by first mortgages of real estate.

(c) Loans guaranteed by the Massachusetts Higher Education Assistance Corporation, except that such loans may also be made to persons other than members.

(d) Loans for the purpose of improving, repairing, altering or rehabilitating improved real estate and for the purchase and installation of fixtures to be affixed to such improved real estate.

(e) Mobile home loans.

Personal loans shall always be given the preference and, in the event there are not sufficient funds available to satisfy all loan applications approved by the credit committee, preference shall be given to the smaller loan.

(A) PERSONAL LOANS.

Each personal loan shall be payable within thirty-six months from the date of the note except that if such loan is secured by shares or by the satisfactory collateral of the type set forth under the provisions of paragraph five it may be payable within sixty months from the date of the note. All such loans shall be paid or renewed on or before the due date.

A member may act as co-maker for another member provided that the liability of such co-maker shall not at any one time exceed an amount equal to two thousand dollars plus the amount of his shares and deposits, if any, pledged to secure said obligation and minus the amount of any loans remaining unpaid made to him under the provisions of paragraph 1, 2 or 3, except that if the credit union has assets of more than five hundred thousand dollars, the liability of such co-maker may equal but not exceed forty-five hundred dollars determined as provided above.

A credit union may accept as co-maker or endorser on a note one who is not a member provided, however, that no one such co-maker or endorser shall be liable at any one time for more than two thousand dollars except that if the credit union has assets of more than five hundred thousand dollars, such liability may equal but not exceed three thousand dollars.

The maximum amount of a loan or loans made to a member in excess of his shares and deposits, and in excess of the shares and deposits of the co-maker, if any, pledged to secure the same shall be limited as follows except that where satisfactory collateral is pledged additional loans may be made under the provisions of paragraph 1, 2 or 3 provided that the total of such additional loans does not exceed the limits contained in paragraph 3:—

1. To an amount of two hundred dollars or two per cent of the assets, whichever is greater, not exceeding five hundred dollars, if evidenced by the unendorsed and unsecured note of the borrower; provided, however, that if a credit union is insured in full under federal or state law, or under both, to an amount of two hundred dollars or two per cent of the assets, whichever is greater, not

exceeding one thousand dollars, if evidenced by the unendorsed and unsecured note of the borrower.

2. To an amount of five hundred dollars or two per cent of the assets, whichever is greater, not exceeding one thousand dollars, if evidenced by the note of the borrower with one or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same; provided, however, that if a credit union is insured in full under federal or state law, or under both, to an amount of one thousand dollars or two per cent of the assets, whichever is greater, not exceeding fifteen hundred dollars, if evidenced by the note of the borrower with one or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same.

3. To an amount not exceeding one thousand dollars when the assets of the credit union are five hundred thousand dollars or less and fifteen hundred dollars when said assets are more than five hundred thousand dollars if evidenced by the note of the borrower with two or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same.

3A. Notwithstanding the limitations in paragraph 3, a credit union which is insured in full under federal or state law, or under both, may make loans to an amount not exceeding two thousand dollars, and if the assets of such credit union are more than five hundred thousand dollars to an amount not exceeding twenty-five hundred dollars, if evidenced by the note of the borrower with two or more responsible endorsers or co-makers thereon, or with satisfactory collateral pledged to secure the same.

4. To an amount not exceeding two thousand dollars, if evidenced by the note of the borrower fully secured by a pledge of satisfactory collateral valued at not more than eighty per cent of its market value.

5. To an amount not exceeding five thousand dollars, if evidenced by the note of the borrower and with sufficient collateral pledged to secure the same made up of bonds or notes of the United States, or of any state or subdivision thereof, which are legal investments for savings banks, or credit unions, in this commonwealth valued at not more than eighty per cent of their market value, or by the assignment of the passbook of a depositor in a savings bank doing business in any of the New England states or in a trust company or national banking association doing business in this commonwealth, or the savings share account book of a co-operative bank incorporated in this commonwealth or the unpledged shares thereof represented by passbooks or certificates, or the passbook of a shareholder in a federal savings and loan association doing business in this commonwealth, or policies issued by life insurance companies authorized to transact business in this commonwealth, valued at not more than their cash surrender value. In addition to the authority given herein, a credit union having assets of five hundred thousand dollars or more may lend an amount not in excess of two per cent of assets upon said collateral and may also secure such notes by taking as collateral therefor the readily marketable common or preferred stocks of corporations listed on a stock exchange which is subject to regulation by the Securities and Exchange Commission, valued at not more than eighty per cent of their market value.

6. 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.

The amount of a loan under paragraph 2, 3 or 5 evidenced by an unendorsed note of the borrower may, in the discretion of the credit committee, exceed by not more than one hundred dollars the amount warranted, in their opinion, by the value of the collateral offered as security for the loan; but the total amount of any such loan shall not exceed the amount stated in the paragraph under which the loan is made.

For the purposes of this section, an assignment of wages or a payroll deduction order may be received as satisfactory collateral for any loan not in excess of two hundred and fifty dollars.

7. Such credit union shall, upon application by a depositor or shareholder or by either of two joint depositors or shareholders therein, make a loan to him, secured by his passbook in an amount not exceeding said deposit or share account for a time not extending beyond the end of the dividend period in which the loan was made. Said credit union may charge the depositor or shareholder interest for, or may collect discount in advance upon, the loan at a rate not exceeding one per cent more than the rate of the next preceding ordinary dividend of said credit union, and if an extra dividend shall have been paid therewith, not exceeding one per cent more than the combined rates of such ordinary and extra dividends; provided, that a minimum of one dollar may be charged or collected as such interest or discount in the case of any such loan. The credit union shall keep posted in a conspicuous place in its banking quarters a notice containing the substance of this section, in such form as the commissioner may prescribe.

8. Such credit union may, upon application by a shareholder or depositor or by either of two joint shareholders or depositors in a special notice account, make a loan to him, secured by his share or deposit passbook, in an amount not exceeding said share or deposit balance, for a time not extending beyond the end of the dividend period in which the loan was made or ninety days from the day on which the loan was made, whichever is longer. Said credit union shall charge the shareholder or depositor interest for, or collect discount in advance upon, such loan at a rate not less than two per cent per annum more than the combined rates of the next preceding ordinary dividend of such credit union and the additional dividend then paid therewith on special notice accounts.

(B) LOANS SECURED BY FIRST MORTGAGES OF REAL ESTATE.

(*a*) A credit union may make or acquire first mortgage loans of the several classes specified in paragraphs 1 to 6, inclusive, of this

subsection on real estate subject in each instance to the limitation hereinafter contained in this subdivision.

1. A mortgage loan on unimproved and unproductive real estate, not exceeding fifty per cent of the value of the real estate, payable on demand or not more than three years from the date of the note. The amount which any such credit union may make or acquire in this class shall not exceed one per cent of the aggregate balance of the shares, deposits, guaranty fund, reserve fund and undivided earnings of such credit union.

2. A mortgage loan not exceeding sixty per cent of the value of the real estate, payable on demand or not more than three years from the date of the note. The amount which any such credit union may make or acquire in this class shall not exceed one per cent of the aggregate balance of the shares, deposits, guaranty fund, reserve fund and undivided earnings of such credit union.

3. A mortgage loan not exceeding eighty per cent of the value of the real estate, payable not more than twenty-five years from the date of the note, provided that the terms of the note or mortgage require monthly payments in such amounts that the aggregate principal reduction at any time during the term of the loan shall not be less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of twenty-five years, which payments shall be first applied to interest and the balance thereafter remaining applied to principal. Interest upon each such loan shall be computed monthly on the unpaid balance. The note or mortgage shall contain a provision requiring the payment each month of a proportionate part of the estimated real estate taxes and betterment assessments. Notwithstanding the limitations contained herein a credit union which is insured in full under federal or state law, or under both, and whose shares and deposits aggregate more than two million dollars may make a mortgage loan for a period of not more than thirty years from the date of the note.

4. A credit union which is insured in full under federal or state law, or under both, and whose shares and deposits aggregate more than two million dollars may make a mortgage loan not exceeding ninety per cent of the value of the real estate, payable not more than twenty-five years from the date of the note; provided that such a loan shall not exceed twenty thousand dollars; and shall be secured by a first mortgage on a single or two family residence occupied or to be occupied by the mortgagor in whole or in part; that the mortgagor has certified in writing that he does not require junior financing; that the credit committee has submitted an opinion in writing that the building has a useful life beyond the term said loan has to run and that the building will be completed prior to the making of any disbursement on the loan; and that the terms of the note or mortgage require monthly payments in such amounts that the aggregate principal reduction at any time during the term of the loan shall not be less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of twenty-five years. Each such monthly payment shall be applied first to interest and the balance to principal. Interest upon each such loan shall be computed

monthly on the unpaid balance. The note or mortgage shall contain a provision requiring the payment each month of a proportionate part of the estimated real estate taxes and betterment assessments. The aggregate amount which any such credit union may make or acquire under this subsection shall not exceed ten per cent of the aggregate balance of the shares, deposits, guaranty fund, reserve fund and undivided earnings of such credit union.

5. A credit union may make construction mortgage loans with respect to any of the types of mortgage loans authorized by this chapter; provided, that any payments required on account of principal shall commence not later than twelve months from the date of the mortgage note.

6. A credit union whose shares and deposits aggregate more than two million dollars and which is insured in full under federal or state law, or under both, may make mortgage loans on single or two family residential property in participation with other banking institutions or associations. The participating parties shall enter into a written agreement for themselves, their successors, and assigns, which shall include provisions for the custody of the note and mortgage and for the servicing and foreclosure thereof. The amount which any such participating credit union may invest in a participation loan shall not exceed one per cent of the aggregate balance of its shares and deposits or thirty thousand dollars, whichever is greater, and the aggregate balance of principal of all such participation loans outstanding at any one time by such credit union shall not exceed five per cent of the aggregate balance of the shares, deposits, guaranty fund, reserve fund and undivided earnings of such credit union.

(*b*) In making mortgage loans on real estate, as specified above, a credit union shall also be subject to the conditions and limitations hereinafter set forth.

1. There shall be an application for each such loan originated by the credit union, which application shall describe the property offered and contain such other information as the credit union deems necessary. Before such a loan is made at least two members of the credit committee, or such greater number as the by-laws of the credit union may provide, shall in writing on the application approve the property offered as security and certify as to the value thereof according to their best judgment. Such application shall be filed and preserved with the records of the credit union, but may accompany any sale or assignment of such mortgage loan. No application shall be required when a mortgage is acquired by purchase.

2. The person obligated from time to time to make payments under a mortgage, whether he is the original borrower or a subsequent owner of the mortgaged property, shall be or become a member of the credit union.

3. For every such loan there shall be a note or notes and first mortgage which together shall contain the terms and provisions of the loan.

4. Each loan shall be on real estate situated within the commonwealth or within a radius of thirty-five miles of the credit union office without regard to geographical location.

5. Any note or mortgage may contain conditions requiring the payment monthly or at other periods of apportionments of estimated

taxes, betterment assessments and premiums for insurance of any kind applicable to the loan.

6. The provision of section twenty-eight A of chapter one hundred and eighty-three shall apply to credit unions.

7. A credit union having assets of not more than seventy-five thousand dollars may invest not more than fifty per cent of the aggregate of its shares, deposits, guaranty fund, reserve fund and undivided earnings in real estate mortgages. A credit union having assets of more than seventy-five thousand dollars may invest not more than seventy per cent of the aggregate of its shares, deposits, guaranty fund, reserve fund and undivided earnings in real estate mortgages. A credit union which is insured in full under federal or state law, or under both, having assets of five hundred thousand dollars or more may invest not more than eighty per cent of the aggregate of its shares, deposits, guaranty fund, reserve fund and undivided earnings in real estate mortgages.

8. A credit union having assets of not more than five hundred thousand dollars may loan upon any one parcel of real estate to an amount not exceeding ten thousand dollars, and the total liability of any one member as borrower upon loans so secured shall not exceed five per cent of the assets of the credit union or twenty thousand dollars, whichever is the lesser.

A credit union having assets of five hundred thousand dollars or more may loan upon any one parcel of real estate to an amount not exceeding twenty thousand dollars, and the total liability of any one member as borrower on loans so secured shall not exceed forty thousand dollars.

A credit union which is insured in full under federal or state law, or under both, and whose shares and deposits aggregate more than two million dollars may loan upon any one parcel of real estate to an amount not exceeding thirty thousand dollars and the total liability of any one member as borrower on loans so secured shall not exceed sixty thousand dollars.

9. A credit union shall accept principal payments in excess of payments required by any mortgage made or acquired, and such additional payments may be accepted as anticipating an equal number of whole payments or effecting a reduction of all future payments required by the mortgage. In the event that such additional payments are made, the credit committee may reduce the monthly or other periodic payments as set forth in said mortgage; provided, that such reduced payments shall not extend the original term of the mortgage.

10. Every parcel of real estate mortgaged to secure a loan which by its terms is payable in three years or less from the date of the note or is being amortized at a rate of three per cent or less per annum shall be revalued, as long as the loan is held, at intervals of not more than three years by or under the direction of at least two members of the credit committee, who shall in a written report certify as to the value of the mortgaged property according to their best judgment. Upon the partial release of any real estate securing a mortgage, the remainder of the security shall have been revalued within three years. Such reports shall be presented to the directors at their next monthly meeting and a

reference to such report and any action taken thereon shall be included in the minutes of said meeting.

11. Whenever the commissioner deems an excessive loan has been made, or is about to be made, upon real estate, by any such credit union, he may cause an appraisal of said real estate to be made at the expense of the credit union. In such event, one appraiser shall be named by the commissioner, one by the credit union and a third by the two appraisers thus named. Said appraisers shall certify in writing to the commissioner and to the credit union the then value of said real estate according to their best judgment. If it shall appear from said appraisal that said loan is in excess of the amount authorized for such class of loan by the applicable provisions of this section or other provision of law, the commissioner may make such order in relation thereto as he deems advisable.

(C) LOANS GUARANTEED BY THE MASSACHUSETTS HIGHER EDUCATION ASSISTANCE CORPORATION.

A credit union may make loans to aid and assist students to fulfill a program of higher education if such loans are guaranteed in whole or in part by the Massachusetts Higher Education Assistance Corporation as follows:

1. A student shall be eligible for a loan in a credit union if a member of his family is a member of the credit union.

2. The provisions of subdivision (A) shall not be applicable to loans made under this subdivision.

(D) LOANS FOR THE IMPROVEMENT OF IMPROVED REAL ESTATE.

A credit union may make loans to the owner of improved real estate for the purpose of financing the improvement, repair, alteration or rehabilitation of such real estate or the purchase and installation of fixtures to be affixed thereto. Such loan shall not exceed five thousand dollars, exclusive of interest or discount from the date of the note, with respect to any one parcel of such real estate. The loan shall be payable within seven years from the date of the note. The terms of the note or mortgage shall require that, commencing not later than two months after the date of the note, (*a*) payments shall be made on account of the principal in equal monthly installments in amounts which, at the maturity of the note, shall equal the original amount of the loan, or (*b*) fixed monthly payments shall be made in approximately the same amount during the term of the loan, which payments shall first be applied to interest and the balance to principal. The aggregate balance of principal outstanding at any one time on loans of this class shall not exceed ten per cent of the deposits and shares of such corporation. Loans made under this paragraph may be secured by a security agreement or financing statement to be recorded in the appropriate registry of deeds.

(E) MOBILE HOME LOANS.

A credit union may make a loan for the purpose of financing the purchase of a movable dwelling, hereinafter called a mobile home,

containing living facilities suitable for year-round occupancy by one family, including permanent provision for eating, sleeping, cooking and sanitation; provided that (*a*) such mobile home is to be maintained as a residence of the purchaser or of a relative of the purchaser; (*b*) such mobile home will within ninety days after purchase be located at a mobile home park or other semipermanent site within the commonwealth or within a radius of thirty-five miles of the credit union office without regard to geographical location; (*c*) the principal amount of such loan, excluding interest and other costs, shall not exceed eighty per cent of the purchase price of such mobile home, excluding any taxes, transportation expenses, insurance premiums, registration fees and other costs paid or required to be paid by the purchaser in connection with such purchase, or ten thousand dollars, whichever is less; (*d*) such loan is required to be repaid in substantially equal monthly installments within a period of not more than twelve years after the date of such purchase; and (*e*) the note or other instrument evidencing such loan shall expressly grant to such credit union a security interest in such mobile home and shall include such provision as the credit committee may deem necessary for the protection of such credit union's security interest, including specifically provisions with respect to insurance, taxes and maintenance and repairs. Such credit union shall, promptly upon making any such loan, take all action necessary to perfect its security interest, including the filing of a financing statement with the appropriate town clerk or other official, as provided in article nine of chapter one hundred and six. The aggregate amount of loans made by such credit union pursuant to this paragraph shall not exceed five per cent of its deposits and shares.

SECTION 7. The first sentence of the fifth paragraph of section 25 of said chapter 171, as appearing in section 3 of chapter 200 of the acts of 1970, is hereby amended by striking out, in lines 2 and 3, the words "by the Massachusetts Credit Union Share Insurance Corporation" and inserting in place thereof the words:—in full under federal or state law, or under both,.

SECTION 8. Section 29 of said chapter 171 is hereby amended by striking out the last paragraph, added by section 3 of chapter 294 of the acts of 1961, and inserting in place thereof the following paragraph:—

The provisions of this section providing for a preference in the payment of deposit liability shall not apply to credit unions which are insured in full under federal or state law, or under both.

SECTION 9. Said chapter 171 is hereby further amended by inserting after section 33 the following two sections:—

Section 34. On or before July the first, nineteen hundred and seventy-three, or, in the case of a credit union the shares and deposits of which have been insured in full by the Administrator of the National Credit Union Administration, within thirty days after the shares and deposits of such credit union cease to be so insured in full, every credit union established under the laws of the commonwealth, the shares and deposits of which are not insured in full under federal or state law, shall apply for membership in the Massachusetts Credit Union Share Insurance Corporation in accordance with section eight

in section one of chapter two hundred and ninety-four of the acts of nineteen hundred and sixty-one. Each applicant shall be subject to the provisions of section seven in section one of said chapter as to eligibility for admission.

A credit union which does not become so insured within ninety days of the date on or before which it must make application, as herein provided, shall liquidate in accordance with such provisions of section twenty-nine as are applicable. Failure so to liquidate shall constitute sufficient cause for the commissioner to take possession of the property and business of such credit union in accordance with the provisions of section twenty-two of chapter one hundred and sixty-seven.

Section 35. A credit union may arrange with the Administrator of the National Credit Union Administration for the insurance of its shares and deposits pursuant to the Federal Credit Union Act, as amended by an act of the Congress, Public Law 91-468, approved October 19, 1970, and as said Federal Credit Union Act may be hereafter from time to time further amended.

Any credit union which shall apply to said Administrator for insurance shall forthwith give written notice of such application to the commissioner. If such application is accepted and such credit union is notified that the administrator is willing to provide such insurance, such credit union may become insured by said Administrator, provided that the obtaining of such insurance shall have been approved by the directors of the credit union.

When any credit union which has applied for insurance to said Administrator shall have complied with all requirements prerequisite to obtaining such insurance and shall have received notice in writing from said Administrator that it is insured by him, such credit union shall file with the commissioner copies of said notice and of the vote of its directors required by this section, said copies to be certified by the president and clerk of the credit union.

SECTION 10. Section 7 in section 1 of chapter 294 of the acts of 1961 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:—

The directors of the corporation shall semiannually declare additional assessments of member credit unions when the ratio of any particular credit union of assessments to total share and deposit balances falls below one per cent, provided, however, that the directors may, with the approval of the commissioner, reduce uniformly in whole or in part the amount of any such semiannual assessment in such a manner that any amount payable by a credit union for such an assessment shall represent a percentage of the amount which would be necessary to bring the aggregate of its assessments to one per cent of its share and deposit liabilities. The directors may, with the approval of the commissioner, pay to the member credit unions a dividend computed on the aggregate of assessments paid by each credit union pursuant to this section.

Approved June 21, 1971.

Chap. 421. AN ACT PROVIDING THAT THE TENEMENT HOUSE ACT SHALL NOT APPLY TO THE TOWN OF STONEHAM.

Be it enacted, etc., as follows:

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 Stoneham notwithstanding the acceptance of chapter six hundred and thirty-five of the acts of nineteen hundred and twelve by said town. *Approved June 21, 1971.*

Chap. 422. AN ACT PLACING THE OFFICES OF TOWN HALL CUSTODIAN AND ASSISTANT TOWN HALL CUSTODIAN IN THE TOWN OF STONEHAM UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The offices of town hall custodian and assistant town hall custodian in the town of Stoneham shall, upon the effective date of this act, be subject to the civil service law and rules; provided, however, that the incumbents of said offices on said effective date shall be subjected to a noncompetitive qualifying examination for said office by the division of civil service. If said incumbents pass said examination, they shall be certified for said office and shall be deemed to be permanently appointed thereto without serving any probationary period, and their tenure of office shall be unlimited, subject, however, to the provisions of said law. If one or both fails to pass said examination, they may continue to serve in said office, but shall not be subject to said civil service law and rules. *Approved June 21, 1971.*

Chap. 423. AN ACT REVISING THE STATUTORY FORMS OF CERTAIN INSTRUMENTS BY OMITTING ANY REFERENCE TO DOWER, CURTESY AND HOMESTEAD.

Be it enacted, etc., as follows:

SECTION 1. The Appendix in chapter 183 of the General Laws is hereby amended by striking out forms (1), (2), (4), (5) and (6), as appearing in the Tercentenary Edition, and inserting in place thereof the following five forms:—

(1) *Warranty Deed.*

of , County, for consideration
of dollars paid, grant to of with warranty
covenants the land in
(description and encumbrances, if any)
Witness hand and seal this day of
(Here add acknowledgment.) (Seal.)

(2) *Quitclaim Deed.*

of , County, for consideration of dollars paid, grant to of with quitclaim covenants the land in .
(description and encumbrances, if any)
Witness hand and seal this day of
(Here add acknowledgment.) (Seal.)

(4) *Release.*

of County, for consideration of dollars paid, release to of the land in .
(description)
Witness hand and seal this day of
(Here add acknowledgment.) (Seal.)

(5) *Mortgage Deed.*

of , County, for consideration paid, grant to of with mortgage covenants, to secure the payment of dollars in years with per cent interest per annum, payable semiannually, as provided in note of even date, the land in
(description and encumbrances, if any)
This mortgage is upon the statutory condition, for any breach of which the mortgagee shall have the statutory power of sale.
Witness hand and seal this day of
(Here add acknowledgment.) (Seal.)

(6) *Co-operative Bank Mortgage.*

of , County, Massachusetts for consideration paid, grant to Co-operative Bank, situated in County, Massachusetts, with mortgage covenants, to secure the payment of dollars, and interest and fines as provided in note of even date, the land in (description and encumbrances, if any).

hereby transfer and pledge to said mortgagee shares in the series of its capital stock as

collateral security for the performance of the conditions of this mortgage, and said note upon which shares said sum of dollars has been advanced to by the mortgagee. The monthly payments under this mortgage are dollars. In the event of an assignment of this mortgage, interest on the unpaid balance of the principal shall be at the rate of per cent per annum.

This mortgage is upon the statutory co-operative bank mortgage condition, for any breach of which the mortgagee shall have the statutory co-operative bank power of sale.

Witness hand and seal this day of

(Here add acknowledgment.) (Seal.)

SECTION 2. Section 26 of chapter 185 of the General Laws, as so appearing, is hereby amended by striking out, in lines 18 to 22, inclusive, the words "; nor shall a married woman petition without the written consent of her husband, unless she holds the land as her separate property or has a power to appoint the land in fee simple, or is living apart from her husband for a justifiable cause which has been established by a decree of court".

SECTION 3. Section 28 of said chapter 185, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—It shall contain a description of the land.

SECTION 4. Section 47 of said chapter 185, as so appearing, is hereby amended by striking out the second and third sentences and inserting in place thereof the following sentence:—If the owner is under disability it shall relate the nature thereof, and if a minor shall state his age.

SECTION 5. Section 61 of said chapter 185, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Every deed or other voluntary instrument presented for registration shall contain or have endorsed upon it the full name, residence and post office address of the grantee or other person acquiring or claiming an interest under such instrument.

SECTION 6. Chapter 188 of the General Laws is hereby amended by striking out section 7, as so appearing, and inserting in place thereof the following section:—

Section 7. No conveyance of property in which an estate of homestead exists, and no release or waiver of such estate, shall convey the part so held and exempted, or defeat the right of the owner or of his wife and children to a homestead therein, unless such conveyance is by a deed signed by the wife, she being competent so to act, or unless such right is released as provided in chapter two hundred and nine; but a deed duly executed without such signature or release shall be valid to pass, according to its terms, any title or interest in the property beyond the estate of homestead.

SECTION 7. Section seven A of said chapter one hundred and eighty-eight is hereby repealed.

SECTION 8. Sections one A and two of chapter one hundred and eighty-nine of the General Laws are hereby repealed.

SECTION 9. Said chapter 189 is hereby further amended by striking out section 3, as appearing in section 1 of chapter 91 of the acts of 1936, and inserting in place thereof the following section:—

Section 3. A widow shall not be entitled to dower, nor a widower to curtesy, in wild land, except woodlots or other land used with the farm or dwelling house of the deceased spouse.

SECTION 10. Said chapter 189 is hereby amended by striking out section 4, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 4. If the heir or other person who claims under a husband redeems the land in which his widow has dower from a mortgage which was in force at his death, the widow shall either repay such part of the money which was paid by the person so redeeming as shall be equal to the proportion which her interest in the land mortgaged bears to the whole value thereof or, at her election, she shall be entitled to dower according to the value of the estate after deducting the money paid for redemption.

SECTION 11. Section five of said chapter one hundred and eighty-nine is hereby repealed.

SECTION 12. Section 26 of chapter 201 of the General Laws, as appearing in section 11 of chapter 314 of the acts of 1956, is hereby further amended by striking out, in line 3, the words "of dower or".

SECTION 13. Section 44 of said chapter 201, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the words "dower or curtesy,".

SECTION 14. Section 1 of chapter 209 of the General Laws, as so appearing, is hereby amended by striking out the second sentence.

SECTION 15. Section 14 of said chapter 209, as so appearing, is hereby amended by striking out, in line 3, the words "dower and".

SECTION 16. Section 16 of said chapter 209, as so appearing, is hereby amended by striking out, in line 1, the words "dower or".

SECTION 17. Said chapter 209 is hereby further amended by striking out section 18, as so appearing, and inserting in place thereof the following section:—

Section 18. The husband of an insane person desiring to convey his real estate absolutely or by mortgage may file a petition in the probate court describing such real estate and praying that homestead therein may be released and stating the facts and reasons why the prayer of the petition should be granted. The court may, after notice and a hearing, by a decree authorize the guardian of the insane person to make the release by joining in any deed or deeds, mortgage or mortgages of the whole or a part of said real estate which is or are made within five years after said decree by the husband of the insane person or by a trustee for such husband.

SECTION 18. Sections nineteen, twenty, twenty-two and twenty-three of said chapter two hundred and nine are hereby repealed.

SECTION 19. Said chapter 209 is hereby further amended by striking out section 24, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 24. Proceedings under sections eighteen and twenty-one shall, if the husband of such insane person is an inhabitant of this

commonwealth, be in the county where he resides; otherwise in a county where any of his real estate is situated; and a certified copy of all final orders or decrees in such proceedings shall be recorded in the registry of deeds in every county or district where such real estate lies.

SECTION 20. Section fifty-five of chapter two hundred and thirty-six of the General Laws is hereby repealed.

SECTION 21. Section 13 of chapter 244 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 5 and 6, the words ", including a person having a right or possibility of curtesy or dower,".

SECTION 22. Section sixteen of said chapter two hundred and forty-four is hereby repealed. *Approved June 21, 1971.*

Chap. 424. AN ACT AUTHORIZING THE TOWN OF WILMINGTON TO APPOINT A CERTAIN PERSON AS A PERMANENT INTERMITTENT MEMBER OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any law or rule to the contrary regulating the maximum age of police officers, Emery G. Swindell, Jr. may be appointed as a permanent intermittent police officer in the town of Wilmington provided he meets all other requirements for certification and appointment to such position, and provided further that there is no person on the eligible list willing to accept appointment as a permanent intermittent police officer in the police department of said town on the effective date of this act. *Approved June 21, 1971.*

Chap. 425. AN ACT CLASSIFYING THE INCUMBENT OF THE POSITION OF ADMINISTRATIVE SECRETARY TO THE MAYOR OF THE CITY OF CHICOPEE UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The incumbent of the position of administrative secretary to the mayor of the city of Chicopee shall, upon the effective date of this act, be subject to the civil service law and rules, provided, however, that said incumbent shall be subjected to a noncompetitive qualifying examination for said office by the division of civil service. If said incumbent passes said examination, she shall be certified for said position and shall be deemed to be permanently appointed thereto without serving any probationary period, and her tenure of office shall be unlimited, subject, however, to the provisions of said law. If she fails to pass said examination, she may continue to serve in her said position but shall not be subject to said civil service law and rules.

SECTION 2. This act shall take effect upon its acceptance by the city of Chicopee. *Approved June 21, 1971.*

Chap. 426. AN ACT PROVIDING FOR LIFE IMPRISONMENT OF A PERSON GUILTY OF ANY BOMBING OFFENSE WHICH RESULTS IN THE DEATH OF A PERSON.

Be it enacted, etc., as follows:

Chapter 265 of the General Laws is hereby amended by striking out section 13, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 13. Whoever commits manslaughter shall, except as hereinafter provided, be punished by imprisonment in the state prison for not more than twenty years or by a fine of not more than one thousand dollars and imprisonment in jail or a house of correction for not more than two and one half years. Whoever commits manslaughter while violating the provisions of sections one hundred and one to one hundred and two B, inclusive, of chapter two hundred and sixty-six shall be imprisoned in the state prison for life or for any term of years.

Approved June 22, 1971.

Chap. 427. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-ONE, 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 four hundred and eighty of the acts of nineteen hundred and seventy for the fiscal year ending June the thirtieth, nineteen hundred and seventy-one, 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		
0114-0000	Item 0114-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by adding the following: — ; provided, that notwithstanding any provision of law to the contrary, the present associate counsel to the senate may continue to serve in said office subject to the will of the senate, and his retirement shall be deferred until the expiration of his service in said office.	

House of Representatives.

0122-0000	For the office of the clerk of the house of representatives, prior appropriation continued, including not more than nine permanent positions	**$14,195**

Sergeant-at-Arms.

Item		
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	$58,596

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	$100,000

Special Investigations.

0267-03	Item 0267-03 of section two of chapter one hundred and thirty-two of the acts of nineteen hundred and sixty-eight is hereby amended by adding at the end thereof the following: — ; provided, that notwithstanding any other provision of law to the contrary, payment of certain charges incurred after the expiration date of the commission may be made until October the first, nineteen hundred and seventy-one	$1,300

Judiciary.

Supreme Judicial Court.

0301-0002	For law clerks and clerical assistance for the justices .	$18,986
0301-0006	For office supplies, services and equipment	4,000
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 said facilities other than from funds provided by this item	5,000

Superior Court.

0302-0301	For the compensation of justices of district courts while sitting in the superior court, prior appropriation continued . .	$25,000
0302-0302	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued . . .	11,600

Administration of District Courts.

0304-0001	For compensation and expenses in connection with the administration of district courts	$10,000

District Attorneys.

For the salaries of district attorneys and assistants for the nine districts:

0308-0010	For the traveling expenses necessarily incurred by the above district attorneys except in the Suffolk district, including expenses incurred in previous years	$1,000

Executive.

Civil Defense Agency.

0414-0000	For the service of the civil defense agency; 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, including not more than one hundred and five permanent positions	$8,000

Military Division.

Item

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.

0431-0400 For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property $250

State Quartermaster.

0431-1171 For the restoration of the Newburyport armory, appropriation expires June the thirtieth, nineteen hundred and seventy-two . $17,500

Massachusetts Commission for the Blind.

Bureau of Individual Services.

0441-2010 For administration of a talking book program, including not more than three permanent positions $21,968

Bureau of Industrial Aid and Workshops.

0441-4050 For certain payments to blind persons . . . $1,700

Executive Office for Administration and Finance.

0451-1100 Item 0451-1100 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "thirty-three" and inserting in place thereof the word: — thirty-nine.

Highway Fund	30.0%
General Fund	70.0%

Central Services Division.

0451-3300 For the administration of the bureau of state buildings, and for the maintenance of the state house, including not more than one hundred and seventy-eight permanent positions . . . $69,600

0451-3301 For a study of space needs and utilization in the proposed state office building on Ashburton place, appropriation expires June the thirtieth, nineteen hundred and seventy-two 75,000

0451-3400 For the maintenance of the Leverett Saltonstall building, including not more than seventy-three permanent positions . 72,500

Purchasing Agent's Division.

0453-1000 For the administration of the division, including not more than ninety-three permanent positions $15,400

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 $6,000

0454-2000 Item 0454-2000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by inserting after the word "services", in line seventeen, the following: — ; and, provided further, that notwithstanding any other provision of this item to the contrary, the commission may accept the plan II health insurance coverage specified for competitive bidding for the contract period July the first, nineteen hundred and seventy-one to June the thirtieth, nineteen hundred and seventy-two 3,900,980

Other Boards and Commissions serving under the Governor and Council.

George Fingold Library.

Item
0461–2000 Item 0461–2000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by adding the following: — , and for a certain prior year deficiency in the amount of one thousand eight hundred and forty-five dollars **$795**

Massachusetts Commission Against Discrimination.

0461–5130 For administration of the Worcester office . . . **$125**

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 **$6,800**

Soldiers' Home in Massachusetts.

0471–0000 For the maintenance of the home, including not more than six hundred and twenty-four permanent positions . . . **$1,100**
0471–9034 Item 0471–9034 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by inserting after the word "repairs", in line 1, the words: — including the commandant's house,.

Secretary of the Commonwealth.

0512–0000 For the printing of rules and regulations of the various state agencies, as authorized by section six of chapter thirty A of the General Laws, as amended, appropriation expires June the thirtieth, nineteen hundred and seventy-two **$53,480**
0519–0000 For the expenses of a census, as authorized by chapter twenty-four of the acts of nineteen hundred and seventy-one . . **22,800**

Commission on Interstate Co-operation.

0530–0000 Item 0530–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by adding the following: — ; and, provided further, that the amount of four hundred and forty-five dollars and sixty-three cents shall be allowed and paid from this item to clear a certain advance for the nineteen hundred and seventy fiscal year.

Treasurer and Receiver-General.

0610–0000 Item 0610–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by adding the following: — ; provided, that there shall be charged against this appropriation certain shortages in the amount of nine hundred and sixty-five dollars and sixty-five cents determined by the auditor to be the shortage as of January the twelfth, nineteen hundred and seventy-one **$77,965**

Highway Fund 30.0%
General Fund 70.0%

0611–4000 For the administration of the Vietnam bonus payments . **8,000**
0611–5000 For compensation to victims of violent crimes, as authorized by chapter two hundred and fifty-eight A of the General Laws . **10,000**

Department of the Attorney General.

Item

0810–0000 For the office of the attorney general, including not more than fifty-two permanent positions, prior appropriation continued . **$164,300**

Department of Agriculture.

Division of Dairying and Animal Husbandry.

0914–1000 For the office of the division, including not more than twenty permanent positions **$625**

Division of Animal Health.

0915–3500 Reimbursement for hogs killed **$10,000**
Agricultural Purposes Fund . . 100.0%

Division of Markets.

0916–1000 For the office of the division, including not more than eleven permanent positions **$1,000**

Division of Plant Pest Control.

0917–1000 For the office of the division, including not more than four permanent positions **$1,452**

Division of Fairs.

0918–1020 For the administration of the thoroughbred breeders fund **$961**
Agricultural Purposes Fund . . 100.0%

For the expenses of the following mosquito control projects:

0919–1500 Essex County, city of Revere and town of Winthrop (1958, 516; 1965, 638) **$1,800**
Mosquito and Greenhead Fly Control Fund 100.0%

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-nine permanent positions; provided, that the position of deputy commissioner shall not be subject to the provisions of chapter thirty-one of the General Laws **$5,200**
Public Access Fund . . . 2.8%
General Fund 97.2%

Division of Forests and Parks.

1010–0000 For the office of the division, including not more than fourteen permanent positions **$600**

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; provided, that federal funds not exceeding three thousand dollars may be expended for the purpose of certain machinery repairs, said federal funds to be in addition to the amount appropriated, including not more than nineteen permanent positions **800**

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-two permanent positions **$45,000**
Marine Fisheries Fund . . . 100.0%

Item

1040-0011 For the restoration and development of shellfish and fin fish in Buzzards bay, appropriation expires June the thirtieth, nineteen hundred and seventy-two $200,000

1040-0050 For the purchase of a patrol boat 5,000
Marine Fisheries Fund . . . 100.0%

Division of Fisheries and Game.

The heading preceding item 1070-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by inserting after the word "federal" the words: — or any private.

1070-0000 For the office of the division, including expenses of the fish and game board, including not more than seventeen permanent positions $600
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 fifty-one permanent positions 17,830
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 amount expended 2,181
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-seven permanent positions 500
Inland Fisheries and Game Fund . 100.0%

1070-2461 For the administration of a program for wildlife restoration projects, including not more than twenty-two permanent positions 500
Inland Fisheries and Game Fund . 100.0%

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 $33,300

Department of Banking and Insurance.

Division of Banks.

1111-0000 For the office of the commissioner, including not more than two hundred and forty-one permanent positions $32,254

Division of Insurance.

1121-0000 Item 1121-0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "twelve" and inserting in place thereof the word: — fourteen $15,000
Highway Fund 30.0%
General Fund 70.0%

Department of Civil Service and Registration.

Division of Registration.

1421-0000 For the administration of the division, including not more than eighty-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 $13,292

For the services of the following agencies in the division:

Item		
1421–0600	Board of registration in embalming and funeral directing, including not more than five permanent positions	$200
1421–1200	Board of public accountancy, including not more than nine permanent positions	22,000
1421–1300	State examiners of electricians, including not more than two permanent positions	827
1421–1600	Board of registration of electrologists, including not more than three permanent positions	300
1421–2400	Board of registration of nursing home administrators, including not more than nine permanent positions	1,700
1421–2500	Board of certification of operators of waste water treatment facilities	258

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	$8,000
1610–6000	Commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	2,000
1610–9000	Division of employment agencies, including not more than three permanent positions	3,563

Labor Relations Commission.

1620–1000 Item 1620–1000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by adding the following: — ; provided, that a shortage of thirty-six dollars and seventy-five cents in the petty cash account be allowed and paid from this item.

Department of Youth Services.

Notwithstanding any other provision of law to the contrary, any officer or employee of the division of youth service holding a permanent appointment in a position classified under chapter thirty-one of the General Laws, or who has tenure in a position by reason of sections nine A, nine B and nine D of chapter thirty of the General Laws, and whose position is duly reassigned and who declines to accept such reassignment, may be transferred to a position of equal or lower grade in the service of the commonwealth as determined by the director of personnel and standardization and the director of civil service, provided that such transfer is approved by both the officer or employee being transferred and the appointing authority of the position to which the officer or employee would be transferred.

Such transfer shall be made without impairment of civil service status, seniority, retirement or any other rights of the employee and without interruption of service within the meaning of said chapter thirty-one or said sections nine A, nine B and nine D of said chapter thirty.

The salary rate of any employee transferred to a position in a title other than that of the position occupied immediately prior to the transfer shall be determined in accordance with the rules and regulations of the bureau of personnel and standardization. Upon refusal or failure of an officer or employee to accept reassignment or transfer, the permanent status of said officer or employee will terminate notwithstanding any law, rule or regulation to the contrary. In the event of said refusal or failure the officer or employee upon request may be placed on a reemployment list as set forth in section forty-six I of said chapter thirty-one. Nothing in this item shall be construed to confer upon any officer or employee transferred or reassigned any rights not held prior to said transfer or reassignment.

Item

1700–0010 Item 1700–0010 of section two of chapter one hundred and sixty-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 administration of the department, including not more than one hundred and twenty-nine permanent positions, and for certain deficiencies for fiscal years nineteen hundred and sixty-nine and nineteen hundred and seventy and for certain other prior fiscal years **$209,200**

Bureau of Clinical Services.

For the administration, maintenance of and for certain improvements at the institutions within the bureau:

1720–1010 Item 1720–1010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "seventy" and inserting in place thereof the word: — eighty-three **$25,000**

1720–3010 Item 1720–3010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "twenty-three" and inserting in place thereof the word: — twenty-two **250**

1720–4010 Item 1720–4010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "twenty-five" and inserting in place thereof the word: — twenty-eight **1,100**

Bureau of Institutional Services.

For the administration, maintenance of and for certain improvements at the institutions within the bureau:

1730–1010 Item 1730–1010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "thirteen" and inserting in place thereof the word: — thirty-three **$4,700**

1730–2010 Item 1730–2010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "thirty-three" and inserting in place thereof the word: — thirty-seven.

1730–3010 Item 1730–3010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the words "one hundred and forty-six" and inserting in place thereof the word: — forty-seven.

1730–4010 Item 1730–4010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "four" and inserting in place thereof the word: — twelve.

1730–5010 Item 1730–5010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "seventy-one" and inserting in place thereof the word: — ninety-five.

1730–6010 Item 1730–6010 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: —

Northeast training center and residential unit, including not more than twenty-one permanent positions.

1730–7010 Community based treatment units, including not more than fifty-eight permanent positions.

Department of Correction.

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 eighty-three permanent positions . . **$73,500**

Item		
8070–19	Item 8070–19 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and seventy is hereby amended by striking out the words ", including the cost of furnishings and equipment".	
1812–0000	Correctional institution at Walpole, including not more than three hundred and fifteen permanent positions . . .	$44,000
1814–0000	Correctional institution at Concord, including not more than two hundred and seventy-five permanent positions . .	125,714
1816–0000	Correctional institution at Framingham, including not more than one hundred and thirty-three permanent positions . .	25,000
1818–0000	Correctional institution at Norfolk, including not more than two hundred and seventy permanent positions . . .	96,179
1831–0000	Correctional institution camps, including not more than thirty-nine permanent positions	6,000

Department of Public Welfare.

1900–1000	Item 1900–1000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as most recently amended by section two of chapter one hundred and sixty-two of the acts of the current year, is hereby further amended by striking out the words "five thousand two hundred and thirty-three permanent positions" and inserting in place thereof the following: — five thousand two hundred and thirty-eight permanent positions; provided, that the positions of organization and procedures coordinator and financial control analyst shall not be subject to the provisions of chapter thirty-one of the General Laws.	
1902–1000	For payments on account of medical assistance and permanent and total disability assistance for recipients at Tewksbury hospital	$22,000
1902–2000	For payments on account of medical assistance and old age assistance for recipients at Tewksbury hospital	8,500

Department of Public Health.

Bureau of Administration.

2010–0100	For the office of the bureau, including not more than fifty-nine permanent positions	$20,000

Bureau of Environmental Sanitation.

2011–0200	For the administration of the Lawrence experiment station, including not more than thirty-one permanent positions . .	$12,781

Bureau of Chronic Disease Control.

2012–0160 2012–0150	From the unexpended balance remaining in item 2012–0160 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, the sum of sixty-two thousand seven hundred dollars is hereby transferred and made available for the purposes of item 2012–0150 of section two of said chapter four hundred and eighty.	
2012–0165	For a triviral vaccine program	$50,000
2012–0300	For the office of the division of adult health, including not more than fourteen permanent positions	7,500

Bureau of Health Services.

2013–1000	Item 2013–1000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "sixty-seven" and inserting in place thereof the word: — sixty-nine	$106,949

Institute of Laboratories.

Item

2016–0100 For the office of the institute, including not more than one hundred and fifty-one permanent positions $37,000

Bureau of Consumer Products Protection.

2017–0100 For the office of the bureau, including mot more than ninety-two permanent positions $94,134

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 forty-nine permanent positions $228,000

2032–0000 Item 2032–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by adding the following: — ; provided, that the salary of the position of superintendent of Lemuel Shattuck hospital may be established without reference to the general salary schedule and salary range, not to exceed thirty-five thousand dollars; and, provided further, that no such salary shall be established without prior recommendation of the director of personnel and approval by the commissioner of administration.

2035–0000 Rutland Heights hospital, including not more than three hundred and sixty-nine permanent positions . . . . .

36,400

Department of Public Safety.

2111–0000 For the administration of the department, including not more than one hundred and fourteen permanent positions . . $22,500

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 sixty-seven permanent positions $15,000

General Fund 15.0%
Highway Fund 85.0%

Division of Fire Prevention.

2114–0000 For the administration of the division, including not more than twenty-five permanent positions $3,500

Division of Inspection.

2115–0000 For the administration of the division, including not more than eighty-four 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 $12,500

Department of Public Utilities.

Commercial Motor Vehicle Division.

2321–0000 For the office of the division, including not more than thirty-nine permanent positions $2,400

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 eighteen permanent positions $190,000

MDC Water District Fund . . 100.0%

Metropolitan Parks District.

Item

2444-9020 Item 2444-9020 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "Sewerage" and inserting in place thereof the word: — Parks.

MDC Parks District Fund . . 100.0%

2449-7170 For a certain bond fund cash deficit **$58,183**

MDC Parks District Fund . . 100.0%

Department of Community Affairs.

Division of Community Development.

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 **$57,050**

Division of Community Services.

2532-1011 Item 2532-1011 of section two of chapter thirty-eight of the acts of nineteen hundred and seventy-one is hereby amended by adding the following: —, and, in addition, it is further provided that state funds not exceeding sixty-seven thousand seventy-five dollars allocated to account number 2532-1012 may be expended.

Division of Social and Economic Opportunity.

2545-9001 For the reimbursement of cities and towns and partial assistance to private schools for a lunch program for needy elderly persons, as provided by law; provided, that no expenditure shall be made from this item unless there is allocated for the purposes of this program at least seventy-five hundred dollars by the federal government **$15,000**

Department of Mental Health.

5013-0000 Item 5013-0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "sixteen" and inserting in place thereof the word: — seventeen.

Region One.

8068-40 Item 8068-40 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 line 5, the words "two million five hundred thousand" and inserting in place thereof the words: — six million.

5121-1509 For the preparation of plans for a mental health center in the city of Springfield, to be in addition to the amount appropriated in item 8068-40 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 six million dollars **$60,000**

5191-0000 For the maintenance of the Northampton state hospital, including not more than nine hundred and twenty-two permanent positions **180,000**

Region Two.

Item		
5211–0000	For administration, including not more than eleven permanent positions	$1,500
5293–0000	For the maintenance of the Worcester state hospital, including not more than one thousand and sixty-three permanent positions	94,600

Region Three.

5321–0000	For mental health and retardation services, including not more than one hundred and six permanent positions	$20,000
5361–0000	For the maintenance of the Dr. Harry C. Solomon mental health center, including not more than one hundred and twenty-eight permanent positions	58,413
5381–0000	Item 5381–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by adding the following: — ; provided, that a certain account payable in the amount of four thousand five hundred and ninety-seven dollars and fifty cents reserved for the payment of an encumbrance in this item is hereby extended to June the thirtieth, nineteen hundred and seventy-one	247,250

Region Four.

5411–0000	For administration, including not more than fourteen permanent positions	$1,000
5471–0000	For the maintenance of the John T. Berry rehabilitation center, including not more than eighty-nine permanent positions	13,700
5481–0000	For the maintenance of the Hathorne state school, including not more than four hundred and sixty-five permanent positions	227,000

Region Five.

5521–0000	For mental health and retardation services, including not more than one hundred and twenty-one permanent positions	$3,000
5581–0000	For the maintenance of the Wrentham state school, including not more than six hundred and eighty-one permanent positions	12,000

Region Six.

5691–0000	For the maintenance of the Boston state hospital, including not more than one thousand two hundred and sixty-six permanent positions	$14,000

Region Seven.

5711–0000	For administration, including not more than fourteen permanent positions	$2,000
5721–0000	For mental health and retardation services, including not more than ninety-one permanent positions; provided, that federal funds not exceeding thirteen thousand six hundred and twenty-eight dollars may be expended for the purposes of this item, said federal funds to be in addition to the amount appropriated	2,000
5781–0000	Item 5781–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by adding the following: — ; provided, that the amount of two hundred and ninety-six dollars and forty cents shall be allowed and paid from this item for a certain salary earned but not paid for the period October the first, nineteen hundred and sixty-seven to June the twenty-ninth, nineteen hundred and sixty-eight	25,570

Department of Public Works.

Highway Activities.

Administrative and Engineering Expenses.

Item

6020–1509 For telephone service in the public works building . . **$8,000**
Highway Fund 91.8%
General Fund 5.1%
Recreational Boating Fund . . 3.1%

6020–1900 For the operation and maintenance of the public works building, including not more than eighty-five permanent positions . **21,000**
Highway Fund 96.0%
General Fund 3.2%
Recreational Boating Fund . . .8%

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 **69,555**
General Fund 8%
Highway Fund 99.2%

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:

6030–7293 Item 6030–7293 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the words "pole-type salt storage bins" and inserting in place thereof the words: — chemical storage sheds.
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 . . **$256,945**
Highway Fund 100.0%

6030–7601 For the maintenance and operation of state highways and bridges **35,000**
Highway Fund 100.0%

Waterways Activities.

The salaries of all officers and employees of the department engaged in 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.

6032–2012 Item 6032–2012 of section two of chapter four hundred and fifty-two of the acts of nineteen hundred and sixty-nine is hereby amended by inserting after the word "repairs" the words: —, including emergency water main repairs,.

Bureau of Solid Waste Disposal.

6050–0000 Item 6050–0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by adding the following: — ; and, provided further, that notwithstanding any provision of law to the contrary, payments on contract number 15572 may be made until June the thirtieth, nineteen hundred and seventy-two.

Registry of Motor Vehicles.

Item

6111-0000 Item 6111-0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "one" and inserting in place thereof the word: — three **$88,700**

General Fund 1.2%

Highway Fund 98.8%

6111-0017 For the acquisition of land, or land with buildings thereon, and for the construction of a state office building in the city of Springfield, including space requirements for a registry branch office and including the cost of furnishings and equipment; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified, disinterested appraiser; and, provided further, that the governor, from the recommendation of the commissioner of administration, is hereby authorized, upon the occupying of space in said office building, to allocate to the several state or other funds from which the agency operation appropriation is charged a percentage of the amount herein appropriated based upon the ratio of the space occupied by the agency to the total building space, appropriation expires June the thirtieth, nineteen hundred and seventy-two . **52,200**

Highway Fund 100.0%

Division of Motorboats.

6120-0000 For the office of the division, including not more than fifty-one permanent positions **$6,500**

Recreational Boating Fund . . 100.0%

Department of Education.

Board of Education.

Division of Occupational Education.

7027-1000 For the administration of a fire fighting academy and training program, to be in addition to any federal funds available for the purpose, and including not more than two permanent positions . **$20,000**

Division of Curriculum and Instruction.

7034-0000 For the office of the division of special education, to be in addition to any federal funds available for the purpose, including not more than one permanent position (1970, 887) **$4,712**

7034-1401 } From the unexpended balance remaining in item 7034-1401 of section
7034-0701 } two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, the sum of seventy-five thousand dollars is hereby transferred and made available for the purposes of item 7034-0701 of section two of said chapter four hundred and eighty.

Division of School Facilities and Related Services.

7053-1907 Item 7053-1907 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by inserting after the word "Act", in line 8, the following: — ; provided, that notwithstanding said fifty per cent limitation, this limitation may be exceeded on certain lunches to the extent and in the same number as free or reduced-price lunches served to children are subsidized entirely from federal funds at the maximum rate allowed; and, provided further, that said limitation may be exceeded during the months of May and June, nineteen hundred and seventy-one . **$25,000**

Item

7053–1909 Item 7053–1909 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by inserting after the word "Act", in line 7, the following: — ; provided, that notwithstanding said fifty per cent limitation, this limitation may be exceeded on certain lunches to the extent and in the same number as free or reduced-price lunches served to children are subsidized entirely from federal funds at the maximum rate allowed; and, provided further, that said limitation may be exceeded during the months of May and June, nineteen hundred and seventy-one $100,000

Division of State and Federal Assistance.

7061–0002 Item 7061–0002 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by adding the following: — ; provided, that the persons employed in a temporary status on December the second, nineteen hundred and sixty-six shall continue to serve as permanent incumbents under chapter thirty-one of the General Laws; and, provided further, that the incumbents of positions in the official service pass a qualifying examination to be given by the director of civil service.

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.

7105–0001 For the operation of a data processing system . . $66,394

7108–0000 Item 7108–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as most recently amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by striking out the word "thirty-five" and inserting in place thereof the word: — forty-five.

8065–15 Item 8065–15 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four is hereby amended by inserting after the word "center", in line one, the words: — including air conditioning.

7109–1011 } From the unexpended balance remaining in item 7109–1011 of section
7109–0000 } two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, the sum of one hundred and twenty-nine thousand one hundred and two dollars is hereby transferred and made available for the purposes of item 7109–0000 of section two of said chapter four hundred and eighty; and said item 7109–0000 of section two of said chapter four hundred and eighty, as amended by section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy, is hereby further amended by striking out the words "four hundred" and inserting in place thereof the words: — four hundred and thirteen 6,000

7110–0000 Item 7110–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by striking out the wording and inserting in place thereof the following: —

State college at Fitchburg; 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; and including not more than three hundred and forty-five permanent positions; provided, that the amount of two hundred and sixty-four dollars and seventy-eight cents shall be allowed and paid from this item for certain salaries earned but not paid for the period November the thirtieth, nineteen hundred and sixty-nine to June the twenty-seventh, nineteen hundred and seventy 10,000

Item

7110-1011 State college at Fitchburg, boarding hall, including not more than nineteen permanent positions **$17,801**

7111-0000 Item 7111-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as most recently amended by chapter one hundred and sixty-two of the acts of the current year, is hereby further amended by striking out the word "seventy-four" and inserting in place thereof the word: — ninety . **6,500**

7113-0000 Item 7113-0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "fifty" and inserting in place thereof the word: — sixty-five **35,800**

7114-0000 Item 7114-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "fifty-four" and inserting in place thereof the word: — sixty-seven.

7115-0000 Item 7115-0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: —

Item 7115-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the words "two hundred and eighty-three" and inserting in place thereof the words: — three hundred and ten.

7116-0000 Item 7116-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by striking out the words "two hundred and ninety-eight" and inserting in place thereof the words: — three hundred and fourteen.

7117-0000 Item 7117-0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "ninety-five" and inserting in place thereof the words: — one hundred and three **16,050**

7117-9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . **440**

7118-0000 Item 7118-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "sixty-nine" and inserting in place thereof the word: — seventy-two **17,000**

Lowell Technological Institute of Massachusetts.

7210-0000 Item 7210-0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by striking out the words "four hundred and eighty-four" and inserting in place thereof the words: — five hundred and one.

7210-9001 For certain repairs to the power plant roof, appropriation expires June the thirtieth, nineteen hundred and seventy-two . **$75,000**

8071-84 Item 8071-84 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by adding at the end thereof the following: — including furnishings and equipment.

7211-0101 Item 7211-0101 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "forty-nine" and inserting in place thereof the word: — thirty-nine.

7214-0006 Item 7214-0006 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: —

For the expansion and development of the physics department, including the purchase of equipment, appropriation expires June the thirtieth, nineteen hundred and seventy-two.

Southeastern Massachusetts University.

Item

7310–0000 Item 7310–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "ten" and inserting in place thereof the word: — twenty.

University of Massachusetts.

7410–0000 Item 7410–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by striking out the words "three hundred and twenty-one" and inserting in place thereof the words: — four hundred and twenty-one **$91,650**

7411–1005 Item 7411–1005 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "ninety-seven" and inserting in place thereof the words: — one hundred and one.

8071–64 Item 8071–64 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out, in line 1, the words "certain equipment" and inserting in place thereof the following: — furnishings and equipment, including certain fixed building equipment,.

7416–1001 Item 7416–1001 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "thirty-nine" and inserting in place thereof the word: — seventy-two.

8071–66 Item 8071–66 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out, in line 3, the word "laboratory" and inserting in place thereof the word: — library.

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 Item 7502–0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the words "one hundred" and inserting in place thereof the words: — one hundred and ten . . . **$35,680**

7503–0000 Item 7503–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "thirty-four" and inserting in place thereof the word: — thirty-eight **68,240**

7504–0000 Item 7504–0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "two" and inserting in place thereof the word: — nineteen **20,000**

7505–0000 Item 7505–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by inserting after the word "hundred" the words: — and seven . **27,700**

8070–50 Item 8070–50 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine is hereby amended by striking out, in lines 3 and 4, the words "; including the cost of furnishings and equipment"; and said item 8070–50 of section two of said chapter seven hundred and sixty-seven is hereby further amended by striking out, in line 9, the words "twelve million" and inserting in place thereof the words: — fourteen million seven hundred thousand.

7505–9101 For certain boiler plant repairs, appropriation expires June the thirtieth, nineteen hundred and seventy-two **11,000**

7506–0000 Item 7506–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "eighty-eight" and inserting in place thereof the word: — eighty-nine **20,654**

Item

7508–0000 Item 7508–0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "twenty-eight" and inserting in place thereof the word: — thirty-two.

7509–0000 Item 7509–0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "ninety-eight" and inserting in place thereof the words: — one hundred and six.

7510–0000 Item 7510–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "fifty-one" and inserting in place thereof the word: — seventy.

7511–0000 Item 7511–0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "forty-eight" and inserting in place thereof the word: — fifty-eight $13,100

7512–0000 Item 7512–0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "forty-three" and inserting in place thereof the word: — fifty-six 3,000

8071–72 Item 8071–72 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy, as amended by section two of chapter eight hundred and thirty-three of said acts, is hereby further amended by inserting after the word "including", in line four, the words: — a master plan,.

7514–0000 Item 7514–0000 of section two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the word "forty-eight" and inserting in place thereof the word: — fifty-five.

7513–0000 } From the unexpended balance remaining in item 7513–0000 of section
7515–0000 } two of chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy, the sum of seven thousand dollars is hereby transferred and made available for the purposes of the following item: —

7515–0000 Franklin park community college, including not more than two permanent positions.

7516–0000 Item 7516–0000 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy is hereby amended by striking out the word "fifty-two" and inserting in place thereof the word: — seventy-seven.

Unassigned Accounts.

General Fund Debt 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 $2,846,701

9979–0000 For certain serial bonds maturing, including certain maturing bonds issued under section two of chapter five hundred and thirty-eight of the acts of nineteen hundred and forty-three, to be in addition to any amounts otherwise available for the payment of said bonds; provided, that if after the payment of said bonds any amounts shall be received on account of arrearages of principal and interest on bonds issued by the Boston and Maine Corporation maturing July the first of the current year and held in the sinking fund established by said section two, such amounts not exceeding one million nine hundred seventy thousand dollars shall be credited to the General Funds debt service reserve; 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 3,843,383

Miscellaneous.

Item		
9990–0055	For a reserve to meet the cost of certain salary adjustments, including cost of living increases, provided that the governor, upon the 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-one which are available in whole or in part for personal services such amounts as are necessary to meet the cost of such adjustments, to be in addition to amounts otherwise appropriated for said services for said fiscal year; and, provided further, that the governor upon recommendation of the commissioner of administration, is authorized to allocate the amounts of said transfers to the several states or other funds to which such items of appropriation are charged	**$250,000**

Deficiencies.

For deficiencies in certain appropriations for previous years, based upon schedules approved by the joint committee on ways and means:

1011–9009	State Recreation Areas Fund	**$192**
1070–0089	Inland Fisheries and Game Fund	**1,255**
1512–9003	Tourism and Industrial Promotion Fund	**7,524**
9990–0013	General Fund	**77,876**
9990–0017	Highway Fund	**67,391**

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-two certain balances of appropriations which otherwise would revert on June the thirtieth, nineteen hundred and seventy-one, the unexpended balances of the items shown below are hereby appropriated for the fiscal year nineteen hundred and seventy-two:

0147-0000	2425-9012	5591-9006
0431-9004	2426-9005	5592-9002
0451-3529	2432-9001	5593-9004
0451-3906	2432-9003	5661-9001
0451-3907	2432-9006	5661-9002
0451-3908	2432-9007	5691-9004
0451-3909	2432-9008	5691-9005
0451-3911	2442-9004	6031-0131
0454-4000	2442-9009	6032-2012
0481-9001	2442-9011	6032-2016
0481-9002	2442-9017	6033-1006
0481-9016	2442-9030	6033-1007
0526-0001	2442-9034	6033-1009
1011-1350	2444-9001	6033-1011
1040-0050	2444-9013	6033-1024
1080-0809	2444-9018	6020-3001
1810-0902	2444-9020	6111-0017
1810-0903	5294-9001	6050-0000
2011-9005	5381-9006	7111-9716
2012-0165	5391-9005	7111-9719
2032-9005	5491-9003	7114-9727
2034-9002	5491-9005	7115-9001
2036-9020	5581-9004	7117-9101
2112-9001	5581-9005	7414-1107
2425-9002	5591-9002	

SECTION 2B. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-two certain balances of appropriations which otherwise would revert on June the thirtieth, nineteen hundred and seventy-one, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and seventy-two; provided, that unexpended balances in any other items of appropriation included by reference in the accounts listed below are not reappropriated.

2984-00	8066-55	8260-61
3710-00	8066-62	8261-04
7666-01	8066-69	8261-11
7667-01	8066-80	8261-17
7667-02	8066-81	8261-44
7667-03	8066-86	8262-07
7667-04	8066-92	8262-21
7667-05	8067-06	8338-01
8063-28	8067-17	8338-02
8063-54	8067-20	8338-03
8064-01	8067-22	8338-04
8064-41	8067-32	8338-05
8064-49	8067-35	8343-00
8065-04	8067-41	8344-00
8065-15	8067-43	8347-00
8065-23	8067-44	8350-00
8065-31	8067-47	8353-00
8065-36	8067-48	8354-00
8065-45	8067-49	8902-40
8065-54	8067-52	9018-01
8065-65	8067-53	9020-01
8065-66	8067-58	9024-01
8065-70	8067-60	9028-01
8065-75	8067-61	9030-01
8066-05	8067-64	9033-01
8066-10	8067-71	9035-01
8066-14	8067-80	9036-04
8066-17	8157-85	9037-01
8066-23	8166-37	9124-01
8066-33	8258-89	9127-01
8066-47	8258-90	

SECTION 3. Chapter 480 of the acts of 1970 is hereby amended by striking out section 11 and inserting in place thereof the following section: —

Section 11. Notwithstanding any provision of sections forty-five to fifty, inclusive, of chapter thirty of the General Laws, a salary differential is hereby authorized to be paid to employees in the nursing services who are employed on evening or night tours of duty and to employees engaged in professional nursing, as defined in section eighty B of chapter one hundred and twelve of the General Laws, at the Lemuel Shattuck hospital and the Soldiers' Home in Massachusetts. Any salary differential authorized by this section shall be paid in accordance

with rules and regulations established by the director of personnel and standardization, with the approval of the commissioner of administration. Such rules and regulations shall not be subject to chapter thirty A of the General Laws.

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

Approved June 24, 1971.

Chap. 428. AN ACT AUTHORIZING THE FORMATION OF A VOCATIONAL REGIONAL SCHOOL DISTRICT BY THE CITY OF NEW BEDFORD AND THE TOWNS OF ACUSHNET, DARTMOUTH, FAIRHAVEN, FREETOWN, LAKEVILLE, MATTAPOISETT AND ROCHESTER.

Be it enacted, etc., as follows:

SECTION 1. Each of the towns of Acushnet, Dartmouth, Fairhaven, Freetown, Lakeville, Mattapoisett and Rochester by vote in a town meeting and the city of New Bedford, by vote of its city council, may create a special unpaid committee to be known as a vocational regional school district planning committee, to consist of three members from each such municipality, one of whom shall be a member of the school committee, to be appointed by the mayor or the moderator as the case may be. Each of said municipalities may appropriate at any time for the expenses of said committee such sum or sums, not exceeding one tenth of one per cent of the assessed valuation of such municipality in the preceding year, as it may deem necessary. Any vacancy in the membership of a vocational regional school district planning committee acting under this act may be filled by the mayor or moderator as the case may be. The vocational regional school district planning committees from said city and from any two or more of said towns may join together to form a vocational regional school district planning board. Such vocational regional school district planning board shall organize forthwith upon its formation by the election of a chairman and a secretary-treasurer. The proceedings taken by the mayor of the city of New Bedford and the towns of Acushnet, Dartmouth, Fairhaven, Freetown, Lakeville, Mattapoisett and Rochester, whereby said municipalities purported to create committees for the purpose of planning a vocational regional school district, and the proceedings heretofore taken by such committees either separately or together as a planning board are ratified and confirmed in all respects, and for all the purposes of this act said committees and said board shall be deemed to be the committees and the board whose creation and organization are authorized by this section.

SECTION 2. It shall be the duty of the vocational regional school district planning board to study the advisability of establishing a vocational regional school district, hereinafter called the regional school district or the district, its organization, operation and control, and of constructing, maintaining and operating a vocational-technical school or schools to serve the needs of such district; to estimate the construction and operating costs thereof; to investigate the methods of financing such vocational-technical school or schools, and any other matters pertaining to the organization and operation of a regional school district; and to submit a report of its findings and recommen-

dations to the city council of said city and, at the same time or at a later time or times, to the selectmen of each of said towns.

SECTION 3. Said vocational regional school district planning board may recommend that there shall be established a vocational regional school district which may include all the municipalities represented by its membership, or any specified combination of such municipalities, including at least said city and two of said towns. If said vocational regional school district planning board so recommends, it shall submit a proposed agreement setting forth the following:—

(a) The number, composition, method of selection and terms of office of the members of the regional district school committee.

(b) The municipality or municipalities in which, or the general area within the regional school district where, the regional district school or schools are to be located.

(c) The method of apportioning the expenses of the regional school district, and the method of apportioning the costs of school construction, including any interest and retirement of principal of any bonds or other obligations issued by the district among the several municipalities comprising the district, and the time and manner of payment of the shares of said municipalities of any such expense.

(d) The method by which school transportation shall be provided.

(e) The terms by which any municipality may be admitted to or separated from the regional school district.

(f) The method by which the agreement may be amended.

(g) The detailed procedure for the preparation and adoption of an annual budget.

(h) Any other matters, not incompatible with law, which said board may deem advisable.

Copies of such agreement shall be submitted to the emergency finance board, established under section one of chapter forty-nine of the acts of nineteen hundred and thirty-three, and the department of education, and, subject to their approval, to the several municipalities which are recommended to be included in the district, for their acceptance.

The type of regional district school or schools shall be a vocational high school or schools consisting of grades nine through twelve, inclusive, which may include all phases of vocational education as prescribed in chapter seventy-four of the General Laws. The regional district school committee may also establish and maintain extended courses of instruction beyond the secondary level in accordance with the provisions of section thirty-seven A of said chapter seventy-four of the General Laws. When the district has been organized and its school or schools are available for use, no city or town belonging to the district and no other regional school district of which such city or town is a member shall offer vocational education except with the approval of the commissioner of education.

SECTION 4. The agreement made under section three, or any amendment to such an agreement, may contain provisions authorizing any member municipality to sell, lease or grant a license to use any school building and any land appurtenant thereto or used in connection therewith to the regional school district, and any such municipality may authorize such sale, lease or license accordingly, notwithstanding the provisions of section three of chapter forty of the

General Laws or any other provisions of law to the contrary. In case of a sale, the price and time or times of payment and the method by which the municipalities other than the selling municipality shall be assessed for such payment shall be set forth in the agreement or amendment; but in no case shall payments be made which shall extend over a period in excess of twenty years. In the case of a lease or license to use, the rental or license fee and terms of payment and assessment shall be set forth in the agreement or amendment. The lease or license to use may be for a term or period not in excess of twenty years, and may contain provisions for the extension of the lease or license to use for an additional term or period not in excess of twenty years, at the option of the regional district school committee.

SECTION 5. Upon receipt by the city council of the city of New Bedford of a recommendation that a regional school district be established, and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three, inclusive, of this act, said city council shall direct the city clerk to cause the question of accepting the provisions of this act to be placed on the ballot to be used at the next state election or at the next regular city election after such receipt, whichever occurs first, or at an earlier special city election called by the city council for this purpose. The proceedings in any such special election shall be the same, so far as applicable, as in regular elections of city officers. The question shall be submitted in substantially the form hereinafter set forth. Not more than thirty days after receipt by the selectmen of any town of a recommendation that a regional school district be established and of a proposed agreement therefor submitted in accordance with the provisions of sections one to three, said selectmen shall cause to be presented for determination by vote, with printed ballots at an annual town meeting or a special town meeting called for the purpose, the question of accepting the provisions of this act, which question shall be in substantially the following form:—"Shall the city (town) accept the provisions of an act passed by the General Court in the year nineteen hundred and seventy-one, providing for the establishment of a regional school district by the city of New Bedford and the towns of (such towns as may be recommended under section three of this act) and the construction, maintenance and operation of a vocational regional school by said district in accordance with the provisions of a proposed agreement filed with the city council of said city and the selectmen of said towns?" If a majority of the voters present and voting in said city and a majority of the voters present and voting in at least two of said towns shall vote in the affirmative, this act shall become fully effective, and the proposed regional school district, comprising said city and the towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted notwithstanding any defect or omission in the creation or organization of any vocational regional school district planning committee or vocational regional school district planning board.

SECTION 6. The regional school district established under the provisions of section five shall be a body politic and corporate with all the powers and duties conferred by law upon school committees, and with the following additional powers and duties:—

(a) To adopt a name and a corporate seal, and the engraved or printed facsimile of such seal on a bond or note or 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 constructing 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 said city and to the board of selectmen in each of the member towns comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date said debt was authorized by the district committee. If, prior to the expiration of said period, the city council of said city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting called for the purpose of expressing such disapproval, 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 incure temporary debt in anticipation of revenue to be received from member municipalities.

(h) To assess member municipalities for any expenses of the district.

(i) To receive any grants or gifts for the purposes of the regional district school or schools.

(j) To engage legal counsel.

(k) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which annual charges assessed against each municipality were computed, together with such additional information relating to the operation and maintenance of such school or schools as may be deemed necessary by the district school committee or by the city council of said city or by the selectmen of any member town.

(l) To employ an administrator who meets the qualifications for a director of a state aided vocational school as established by the division of vocational education of the department of education, and said administrator shall have all the powers and duties imposed upon school superintendents by law.

(m) To adopt an annual operating and maintenance budget, not later than December the 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. The committee may appoint a school building committee which shall have such powers and duties relative to the construction, reconstruction, remodelling, repair, expansion or equipping of school buildings or facilities as the committee determines.

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 next fiscal 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 several municipalities in accordance with the terms of the agreement. The amounts so apportioned for each

municipality shall, prior to December the 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 the twentieth, pay to the regional school district, subject to appropriation, the sums required for such reimbursement and approved by the commissioner of education.

SECTION 10. A regional school district shall be entitled to receive state aid for construction of regional schools. Each municipality comprising 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 state treasurer shall pay annually to each town in a regional school district an amount equal to fifteen per cent of the amount of school aid determined to be due such town under the provisions of chapter seventy and subsection (b) of section eighteen A of chapter fifty-eight; provided, however, that no such additional amount shall be paid to any such town prior to the date of award of a contract for the construction of a regional school by the regional district school committee.

SECTION 11. The director of accounts in the department of corporations and taxation shall annually cause an audit to be made of the accounts of the regional district school committee, and for this purpose he, and his duly accredited agents, shall have access to all necessary papers, books and records. Upon the completion of each audit, a report thereon shall be made to the chairman of the district committee, and a copy thereof shall be sent to the mayor of said city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three, and submit the amounts of each apportionment to the state treasurer, who shall issue his warrant requiring the assessors of the municipalities which are members of the district to assess a tax to the amount of the expense, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 12. No municipality in the regional school district shall be liable for any obligation imposed on any other municipality in said district by authority of this act, or of any agreement thereunder, any other provision of law to the contrary notwithstanding.

SECTION 13. The members of the aforesaid emergency finance board when acting under this act shall receive from the commonwealth compensation to the same extent as provided under section eighty-seven of chapter eight hundred and one of the acts of nineteen hundred and sixty-three.

SECTION 14. The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four of the General Laws shall, so far as pertinent, apply to the regional school district, but the provisions of said section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four of said chapter forty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to said district.

SECTION 15. If any provisions of sections one to fourteen, inclusive, of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of said sections and the application of such provisions to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SECTION 16. This act shall take effect upon its passage.

Approved June 25, 1971.

Chap. 429. AN ACT MAKING APPROPRIATIONS FOR THE CARE, MAINTENANCE AND REPAIR OF THE PLYMOUTH COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Plymouth county are hereby authorized to expend for the year nineteen hundred and seventy-one 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.

PLYMOUTH COUNTY.

Item		
1.	For personal services	$986,608 06
2.	For contractual services	35,000 00
3.	For supplies and materials	180,000 00
4.	For current charges and obligations	100,000 00
5.	For equipment	7,596 60
8.	For debt and interest	26,000 00
10.	For unpaid bills of previous years	508 69
11.	For reserve fund	10,000 00
12.	For group insurance	24,487 10
	For total expenditures	$1,370,200 45

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

Approved June 25, 1971.

Chap. 430. AN ACT MAKING APPROPRIATIONS FOR THE CARE, MAINTENANCE AND REPAIR OF THE NORFOLK COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby authorized to expend for the year nineteen hundred and seventy-one 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.

NORFOLK COUNTY.

Item		
1.	For personal services	$1,301,352 71
2.	For contractual services	63,000 00
3.	For supplies and materials	272,000 00
4.	For current charges and obligations	97,000 00
5.	For equipment	20,273 00
8.	For debt and interest	20,000 00
11.	For reserve fund	10,000 00
12.	For group insurance	40,000 00
	For total expenditures	$1,823,625 71

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

Approved June 25, 1971.

Chap. 431. AN ACT PERMITTING THE USE OF FACSIMILE COUNTERSIGNATURES BY A MAJORITY OF THE CITY COUNCIL OF THE CITY OF LAWRENCE UPON ITS BONDS, NOTES OR CERTIFICATES OF INDEBTEDNESS.

Be it enacted, etc., as follows:

SECTION 1. Section 26 of Part II of chapter 621 of the acts of 1911 is hereby amended by adding the following paragraph:—

A majority of the city council, by a writing bearing their written signatures and filed in the office of the city treasurer, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on any bond, note or certificate of indebtedness which the city is authorized to issue, facsimiles of their signatures, and such facsimiles so engraved or printed shall have the same validity and effect as the written signatures of such persons.

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

Approved June 25, 1971.

Chap. 432. AN ACT PROVIDING THAT THE USE OF CERTAIN DIVIDENDS OR OTHER REFUNDS DERIVED FROM STATE, COUNTY, CITY, TOWN OR DISTRICT EMPLOYEES' GROUP INSURANCE PROGRAMS MAY BE EXTENDED TO RETIRED EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. The fourth paragraph of section 9 of chapter 32A of the General Laws, as appearing in section 1 of chapter 572 of the acts of 1961, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—The balance of the excess dividend which is the ratio of the net premium paid by the insured employees and retired employees to the total net premium paid to the carrier or carriers shall be retained in the group insurance commission trust fund to be invested on behalf of the insured employees and retired employees as authorized by the investment committee established in section nine A or disbursed on behalf of the insured employees and retired employees as determined by the commission.

SECTION 2. Section 9A of said chapter 32A is hereby amended by striking out the eighth sentence, as appearing in section 2 of said chapter 572, and inserting in place thereof the following sentence:—The commission shall have power to expend such funds which in its discretion is in the best interests of the insured employees and retired employees.

SECTION 3. Section 8A of chapter 32B of the General Laws, inserted by section 1 of chapter 374 of the acts of 1965, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:—

If said total administrative cost exceeds the dividend receipts, the entire dividend shall be so transferred; if the dividend receipts exceed said total administrative cost, the appropriate public authority shall notify the treasurer to transfer to the appropriate revenue accounts that portion of the remaining balance which represents the governmental units' proportionate share of the premium cost of the policy year to which the dividend or refund is attributable. The balance of said dividend remaining in the trust fund shall represent the employees' and retirees' proportionate share of the premium cost. The appropriate public authority at a date deemed practicable shall then authorize the treasurer to expend the remaining balance of the trust fund on behalf of the insured employees and retired employees to reduce the insured employees' and retired employees' share of future premium costs. The reduction of such costs shall be determined by using the ratio of the dividends received to the insured employees' and retired employees' share of the total premiums which yielded the dividend. *Approved June 25, 1971.*

Chap. 433. AN ACT ESTABLISHING THE WHATELY WATER DISTRICT IN THE TOWN OF WHATELY.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Whately, liable to taxation in said town and residing within the territory served by the Allis Water Company, bounded and described as follows: Beginning

at a point at the intersection of Chestnut Plain Road and Christian Lane; thence running in an easterly direction along said Christian Lane to a point being the northwesterly line of land now or formerly of Elliott R. Barker; thence southerly along land of said Barker to a point being the southwest corner of other land of said Elliott Barker; thence easterly along land of said Barker to a point in the northeast line of land now or formerly of Roger Cane; thence southerly along land of said Cane to a point in the southeast line of said Cane's land; thence easterly along land now or formerly of Michael Farrick to the West Bank of the Mill River; thence southerly along said West Bank to a point being the northeast line of land of Herbert Futter; thence in a westerly direction along land of said Futter to a point being the northwesterly corner of said Futter's land, also in the easterly line of Chestnut Plain Road; thence across said Chestnut Plain Road to a point in the southeasterly line of land now or formerly of John Baker; thence westerly along said Baker's land to a point being the extreme southwesterly corner of said Baker's land; thence northerly in a straight line a distance of 5,000 feet more or less to the extreme northwest corner of land now or formerly of Howard Waite; thence easterly along said Waite's land to a point in the northwest line of the Center Cemetery; thence easterly along said cemetery to said Chestnut Plain Road; thence northerly along said Chestnut Plain Road to the intersection of Christian Lane, to the place of beginning across said Chestnut Plain Road, shall constitute a water district and are hereby made a body corporate by the name of the Whately Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of the district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. For the purposes aforesaid, the district, acting by and through its board of water commissioners hereinafter provided for, may contract with any municipality, acting through its water department, or with any water company, or with any water district, for whatever water may be required, authority to furnish the same being hereby granted, and may take by eminent domain under chapter seventy-nine or chapter eighty A of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells, within the town of Whately not already appropriated for the purposes of a public supply and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights-of-way and other easements necessary for collecting, storing, holding, processing, purifying and preserving the purity of the water and for conveying the same

to any part of the district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, processing plants, fixtures and other structures including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective 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, railroad, railways and public or other ways, and along such ways, in said town, in such manner as not unnecessarily to obstruct the same; and for the purpose of constructing, laying, maintaining, operating and repairing such aqueducts, conduits, pipes and other works, and for all proper purposes of this act, the district may dig up or raise and embank any such lands, highways or other ways in such manner as to cause the least hindrance to public travel on such ways; provided, that the manner in which all things are done upon any such way shall be subject to the direction of the selectmen of the town of Whately. 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 land for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act, or any other thing done under authority thereof, may recover such damages from the district under said chapter seventy-nine or said chapter eighty A; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. The district shall, at the time of authorizing a loan or loans, provide for the payment thereof. 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 expenses of operating its waterworks and the interest as it accrues on said loan or loans, 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 annually thereafter until the debt incurred by said loan or loans is extinguished.

SECTION 5. Any land taken or acquired under this act shall be managed, improved and controlled by the board of water commissioners hereinafter provided for, in such manner as they shall deem for the best interest of the district. All authority vested in said board by this section shall be subject to section eight.

SECTION 6. Whenever an appropriation 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. Any tax required to be assessed by said assessors on property within the district because of such vote shall be assessed 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 7. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 8. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act

shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in the district, to hold office, one until the expiration of three years, one until the expiration of two years and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to the district by this act, except section four, and not otherwise specifically provided for, shall be vested in said board of water commissioners who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district.

The treasurer shall not be a water commissioner and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by 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 waterworks except upon a written order of said water commissioners or a majority of them.

SECTION 9. Said board of water commissioners shall fix just and equitable prices and rates for the use of water and shall prescribe the time and manner of payment. The income of the waterworks shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend and, in case a surplus should remain after payment for such new construction, the water rates shall be reduced proportionately. If in any year there should be a deficit of revenue, the water commissioners shall in the following year fix the rate so as to meet such deficit together with the estimated operating costs including interest and debt. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge and an account of their doings, including an account of receipts and expenditures.

SECTION 10. The district may adopt by-laws, prescribing by whom and how meetings of the district may be called, notified and conducted; and, upon the application of ten or more legal voters in the district, meetings may also be called by warrant as provided in section seven. The district may also establish rules and regulations for the management of its waterworks, not inconsistent with this act or with any

other provision of law, and may choose such other officers not provided for in this act as it may deem necessary or proper.

SECTION 11. Whoever wilfully or wantonly corrupts, pollutes or diverts any water obtained or supplied under this act, or wilfully or wantonly injures any reservoir, well, standpipe, aqueduct, pipe or other property owned or used by the district for any of the purposes of this act, shall forfeit and pay to the district three times the amount of damages assessed therefor, to be recovered in an action of tort, and upon conviction of any of the above wilful or wanton acts shall be punished by a fine of not more than three hundred dollars or by imprisonment for not more than one year, or both.

SECTION 12. Upon a petition in writing addressed to said board of water commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on the district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion of such real estate, said water commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the question of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 13. Nothing in this act shall authorize the district to supply water for the extinguishment of fires or for domestic or other purposes to the inhabitants of the territory served on the effective date of this act by the Allis Water Company without its first having acquired by purchase or by eminent domain under chapter seventy-nine of the General Laws, as the occasion may arise, all of the properties of said corporation on said date appurtenant to the business of water supply and located within the territory served by said corporation. In case of dispute as to the territory served by said corporation on said date, the department of public utilities, upon application of the district or of said corporation, shall determine such area and such determination shall be final.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within said district present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section seven, within four years after its passage. *Approved June 25, 1971.*

Chap. 434. AN ACT FURTHER REGULATING MEDICAL SERVICE CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 7 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:—and every registered chiropractor.

SECTION 2. Section 13 of said chapter 176B, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following two paragraphs:—

If the right of any person or group of persons to become a participating physician as defined in section one is denied because of arbitrary or unfair discrimination, any such person or group of persons so aggrieved may apply to the supreme judicial court for an injunction restraining it from further proceeding with its business.

The court may, after application by the commissioner or any person or group of persons aggrieved as aforesaid, forthwith issue a temporary injunction restraining the transaction of any business, and it may, after a full hearing, make the injunction permanent, and appoint one or more receivers to take possession of the books, papers, moneys and other assets of the corporation, settle its affairs, and distribute its funds to those entitled thereto, subject to such rules and orders as the court may prescribe.

SECTION 3. Section 17 of said chapter 176B, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "or any district attorney" and inserting in place thereof the words:—any district attorney or any aggrieved party. *Approved June 25, 1971.*

Chap. 435. AN ACT PROVIDING FOR THE APPOINTMENT OF A SECOND ASSISTANT REGISTER OF PROBATE FOR THE COUNTY OF BARNSTABLE AND INCREASING THE SALARIES OF THE REGISTERS OF PROBATE IN THE COUNTIES OF DUKES COUNTY AND NANTUCKET.

Be it enacted, etc., as follows:

SECTION 1. Chapter 217 of the General Laws is hereby amended by striking out section 24, as most recently amended by chapter 387 of the acts of 1963, and inserting in place thereof the following section:—

Section 24. The judges of probate for the counties of Barnstable, Bristol, Essex, Norfolk, Hampden, Middlesex, Plymouth, Suffolk and Worcester may appoint a second assistant register for their respective counties, who shall hold office for three years unless sooner removed by the judge. They shall be subject to the laws relative to assistant registers.

SECTION 2. Section 35A of said chapter 217 is hereby amended by striking out the second sentence, as most recently amended by section 5 of chapter 845 of the acts of 1969, and inserting in place thereof the following sentence:—The salaries of the registers of probate in the counties of Dukes county and Nantucket shall be seven thousand seven hundred dollars. *Approved June 25, 1971.*

Chap. 436. AN ACT AUTHORIZING CO-OPERATIVE BANKS TO MAKE MOBILE HOME LOANS.

Be it enacted, etc., as follows:

Section 26 of chapter 170 of the General Laws is hereby amended by adding after subsection 11, added by chapter 404 of the acts of 1971, the following subsection:—

12. Any such corporation may make a loan for the purpose of financing the purchase of a movable dwelling containing living facilities suitable for year-round occupancy by one family, including permanent facilities for eating, sleeping, cooking and sanitation, hereinafter called a "mobile home"; provided that (*a*) such mobile home is to be maintained as a residence of the purchaser; (*b*) such mobile home will within ninety days after purchase be located at a mobile home park or other semipermanent site within the commonwealth or within a state contiguous to the commonwealth and within a radius of twenty-five miles of the main office of such corporation; (*c*) the principal amount of such loan, excluding interest and other costs, shall not exceed eighty per cent of the purchase price of such mobile home, excluding any taxes, transportation expenses, insurance premiums, registration fees and other costs paid or required to be paid by the purchaser in connection with such purchase, or ten thousand dollars, whichever is less; (*d*) such loan is required to be repaid in substantially equal monthly installments within a period of not more than twelve years after the date of such purchase; and (*e*) the note or other instrument evidencing such loan shall expressly grant to such corporation a security interest in such mobile home and shall include such provisions as the security committee may deem necessary for the protection of such corporation's security interest, including provisions relating to insurance, taxes, maintenance and repairs. Such corporation shall, upon making any such loan, take the necessary action to perfect its security interest, including filing a financing statement with the appropriate town clerk or other official as provided in article nine of chapter one hundred and six. The aggregate amount of loans made by such corporation pursuant to this paragraph shall not exceed five per cent of its deposits.

Approved June 25, 1971.

Chap. 437. AN ACT ELIMINATING THE REQUIREMENT FOR SCHOOL COMMITTEE APPROVAL OF A PRIVATE SCHOOL THAT ALL STUDIES REQUIRED BY LAW BE TAUGHT IN ENGLISH.

Be it enacted, etc., as follows:

The first paragraph of section 1 of chapter 76 of the General Laws is hereby amended by striking out the last sentence, as amended by chapter 400 of the acts of 1950, and inserting in place thereof the following sentence:—For the purposes of this section, school committees shall approve a private school when satisfied that the instruction in all the studies required by law equals in thoroughness and efficiency, and in the progress made therein, that in the public schools in the same town; but shall not withhold such approval on account of religious teaching, and, in order to protect children from the hazards of traffic and promote their safety, cities and towns may appropriate money for conveying pupils to and from any schools approved under this section.

Approved June 25, 1971.

Chap. 438. AN ACT INCREASING THE CHARGE FOR TOWING FEES DURING SNOW EMERGENCIES.

Be it enacted, etc., as follows:

The fourth sentence of section 22D of chapter 40 of the General Laws, as amended by chapter 369 of the acts of 1968, is hereby further amended by striking out, in line 4, the word "twelve" and inserting in place thereof the word:—twenty-five. *Approved June 25, 1971.*

Chap. 439. AN ACT FURTHER REGULATING THE RIGHT OF TRANSFER DURING A PROBATIONARY PERIOD.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 16A of chapter 31 of the General Laws, as appearing in section 2 of chapter 637 of the acts of 1968, is hereby amended by inserting after the word "rules", in line 2, the words:—and who has served a probationary period required by section twenty D.

SECTION 2. Said section 16A is hereby further amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph:—

If such transfer shall be to a temporary position, the transfer shall be temporary and for such period of time as the appointing authority shall determine, with the consent of the director and, if the position is in the service of the commonwealth, of the director of personnel and standardization. If such transfer shall be to a permanent position, the transfer shall be permanent or temporary, as the appointing authority shall determine, with the consent of the director; and if temporary, shall be for such period of time as the appointing authority shall determine, with the consent of the director. A temporary transfer shall not affect the seniority date of the employee so transferred and shall not be deemed to interrupt the serving of the period of eligibility for promotion required by this chapter in the office or position from which the employee is transferred.

SECTION 3. Said section 16A of said chapter 31 is hereby further amended by striking out the third paragraph, as so appearing.

Approved June 25, 1971.

Chap. 440. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE MEMBERSHIP OF THE BOARD OF STATE EXAMINERS OF ELECTRICIANS.

Be it enacted, etc., as follows:

Section 32 of chapter 13 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 238 of the acts of 1954, and inserting in place thereof the following sentence:—The state examiners of electricians, hereinafter called the board, shall consist of the director of civil service, the state fire marshal and the associate commissioner for the division of occupational education in the department of education, ex officiis, and two persons to be appointed for terms of three years each by the governor.

Approved June 25, 1971.

Chap. 441. AN ACT AUTHORIZING THE TREASURER OF A CITY OR TOWN TO DELIVER TO THE HEAD OF A DEPARTMENT THE PAYROLL CHECKS OF THE EMPLOYEES OF SUCH DEPARTMENT.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by inserting after section 41 the following section:—

Section 41A. Notwithstanding the provisions of section thirty-five, the treasurer of a city or town may deliver or cause to be delivered to the head of a municipal department or his designee the payroll checks for the employees of such department, with the approval of the board of selectmen in towns, and of the mayor in cities, or of the city manager in cities operating under a Plan D or Plan E charter.

Approved June 25, 1971.

Chap. 442. AN ACT FURTHER REGULATING THE ISSUANCE OF CERTAIN COMMERCIAL FISHERMAN PERMITS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 38 of chapter 130 of the General Laws, as most recently amended by section 2 of chapter 861 of the acts of 1970, is hereby further amended by striking out the sixth and seventh sentences and inserting in place thereof the following two sentences:—A commercial fisherman permit (lobster) shall be issued to an individual but it may be endorsed for use on fishing vessels, in which case it shall cover all persons on board such vessel. The holder of a commercial fisherman permit (lobster) shall carry on his person or post on his vessel said permit at all times while engaging in fishing.

SECTION 2. The first paragraph of section 80 of said chapter 130, as appearing in section 5 of said chapter 861, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:—Notwithstanding any contrary provisions contained in this section and except as provided in section seventy-five, a person shall not dig or take shellfish or marine worms for commercial purposes unless he is the holder of a commercial fisherman permit (shellfish) or unless he is the holder of a commercial fisherman permit which has been specially endorsed, at no additional charge, for the taking of such shellfish or marine worms; a person holding a permit issued under section seventy-five shall not hold a permit issued under this section for the taking or digging of shellfish or marine worms.

SECTION 3. The second paragraph of said section 80 of said chapter 130, as so appearing, is hereby amended by adding the following sentence:—Upon application to the director and endorsement on the permit the holder of a retail dealer permit may take bait, except as provided in section seventy-eight, for sale under said permit.

SECTION 4. This act shall take effect on January the first, nineteen hundred and seventy-two. *Approved June 25, 1971.*

Chap. 443. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY OF BARNSTABLE MAY EXPEND TO ASSIST IN THE INVESTIGATION, ARREST AND PROSECUTION OF PERSONS VIOLATING THE NARCOTIC DRUGS LAW.

Be it enacted, etc., as follows:

Section 1 of chapter 95 of the acts of 1969 is hereby amended by striking out, in line 5, the word "ten" and inserting in place thereof the word:—twenty. *Approved June 25, 1971.*

Chap. 444. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF BARNSTABLE COUNTY MAY BORROW TO CONSTRUCT A BUILDING IN THE TOWN OF BARNSTABLE TO PROVIDE QUARTERS FOR CERTAIN POLICE OPERATIONS OF SAID COUNTY.

Be it enacted, etc., as follows:

Section 2 of chapter 45 of the acts of 1970 is hereby amended by striking out, in lines 4 and 5, the words "one hundred and eighty" and inserting in place thereof the words:—three hundred.

Approved June 25, 1971.

Chap. 445. AN ACT REGULATING THE INCLUSION OF TAX ESCALATION PROVISIONS IN LEASES OF RESIDENTIAL PROPERTY.

Be it enacted, etc., as follows:

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

Section 15C. No lease relating to residential real estate shall contain a provision which obligates a lessee to make payments to the lessor on account of an increased real estate tax levied during the term of the lease, unless such provision expressly sets forth (1) that the lessee shall be obligated to pay only that proportion of such increased tax as the unit leased by him bears to the whole of the real estate so taxed, (2) the exact percentage of any such increase which the lessee shall pay, and (3) that if the lessor obtains an abatement of the real estate tax levied on the whole of the real estate of which the unit leased by the lessee is a part, a proportionate share of such abatement, less reasonable attorney's fees, if any, shall be refunded to said lessee. Any provision of a lease in violation of the provisions of this section shall be deemed to be against public policy and void.

SECTION 2. The provisions of section fifteen C of chapter one hundred and eighty-six of the General Laws, inserted by section one of this act, shall apply to leases entered into on and after the effective date of this act. *Approved June 25, 1971.*

Chap. 446. AN ACT RELATIVE TO INVESTMENTS OF CO-OPERATIVE BANKS IN CERTAIN SECURITIES.

Be it enacted, etc., as follows:

Section 26 of chapter 170 of the General Laws is hereby amended by inserting after subsection 2A, inserted by chapter 389 of the acts of 1971, the following subsection:—

2B. In securities, not otherwise eligible for investment by a co-operative bank under any other provision of this chapter or under any other applicable provision of law; provided, that such securities are approved for investment in accordance with the following conditions, limitations and requirements of this subsection.

(*a*) The securities eligible for approval for investment under this subsection may include (*i*) 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, (*ii*) 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 of chapter one hundred and sixty-eight, having its principal place of business in the commonwealth, and (*iii*) preferred and common stock of any corporation described in the foregoing clause (*ii*), an obligation of which is qualified for investment thereunder.

(*b*) Upon application by twenty-five savings banks to the Mutual Savings Central Fund, Inc., hereinafter referred to as "said fund", submitted in such form and under such conditions as the board of directors thereof may require, requesting authority for savings banks to invest their deposits and the income derived therefrom in any of the interest bearing obligations or stocks referred to in paragraph (*a*) of this subsection, said board may request the commissioner, in such form and under such conditions as in his discretion he may require, to authorize savings banks, notwithstanding any other provisions of law, to invest their deposits and income derived therefrom in any such interest bearing obligations or stocks.

(*c*) If the commissioner grants such authority he shall forthwith send written notice thereof to each co-operative bank, and shall add the name of such investment to the list provided for in section fifty-one of chapter one hundred and sixty-eight. At any time thereafter the commissioner may revoke such authority, in which event he shall forthwith send written notice of such revocation to each co-operative bank.

(*d*) If the commissioner shall have authorized co-operative banks to invest in an issue of bonds in accordance with any of the provisions of this subsection, and if thereafter, but before such authorization shall have been revoked, the issuer shall issue bonds the proceeds of which are to be used solely to refund the issue previously authorized for investment or another issue of equal or shorter maturity and of equal or prior security, and if such new bonds shall be of equal security with the previously authorized issue and of equal or shorter maturity, the commissioner may authorize co-operative banks to invest their funds in such refunding bonds, and thereafter may revoke such authority on his own initiative or at the written request of said fund. If the commissioner shall have authorized co-operative banks to invest in an issue of bonds in accordance with any of the provisions of this section, and if thereafter but before such authorization shall have been revoked the issuer shall issue bonds of which at least ninety per cent of the proceeds are to be used to refund the issue previously

authorized for investment or another issue of equal or prior security, and if, in the judgment of the board of directors of said fund, the security for the new bonds is not less than that for the previously authorized issue then said board of directors may, on its own initiative, request the commissioner to authorize savings banks to invest their funds in such new bonds and the commissioner may authorize such investment for co-operative banks and savings banks and thereafter may revoke such authority on his own initiative or at the request of said fund.

(*e*) In determining that any investments authorized under the provisions of this subsection should be included in the list of investments legal for co-operative banks or deleted from said list, the commissioner may employ such expert assistance as he deems proper or may rely upon information contained in publications which he deems authoritative in reference to such matters.

(*f*) Not more than an amount equal to ten per cent of the assets of any such corporation shall be invested in interest bearing obligations authorized for investment under this subsection. Not more than two per cent of its assets shall be invested in stocks so authorized. Not more than one half of one per cent of its assets 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 June 25, 1971.

Chap. 447. AN ACT RELATIVE TO DEFENSES IN ACTIONS FOR FALSE ARREST OR FALSE IMPRISONMENT.

Be it enacted, etc., as follows:

Section 94B of chapter 231 of the General Laws, inserted by chapter 337 of the acts of 1958, is hereby amended by inserting after the word "premises", in line 9, the words:—or larceny of the personal property of employees or customers or others present on such premises.

Approved June 25, 1971.

Chap. 448. AN ACT RELATIVE TO THE PAYMENT OF INTEREST ON PECUNIARY LEGACIES AND PECUNIARY DISTRIBUTIONS UNDER A TRUST INSTRUMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 197 of the General Laws is hereby amended by striking out section 20, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 20. The rate of interest upon pecuniary legacies or pecuniary distributions under a trust instrument, unless otherwise provided in the will or trust instrument, shall be such as the supreme judicial court may by general rules establish, and in the absence of any such rules the rate shall be four per cent per annum. Unless otherwise provided in the will or living trust instrument, interest shall be payable from the date of the expiration of the period within which creditors may

bring actions against an executor or administrator as provided in section nine, or six months from the date upon which the distribution is required by the trust instrument.

SECTION 2. The provisions of section twenty of chapter one hundred and ninety-seven of the General Laws, as amended by section one of this act, shall apply to wills of persons dying on or after January the first, nineteen hundred and seventy-two, and to trust instruments executed on or after said date. *Approved June 25, 1971.*

Chap. 449. AN ACT TO ALLOW CERTAIN PERSONS TO REMAIN ELIGIBLE FOR REAL ESTATE TAX EXEMPTIONS AFTER CHANGE OF DOMICILE.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of clause Seventeenth of section 5 of chapter 59 of the General Laws, as appearing in chapter 371 of the acts of 1966, is hereby amended by striking out, in line 4, the word "it" and inserting in place thereof the words:—such real estate or other real estate in the commonwealth.

SECTION 2. The provisions of clause Seventeenth of section five of chapter fifty-nine of the General Laws, as amended by section one of this act, shall apply to taxes levied in the year nineteen hundred and seventy-one and subsequent years. *Approved June 25, 1971.*

Chap. 450. AN ACT PROVIDING FOR THE AWARD OF TREBLE DAMAGES IN CERTAIN CASES OF FRAUD OR DECEIT IN THE SALE OF PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85I the following section:—

Section 85J. Whoever, by deceit or fraud, sells personal property shall be liable in tort to a purchaser in treble the amount of damages sustained by him. *Approved June 25, 1971.*

Chap. 451. AN ACT AUTHORIZING THE CITY OF WORCESTER TO PAY CERTAIN EMPLOYEES FOR WORK PERFORMED DURING THE YEAR NINETEEN HUNDRED AND SIXTY-NINE.

Be it enacted, etc., as follows:

The city of Worcester is hereby authorized to appropriate and the treasurer of said city is hereby authorized to pay to Evelyn Adams the sum of four hundred eleven dollars and seventy-seven cents; to Kenneth Engstrand the sum of one hundred two dollars and ninety-four cents; and to Judith Webster the sum of one hundred two dollars and ninety-four cents, for work performed by them from September to December, inclusive, in the year nineteen hundred and sixty-nine. *Approved June 25, 1971.*

Chap. 452. AN ACT INCREASING THE ANNUAL RATE OF INTEREST PAID TO CONSUMERS ON CERTAIN ADVANCE SECURITY DEPOSITS FOR GAS AND ELECTRICITY FURNISHED.

Be it enacted, etc., as follows:

Section 58A of chapter 164 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 4, the word "four" and inserting in place thereof the word:—six.

Approved June 25, 1971.

Chap. 453. AN ACT PROVIDING THAT NO FEE SHALL BE CHARGED FOR THE REGISTRATION OF MOTOR VEHICLES OWNED BY POLITICAL SUBDIVISIONS OF THE COMMONWEALTH AND USED SOLELY FOR OFFICIAL BUSINESS.

Be it enacted, etc., as follows:

Section 33 of chapter 90 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in chapter 421 of the acts of 1963, and inserting in place thereof the following paragraph:—

For the registration of every motor vehicle and trailer owned by any political subdivision of the commonwealth, and used solely for official business, no fee shall be collected hereunder.

Approved June 29, 1971.

Chap. 454. AN ACT AUTHORIZING CERTAIN ASSOCIATIONS AND CORPORATIONS ACTING AS FIDUCIARIES TO FILE SECURITIES BY ISSUE.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 54A the following section:—

Section 54B. Any association or corporation authorized to do a banking business and to exercise trust powers in the commonwealth may hold securities held by it in a fiduciary capacity pursuant to the exercise of such trust powers in a manner such that, without certification as to ownership attached, certificates representing securities of the same class of the same issuer and from time to time constituting assets of particular fiduciary accounts are held in bulk, including, to the extent feasible, the merging of certificates of small denomination into one or more certificates of large denomination, provided that such association or corporation shall be subject to such rules and regulations as may from time to time be issued, in the case of national banking associations, by the comptroller of the currency, and in the case of all other such associations and corporations, by the commissioner. Such association or corporation shall, on demand by any court, fiduciary, co-fiduciary, beneficiary or other interested party to an accounting, or by the attorney for any such fiduciary, co-fiduciary, beneficiary or other interested party to an accounting, certify in writing the securities held by such association or corporation as such fiduciary.

Approved June 29, 1971.

Chap. 455. AN ACT RELATIVE TO LIMITATIONS ON MORTGAGE LENDING BY SAVINGS BANKS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 3 of section 34 of chapter 168 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 50 of the acts of 1962, and inserting in place thereof the following sentence:—Not more than seventy-five per cent of the total deposits of such corporation shall be invested in mortgages of real estate; provided, that in addition to such seventy-five per cent an amount equivalent to fifteen per cent of the total deposits of such corporation may be invested in insured or guaranteed mortgages, or both, referred to in paragraph 11 of section thirty-five, section fifty-one of chapter one hundred and sixty-seven and chapter forty-six of the acts of nineteen hundred and forty-five; as amended, and in regulations thereunder.

SECTION 2. Said paragraph 3 of said section 34 of said chapter 168 is hereby further amended by striking out the last sentence, added by chapter 312 of the acts of 1967.

SECTION 3. The third sentence of paragraph 8 of section 35 of said chapter 168, as most recently amended by section 4 of chapter 278 of the acts of 1969, is hereby further amended by striking out, in line 5, the word "fifteen" and inserting in place thereof the word:—twenty,—so as to read as follows:—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 twenty per cent of the total deposits of such corporation. *Approved June 29, 1971.*

Chap. 456. AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO THE PURCHASE, SALE AND POSSESSION OF FIREARMS, RIFLES AND SHOTGUNS.

Be it enacted, etc., as follows:

SECTION 1. Section 121 of chapter 140 of the General Laws, as most recently amended by section 1 of chapter 799 of the acts of 1969, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—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 is less than sixteen inches or eighteen inches in the case of a shotgun, and the term "length of barrel" shall mean that portion of a firearm, rifle, shotgun or machine gun through which a shot or bullet is driven, guided or stabilized, and shall include the chamber.

SECTION 2. The first paragraph of section 122B of said chapter 140, as appearing in section 2 of said chapter 799, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:—In this section, the term "ammunition" shall mean cartridges or cartridge cases, primers (igniter), bullets or pro-

pellent powder designed for use in any firearm, rifle or shotgun. The term "ammunition" shall also mean a chemical mace or any similar device or instrument for the emission of gas.

SECTION 3. Section 128 of said chapter 140 is hereby amended by striking out the first sentence, as amended by section 4 of chapter 737 of the acts of 1968, and inserting in place thereof the following sentence:—Any licensee under a license described in section one hundred and twenty-three, and any employee or agent of such licensee, who violates any provision of said section required to be expressed in the second, fourth, sixth, seventh, eighth or ninth condition of said license, and except as provided in section one hundred and twenty-eight A, any person who, without being licensed as hereinbefore provided, sells, rents or leases, or exposes for sale, rental or lease, or has in his possession with intent to sell, rent or lease, a firearm, rifle, shotgun or machine gun, or is engaged in business as a gunsmith, shall for the first offense be punished by a fine of not more than one hundred dollars, and for any subsequent offense by imprisonment for not less than six months nor more than two years.

SECTION 4. Section 129C of said chapter 140, as amended by section 8 of said chapter 799, is hereby further amended by striking out the sixth paragraph.

SECTION 5. The third paragraph of section 10 of chapter 269 of the General Laws, as amended by section 16 of chapter 799 of the acts of 1969, is hereby further amended by inserting after the word "suspended", in line 2, the words:—license to carry firearms issued under the provisions of section one hundred and thirty-one or one hundred and thirty-one F of chapter one hundred and forty, or.

SECTION 6. Said section 10 of said chapter 269 is hereby further amended by adding the following paragraph:—

For the purpose of this section "sawed-off shotgun" means a shotgun having one or more barrels less than eighteen inches in length and any weapon made from a shotgun, whether by alteration, modification, or otherwise, if such weapon as modified has an overall length of less than twenty-six inches. *Approved June 29, 1971.*

Chap. 457. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SKATING RINK IN THE TOWN OF ARLINGTON AS THE VETERANS MEMORIAL RINK.

Be it enacted, etc., as follows:

The metropolitan district commission skating rink in the town of Arlington shall be designated and known as the Veterans Memorial rink. A suitable marker bearing said designation shall be attached thereto by said commission. *Approved June 29, 1971.*

Chap. 458. AN ACT DESIGNATING THE ADMINISTRATION BUILDING AT THE GRAFTON STATE HOSPITAL AS THE WILLIAM CHARLES INMAN BUILDING.

Be it enacted, etc., as follows:

The administration building at the Grafton state hospital shall be known and designated as the William Charles Inman building, in

memory of Doctor William Charles Inman, a former superintendent of said hospital. A suitable marker bearing said designation shall be attached thereto by the department of mental health.

Approved June 29, 1971.

Chap. 459. AN ACT PROVIDING FOR INTERPRETERS FOR THE DEAF IN COURT PROCEEDINGS.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by inserting after section 92 the following section:—

Section 92A. In any proceeding in any court in which a deaf person is a party or a witness, the court shall appoint a qualified interpreter to interpret the proceedings for such person, unless such person waives, in writing, the appointment of such interpreter. For the purposes of this section, a person shall be deemed to be deaf if he has a handicap which prevents him from hearing effectively. The court shall determine a reasonable fee, not to exceed ten dollars per hour in court for the services of such interpreter who shall be paid by the county in which the proceeding is held. *Approved June 29, 1971.*

Chap. 460. AN ACT RELATIVE TO THE AMOUNT OF CERTAIN RETIREMENT AND DEATH BENEFITS WHICH MAY BE PAID BY FALL RIVER PERMANENT FIREMEN'S BENEFIT ASSOCIATION, INC.

Be it enacted, etc., as follows:

The Fall River Permanent Firemen's Benefit Association, Inc., a corporation duly established under the laws of the commonwealth, is hereby authorized, upon the retirement of any member in good standing on or after February the fifteenth, nineteen hundred and seventy-one, to pay to such member such sum, not exceeding five hundred dollars, as may be determined by vote of the directors of said corporation. Any amount paid in accordance with this provision shall reduce the death benefit otherwise available upon the death of such member. *Approved June 29, 1971.*

Chap. 461. AN ACT FURTHER REGULATING THE INVESTMENTS OF CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Section 26 of chapter 170 of the General Laws is hereby amended by inserting after subsection 4, as appearing in section 1 of chapter 371 of the acts of 1950, the following subsection:—

4A. In securities of any of the classes described below in this subsection:

(*a*) Shares of beneficial interest of the Savings Bank Investment Fund; provided that no such corporation shall invest in such shares (*i*) if the cost thereof added to the cost of such shares already owned shall exceed fifty per cent of the total of the guaranty fund and surplus of such corporation or (*ii*) if the cost thereof added to the

amount already invested in such shares and in stocks shall exceed the total of such guaranty fund and surplus.

(*b*) Preferred and common stocks of any company described in section forty-five or section forty-six of chapter one hundred and sixty-eight, 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 (*i*) 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 or (*ii*) 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 corporation shall invest more than one half of one per cent of its assets in the stock of any one such company.

(*c*) Bankers' acceptances and bills of exchange of the kinds and maturities made eligible by law for rediscount with federal reserve banks; provided, that the same are accepted by a bank, banking association or trust company incorporated under the laws of the United States or of this commonwealth, and having its principal place of business within the commonwealth, subject to other limitations, as follows:—

(*i*) Not more than ten per cent of its assets shall be invested by any such corporation in bankers' acceptances or bills of exchange.

(*ii*) Not more than five per cent of its assets shall be invested by any such corporation in the acceptances and bills of exchange eligible by law for rediscount in federal reserve banks of any one accepting bank or trust company; and the aggregate amount of bankers' acceptances and bills of exchange of any one bank, banking association or trust company held by any such corporation shall not exceed twenty-five per cent of the paid-up capital and surplus of such bank, banking association or trust company.

(*d*) The following provisions of this section shall govern securities acquired by any such corporation, as the results of settlements:—

(*i*) Such corporation may consent to any settlement, modification, exchange or readjustment of any investments in securities made by such corporation and may accept and hold bonds, notes, stocks or other securities offered in full or partial settlement, modification or readjustment of any such investment pursuant to a merger, consolidation, reorganization or otherwise. Such corporation may hold bonds,

notes, stocks or other securities acquired in settlements effected to secure loans or indebtedness. Securities so accepted or acquired that do not satisfy the legal requirements for investments by co-operative banks at the time of acceptance or acquisition shall be held in the securities acquired account.

(*ii*) Such corporation may hold securities accepted or acquired under the provisions of paragraph (*d*) and held in its securities acquired account, for a period of five years following the acceptance and acquisition thereof; but the commissioner, on petition of the security committee of such corporation and for cause, or in his discretion, may grant additional periods of time for the holding of such securities. The preceding sentence shall not apply to the securities of any railroad company doing business in this commonwealth received by such corporation before January the first, nineteen hundred and forty-three, pursuant to the reorganization, refinancing, or otherwise, or any such company; but the commissioner may, at any time after the expiration of five years following the acceptance and acquisition of any such securities, order the sale or other disposition thereof.

(*e*) Debentures, convertible debentures, notes or other evidences of indebtedness of (*i*) a banking corporation in the common stock of which such corporation may invest pursuant to paragraph 1 of section forty-seven of chapter one hundred and sixty-eight as made applicable to such corporations by subsection 2 of this section; 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 (*ii*) a banking corporation in the common stock of which such corporation may invest pursuant to paragraph 2 of said section forty-seven of chapter one hundred and sixty-eight as made applicable to such corporations by subsection 2 of this section; 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, convertible 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 of chapter one hundred and sixty-eight. Not more than four per cent of its assets 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 assets or fifty thousand dollars, whichever is greater, shall be invested by such corporation in deben-

tures, convertible debentures, notes or other evidences of indebtedness of any one banking corporation.

(*f*) Certificates of deposit having a maturity not in excess of two years of a banking corporation; provided that the investment of the co-operative bank in the certificates of deposit of the banking corporations shall not exceed ten per cent of the combined total of the guaranty fund, capital stock, surplus, undivided profits and reserve for contingencies of the banking corporation; and provided, further, that the banking corporation (*i*) has no preferred stock outstanding; (*ii*) in each of the five years immediately preceding the date of investment has paid dividends in cash of not less than four per cent of its common stock without having reduced the aggregate par value thereof; (*iii*) has surplus at least equal to fifty per cent of its capital stock; (*iv*) has a combined total of capital stock, surplus, undivided profits and reserve for contingencies at least equal to six per cent of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment; and (*v*) is, if its principal office is located outside the commonwealth, a member of the federal reserve system and its capital stock is an eligible investment for co-operative banks; provided, however, that in the case of a banking corporation having a combined total of capital stock, surplus, undivided profits and reserve for contingencies equal to at least five hundred million dollars said combined total may be less than six per cent, but not less than five per cent, of its aggregate deposit liability at the end of the calendar year immediately preceding the date of investment. No more than ten per cent of the assets of the co-operative bank shall be invested in certificates of deposit generally and no more than five per cent in the certificates of deposit of any one banking corporation. The investments permitted by this subparagraph shall not affect the type or amount of investments that may be made by a co-operative bank under other provisions of this section. The limitation imposed by clause (*ii*) of this subparagraph shall not apply to an aggregate investment of not in excess of fifteen thousand dollars by a co-operative bank in certificates of deposit of a banking corporation, the deposits of which banking corporation are insured by the Federal Deposit Insurance Corporation.

(*g*) 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 assets shall be invested by any such corporation in such obligations and not more than one tenth of one per cent of its assets shall be invested by any such corporation in such obligations of any one corporation.

SECTION 2. Section 40 of said chapter 170, as appearing in chapter 290 of the acts of 1970, is hereby amended by striking out, in line 18, the word "and", and by inserting after the "bank", in line 19, the following words:—; and (*g*) federal funds, defined to include a transaction involving the transfer of deposits of co-operative banks among member banks of the Federal Reserve System, which are immediately available funds, as authorized by subsection two A of section twenty-six. *Approved June 29, 1971.*

Chap. 462. AN ACT PROVIDING FOR NOTIFICATION TO STATE AND LOCAL POLICE, DISTRICT ATTORNEYS AND NEXT OF KIN OF THE UNAUTHORIZED ABSENCE OF ANY PATIENT OR RESIDENT IN A FACILITY OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Section 30 of chapter 123 of the General Laws, as appearing in section 4 of chapter 888 of the acts of 1970, is hereby amended by inserting before the first sentence the following sentence:—If a patient or resident in a facility of the department is absent without authorization the superintendent of the facility shall notify the state and local police, the district attorney of the county wherein the facility is located and the next of kin of such patient or resident.

Approved June 29, 1971.

Chap. 463. AN ACT AUTHORIZING THE COUNTY TREASURER OF BRISTOL COUNTY TO PAY A CERTAIN SUM OF MONEY TO J. F. NACAULA & SONS.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the treasurer of Bristol county is hereby authorized, subject to appropriation, to pay to John F. Nacaula, doing business as J. F. Nacaula & Sons, an unpaid bill in the sum of one thousand twelve dollars and fifty cents for excavation work performed in the year nineteen hundred and sixty-eight.

Approved June 29, 1971.

Chap. 464. AN ACT ELIMINATING THE REQUIREMENT OF A UNANIMOUS VOTE OF THE PAROLE BOARD IN GRANTING PAROLE.

Be it enacted, etc., as follows:

The first sentence of section 133 of chapter 127 of the General Laws is hereby amended by striking out the words added by chapter 261 of the acts of 1966 and inserting in place thereof the words:—; provided, further, however, that upon the written recommendation of the superintendent or the director of the prison camp, and the commissioner of correction, and, with the consent and approval of a majority of the full parole board, such a prisoner shall become eligible for parole consideration, and, with like consent and approval, may be given a parole permit before such time, but in any event not sooner than such a parole permit may be granted to other prisoners under clause (*b*) of this section.

Approved June 29, 1971.

Chap. 465. AN ACT PROVIDING THAT CERTAIN MEMBERS OF THE WEST SPRINGFIELD POLICE RELIEF ASSOCIATION MAY, UPON PENSION OR RETIREMENT FROM THE WEST SPRINGFIELD POLICE 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 West Springfield Police 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 police department of the town of West Springfield, 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 police department of the town of West Springfield, 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 police 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 June 29, 1971.*

Chap. 466. AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-TWO PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the provisions of House Bill numbered 5525, as amended and passed to be engrossed by the house of representatives, making appropriations for the fiscal year nineteen hundred and seventy-two 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, are hereby incorporated herein by reference and shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the amounts made available by allotment by the governor upon the recommendation of the commissioner of administration; and provided further, that said commissioner is hereby directed to limit the amounts so allotted to those appropriation accounts essential for the maintenance of services during the month of July. The total allotment to any office, department or undertaking subject to section nine B of chapter twenty-nine of the General Laws authorized to expend funds throughout the fiscal year nineteen hundred and seventy-one from appropriation accounts included in Allotment Letter No. 1, dated July the first, nineteen hundred and seventy, shall not exceed the amounts allotted in said Allotment Letter, and the total allotment to any such office, department or undertaking authorized to expend funds for only a portion of said fiscal year from appropriation accounts not included in said Allotment Letter shall not exceed the amounts required for the continued maintenance thereof at the level authorized as of June the thirtieth, nineteen hundred and seventy-one; provided, that if the amounts so allotted would be insufficient to meet the

minimum requirements of the agency, said commissioner may authorize such additional allotment as may be necessary, and a copy of such additional authorization shall be filed with the joint committee on ways and means.

SECTION 2. This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and seventy-two or on July the thirty-first, nineteen hundred and seventy-one, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

SECTION 3. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-two certain balances of appropriations which otherwise would revert on June the thirtieth, nineteen hundred and seventy-one, the unexpended balance of the item shown below is hereby appropriated for the fiscal year nineteen hundred and seventy-two:

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

Approved June 29, 1971.

Chap. 467. 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 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 seventy-one.

ESSEX COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$196,919 50
2.	For reduction of county debt		455,000 00
3.	For county commissioners, salaries and expenses		88,795 90
	1. Personal services	$83,260 90	
	2. Contractual services	2,500 00	
	3. Supplies and materials	2,600 00	
	4. Current charges and obligations	435 00	
4.	For transportation and expenses of county and acting commissioners		1,400 00
5.	For clerk of courts, salaries and expenses		258,658 76
	1. Personal services	237,820 76	
	2. Contractual services	11,700 00	
	3. Supplies and materials	7,200 00	
	4. Current charges and obligations	1,613 00	
	5. Equipment	325 00	

Item		Subtotal	Total
6.	For county treasurer, salaries and expenses		$65,142 93
	1. Personal services	$59,772 93	
	2. Contractual services	1,700 00	
	3. Supplies and materials	1,900 00	
	4. Current charges and obligations	1,770 00	
7.	For sheriff, salaries and expenses		21,530 06
	1. Personal services	20,960 06	
	2. Contractual services	400 00	
	4. Current charges and obligations	170 00	
8.	For registry of deeds, salaries and expenses Southern District		484,918 24
	1. Personal services	444,195 84	
	2. Contractual services	9,000 00	
	3. Supplies and materials	15,000 00	
	4. Current charges and obligations	15,812 40	
	5. Equipment	910 00	
	Northern District		213,188 21
	1. Personal services	186,004 21	
	2. Contractual services	16,000 00	
	3. Supplies and materials	4,975 00	
	4. Current charges and obligations	2,925 00	
	5. Equipment	3,284 00	
8a.	For registry of probate, salaries and expenses		24,618 46
	1. Personal services	5,983 46	
	2. Contractual services	8,575 00	
	3. Supplies and materials	5,700 00	
	4. Current charges and obligations	3,700 00	
	5. Equipment	660 00	
9.	For law library, salaries and expenses — Salem		25,756 88
	1. Personal services	13,244 88	
	2. Contractual services	447 00	
	3. Supplies and materials	65 00	
	4. Current charges and obligations	12,000 00	
	For law library, salaries and expenses — Lawrence		21,108 81
	1. Personal services	9,991 81	
	2. Contractual services	962 00	
	3. Supplies and materials	155 00	
	4. Current charges and obligations	10,000 00	
10.	For highways, including state highways, bridges and land damages		529,871 25
	1. Personal services	155,621 25	
	2. Contractual services	5,550 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	1,500 00	
	6. All other	364,200 00	
12.	For criminal costs in superior court		378,767 37
	1. Personal services	146,540 32	
	2. Contractual services	222,450 00	
	3. Supplies and materials	4,850 00	
	4. Current charges and obligations	2,748 05	
	5. Equipment	2,179 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		387,822 20
	1. Personal services	117,457 20	
	2. Contractual services	270,065 00	
	3. Supplies and materials	300 00	

Item		Subtotal	Total
14.	For district courts, salaries and expenses		
	First District Court of Essex		$278,977 31
	1. Personal services	$241,815 52	
	2. Contractual services	22,200 00	
	3. Supplies and materials	5,125 00	
	4. Current charges and obligations	7,777 00	
	5. Equipment	2,059 79	
	Second District Court of Essex		83,691 68
	1. Personal services	76,078 68	
	2. Contractual services	2,075 00	
	3. Supplies and materials	1,483 00	
	4. Current charges and obligations	4,055 00	
	Third District Court of Essex		39,312 71
	1. Personal services	35,439 91	
	2. Contractual services	1,587 00	
	3. Supplies and materials	700 00	
	4. Current charges and obligations	1,560 80	
	5. Equipment	25 00	
	Central District Court of Northern Essex		239,294 39
	1. Personal services	208,519 89	
	2. Contractual services	21,540 00	
	3. Supplies and materials	5,400 00	
	4. Current charges and obligations	2,275 00	
	5. Equipment	1,559 50	
	District Court of Eastern Essex		87,010 23
	1. Personal services	75,727 73	
	2. Contractual services	4,700 00	
	3. Supplies and materials	2,500 00	
	4. Current charges and obligations	3,713 00	
	5. Equipment	369 50	
	District Court of Lawrence		231,127 21
	1. Personal services	214,912 71	
	2. Contractual services	11,900 00	
	3. Supplies and materials	3,100 00	
	4. Current charges and obligations	1,214 50	
	District Court of Southern Essex		341,211 73
	1. Personal services	302,267 23	
	2. Contractual services	16,200 00	
	3. Supplies and materials	8,275 00	
	4. Current charges and obligations	13,018 00	
	5. Equipment	1,451 50	
	District Court of Newburyport		92,867 96
	1. Personal services	79,907 96	
	2. Contractual services	3,750 00	
	3. Supplies and materials	2,350 00	
	4. Current charges and obligations	6,135 00	
	5. Equipment	725 00	
	District Court of Peabody		187,063 54
	1. Personal services	165,093 44	
	2. Contractual services	4,947 50	
	3. Supplies and materials	5,025 00	
	4. Current charges and obligations	11,006 80	
	5. Equipment	990 80	
	District Court — Juvenile Division		78,170 96
	1. Personal services	70,325 96	
	2. Contractual services	7,000 00	
	3. Supplies and materials	625 00	
	4. Current charges and obligations	220 00	

Item		Subtotal	Total
	District Court — Appellate Division		$2,761 67
	1. Personal services	$2,556 67	
	2. Contractual services	80 00	
	3. Supplies and materials	60 00	
	4. Current charges and obligations	65 00	
15.	For medical examiners and commitments of insane		55,780 00
16.	For jail and house of correction, maintenance and operation — Salem		454,706 75
	1. Personal services	376,174 75	
	2. Contractual services	11,999 00	
	3. Supplies and materials	63,547 00	
	4. Current charges and obligations	1,965 00	
	5. Equipment	821 00	
	6. All other	200 00	
	For jail and house of correction, maintenance and operation — Lawrence		368,817 57
	1. Personal services	289,925 57	
	2. Contractual services	10,460 00	
	3. Supplies and materials	65,860 00	
	4. Current charges and obligations	1,596 00	
	5. Equipment	976 00	
	For industrial farm		112,440 15
	1. Personal services	97,194 45	
	2. Contractual services	2,000 00	
	3. Supplies and materials	11,654 00	
	4. Current charges and obligations	1,591 70	
17.	For training school		394,549 04
	1. Personal services	316,919 04	
	2. Contractual services	20,000 00	
	3. Supplies and materials	52,000 00	
	4. Current charges and obligations	4,500 00	
	5. Equipment	1,130 00	
18.	For court houses and registry buildings, maintenance and operation		386,128 31
	1. Personal services	306,911 31	
	2. Contractual services	46,375 00	
	3. Supplies and materials	29,120 00	
	4. Current charges and obligations	1,997 00	
	5. Equipment	1,725 00	
18a.	For county hospital buildings		2,350 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		1,445,833 52
	1. Personal services	1,105,986 52	
	2. Contractual services	96,410 00	
	3. Supplies and materials	150,000 00	
	4. Current charges and obligations	44,900 00	
	5. Equipment	38,336 00	
	6. All other	10,201 00	
24.	For noncontributory pensions		143,507 93
25.	For contributory retirement system and supervisory expenses		579,087 09
26.	For miscellaneous and contingent expenses		110,577 31
27.	For unpaid bills of previous years		68,982 81

Item		Total
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	7,364 00
31.	For radio system for fire protection	780 00
32.	For forest development	2,830 00
34.	For conservation	10,000 00
39.	For group insurance	262,055 00
	Total amount of appropriations	$9,330,777 44
	Less estimated amount available for reduction of county tax	1,922,487 43
	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	$7,408,290 01

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

Approved June 30, 1971.

Chap. 468. 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 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, 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 seventy-one.

BRISTOL COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$103,100 00
2.	For reduction of county debt		110,200 00
3.	For county commissioners, salaries and expenses		23,806 01
	1. Personal services	$22,366 61	
	2. Contractual services	1,000 00	
	3. Supplies and materials	325 00	
	4. Current charges and obligations	114 40	
4.	For transportation and expenses of county and acting commissioners		750 00

Item		Subtotal	Total
5.	For clerk of courts, salary and expenses		$193,580 00
	1. Personal services	$176,030 00	
	2. Contractual services	13,000 00	
	3. Supplies and materials	3,500 00	
	4. Current charges and obligations	500 00	
	5. Equipment	550 00	
6.	For county treasurer, salaries and expenses		97,447 80
	1. Personal services	89,138 40	
	2. Contractual services	4,700 00	
	3. Supplies and materials	2,100 00	
	4. Current charges and obligations	1,184 40	
	5. Equipment	325 00	
7.	For sheriff, salary and expenses		15,903 50
	1. Personal services	15,008 50	
	2. Contractual services	500 00	
	3. Supplies and materials	125 00	
	4. Current charges and obligations	270 00	
8.	For registry of deeds, salaries and expenses Northern District		133,302 50
	1. Personal services	113,285 40	
	2. Contractual services	14,000 00	
	3. Supplies and materials	4,700 00	
	4. Current charges and obligations	571 90	
	5. Equipment	745 20	
	Southern District		130,196 50
	1. Personal services	115,917 55	
	2. Contractual services	10,000 00	
	3. Supplies and materials	3,500 00	
	4. Current charges and obligations	500 00	
	5. Equipment	278 95	
	Fall River District		133,008 40
	1. Personal services	117,608 40	
	2. Contractual services	9,000 00	
	3. Supplies and materials	6,000 00	
	4. Current charges and obligations	400 00	
8a.	For registry of probate, salaries and expenses		15,900 00
	1. Personal services	1,000 00	
	2. Contractual services	8,000 00	
	3. Supplies and materials	5,000 00	
	4. Current charges and obligations	1,900 00	
9.	For law library, salaries and expenses — Taunton		18,872 60
	1. Personal services	8,940 60	
	2. Contractual services	290 00	
	3. Supplies and materials	160 00	
	4. Current charges and obligations	9,482 00	
	For law library, salaries and expenses — New Bedford		17,860 60
	1. Personal services	8,940 60	
	2. Contractual services	335 00	
	3. Supplies and materials	85 00	
	4. Current charges and obligations	8,500 00	
	For law library, salaries and expenses — Fall River		18,435 60
	1. Personal services	8,940 60	
	2. Contractual services	550 00	
	3. Supplies and materials	60 00	
	4. Current charges and obligations	8,885 00	

Item		Subtotal	Total
10.	For highways, including state highways, bridges and land damages		$330,050 00
	2. Contractual services	$330,050 00	
12.	For criminal costs in superior court		362,208 92
	1. Personal services	114,990 42	
	2. Contractual services	242,100 00	
	3. Supplies and materials	3,155 00	
	4. Current charges and obligations	861 00	
	5. Equipment	1,102 50	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		185,796 00
	1. Personal services	57,296 00	
	2. Contractual services	128,000 00	
	3. Supplies and materials	200 00	
	4. Current charges and obligations	300 00	
14.	For district courts, salaries and expenses		
	First District Court of Bristol		168,154 96
	1. Personal services	156,452 06	
	2. Contractual services	6,950 00	
	3. Supplies and materials	3,600 00	
	4. Current charges and obligations	1,152 90	
	Second District Court of Bristol		237,260 43
	1. Personal services	203,400 43	
	2. Contractual services	12,600 00	
	3. Supplies and materials	5,650 00	
	4. Current charges and obligations	13,216 00	
	5. Equipment	2,394 00	
	Third District Court of Bristol		335,032 83
	1. Personal services	299,647 83	
	2. Contractual services	17,500 00	
	3. Supplies and materials	6,950 00	
	4. Current charges and obligations	9,000 00	
	5. Equipment	1,935 00	
	Fourth District Court of Bristol		155,533 01
	1. Personal services	142,339 01	
	2. Contractual services	7,100 00	
	3. Supplies and materials	3,350 00	
	4. Current charges and obligations	2,744 00	
	District Court — Juvenile Division		66,181 35
	1. Personal services	62,606 35	
	2. Contractual services	2,900 00	
	3. Supplies and materials	350 00	
	4. Current charges and obligations	325 00	
	District Court — Appellate Division		370 00
	1. Personal services	250 00	
	2. Contractual services	100 00	
	3. Supplies and materials	20 00	
15.	For medical examiners and commitments of insane		58,144 00
16.	For jail and house of correction, maintenance and operation		585,475 38
	1. Personal services	428,110 38	
	2. Contractual services	44,050 00	
	3. Supplies and materials	106,000 00	
	4. Current charges and obligations	4,500 00	
	5. Equipment	2,815 00	

Item		Subtotal	Total
17.	For training school		$25,000 00
18.	For court houses and registry buildings, maintenance and operation		305,608 75
	1. Personal services	$242,556 40	
	2. Contractual services	40,410 00	
	3. Supplies and materials	20,915 00	
	4. Current charges and obligations	1,055 00	
	5. Equipment	672 35	
20.	For agricultural school or county aid to agriculture, maintenance and operation		701,357 00
	1. Personal services	509,177 00	
	2. Contractual services	62,000 00	
	3. Supplies and materials	94,000 00	
	4. Current charges and obligations	12,410 00	
	5. Equipment	2,770 00	
	6. All other	21,000 00	
24.	For noncontributory pensions		75,000 00
25.	For contributory retirement system and supervisory expenses		222,502 50
26.	For miscellaneous and contingent expenses		30,396 11
27.	For unpaid bills of previous years		26,970 31
28.	For reserve fund		35,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		75,000 00
30.	For forest fire patrol		11,728 30
39.	For group insurance		126,000 00
	Total amount of appropriations		$5,131,133 36
	Less estimated amount available for reduction of county tax		1,106,803 25
	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		$4,024,330 11

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

Approved June 30, 1971.

Chap. 469. 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 re-

quirements, and to meet certain requirements of law, 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 seventy-one.

HAMPDEN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$36,000 00
2.	For reduction of county debt		52,000 00
3.	For county commissioners, salaries and expenses		52,727 01
	1. Personal services	$50,102 01	
	2. Contractual services	1,200 00	
	3. Supplies and materials	700 00	
	4. Current charges and obligations	400 00	
	5. Equipment	325 00	
4.	For transportation and expenses of county and acting commissioners		400 00
5.	For clerk of courts, salaries and expenses		217,566 10
	1. Personal services	201,841 10	
	2. Contractual services	6,000 00	
	3. Supplies and materials	5,000 00	
	4. Current charges and obligations	3,000 00	
	5. Equipment	1,725 00	
6.	For county treasurer, salaries and expenses		53,117 94
	1. Personal services	46,889 44	
	2. Contractual services	3,000 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	945 00	
	5. Equipment	283 50	
7.	For sheriff, salary and expenses		15,957 50
	1. Personal services	15,400 00	
	2. Contractual services	200 00	
	4. Current charges and obligations	357 50	
8.	For registry of deeds, salaries and expenses		354,115 92
	1. Personal services	302,575 92	
	2. Contractual services	24,700 00	
	3. Supplies and materials	23,000 00	
	4. Current charges and obligations	3,840 00	
8a.	For registry of probate, salaries and expenses		55,341 85
	1. Personal services	31,886 40	
	2. Contractual services	10,600 00	
	3. Supplies and materials	6,100 00	
	4. Current charges and obligations	4,508 00	
	5. Equipment	2,247 45	
9.	For law library, salaries and expenses		39,846 26
	1. Personal services	23,749 26	
	2. Contractual services	862 00	
	3. Supplies and materials	235 00	
	4. Current charges and obligations	15,000 00	
10.	For highways, including state highways, bridges and land damages		411,687 50
	2. Contractual services	3,500 00	
	3. Supplies and materials	400 00	
	6. All other	407,787 50	

Item		Subtotal	Total
12.	For criminal costs in superior court		$420,140 96
	1. Personal services	$127,522 26	
	2. Contractual services	281,025 00	
	3. Supplies and materials	4,000 00	
	4. Current charges and obligations	5,940 00	
	5. Equipment	1,653 70	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		306,934 20
	1. Personal services	142,134 20	
	2. Contractual services	162,725 00	
	3. Supplies and materials	1,015 00	
	4. Current charges and obligations	1,060 00	
14.	For district courts, salaries and expenses		
	District Court of Chicopee		106,434 49
	1. Personal services	93,841 49	
	2. Contractual services	3,600 00	
	3. Supplies and materials	4,100 00	
	4. Current charges and obligations	3,548 00	
	5. Equipment	1,345 00	
	District Court of Holyoke		164,328 80
	1. Personal services	146,517 80	
	2. Contractual services	8,600 00	
	3. Supplies and materials	3,200 00	
	4. Current charges and obligations	5,433 00	
	5. Equipment	578 00	
	District Court of Eastern Hampden		118,869 07
	1. Personal services	99,654 57	
	2. Contractual services	9,000 00	
	3. Supplies and materials	2,500 00	
	4. Current charges and obligations	6,350 00	
	5. Equipment	1,364 50	
	District Court of Springfield		755,442 94
	1. Personal services	669,201 44	
	2. Contractual services	52,575 00	
	3. Supplies and materials	22,700 00	
	4. Current charges and obligations	7,200 00	
	5. Equipment	3,766 50	
	District Court of Western Hampden		134,877 15
	1. Personal services	119,577 15	
	2. Contractual services	5,800 00	
	3. Supplies and materials	3,050 00	
	4. Current charges and obligations	5,825 00	
	5. Equipment	625 00	
	Springfield Juvenile Court		203,722 51
	1. Personal services	172,142 51	
	2. Contractual services	17,700 00	
	3. Supplies and materials	9,400 00	
	4. Current charges and obligations	3,615 00	
	5. Equipment	865 00	
	District Court — Appellate Division		400 00
	2. Contractual services	400 00	
15.	For medical examiners and commitments of insane		82,000 00

Item		Subtotal	Total
16.	For jail and house of correction, maintenance and operation		$741,241 47
	1. Personal services	$546,795 17	
	2. Contractual services	33,000 00	
	3. Supplies and materials	150,000 00	
	4. Current charges and obligations	7,125 00	
	5. Equipment	3,121 30	
	6. All other	1,200 00	
17.	For training school		201,467 37
	1. Personal services	149,585 37	
	2. Contractual services	11,500 00	
	3. Supplies and materials	37,400 00	
	4. Current charges and obligations	1,700 00	
	5. Equipment	1,282 00	
18.	For court houses and registry buildings, maintenance and operation		269,734 72
	1. Personal services	202,387 72	
	2. Contractual services	59,600 00	
	3. Supplies and materials	6,300 00	
	4. Current charges and obligations	900 00	
	5. Equipment	547 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		219,506 01
	1. Personal services	207,256 01	
	2. Contractual services	10,000 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	250 00	
21.	For state reservation, maintenance and operation (Mount Tom)		74,120 54
23b.	For children's camp		5,000 00
24.	For noncontributory pensions		45,538 89
25.	For contributory retirement system and supervisory expenses		243,141 30
26.	For miscellaneous and contingent expenses		16,755 46
27.	For unpaid bills of previous years		7,153 21
28.	For reserve fund		50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		7,500 00
31.	For radio system for fire protection		23,550 00
39.	For group insurance		104,000 00
	Total amount of appropriations		$5,590,619 17
	Less estimated amount available for reduction of county tax		1,072,485 59
	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		$4,518,133 58

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

Approved June 30, 1971.

Chap. 470. AN ACT DEFERRING THE EFFECTIVE DATE OF CERTAIN REVISIONS OF THE LAWS RELATIVE TO THE ADMISSION, TREATMENT AND DISCHARGE OF MENTALLY ILL AND MENTALLY RETARDED PERSONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to defer immediately the effective date of certain revisions of the laws relative to the admission, treatment and discharge of mentally ill and mentally retarded persons, 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:

Chapter 888 of the acts of 1970 is hereby amended by striking out section 31 and inserting in place thereof the following section:—

Section 31. This act shall take effect on November the first, nineteen hundred and seventy-one. *Approved June 30, 1971.*

Chap. 471. AN ACT DEFERRING THE EFFECTIVE DATE OF THE LAW PROHIBITING THE ADVANCEMENT OF APPROPRIATED FUNDS TO THE DEPARTMENT OF PUBLIC WELFARE FOR PAYMENTS TO PROVIDERS OF MEDICAID SERVICES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to defer immediately the effective date of the law which prohibits the comptroller from allowing the advancement of appropriated funds to the department of public welfare for payments to vendors of medicaid services, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

The second paragraph of section 4 of chapter 800 of the acts of 1969 is hereby amended by striking out, in lines 1 and 2, the words "July first, nineteen hundred and seventy-one" and inserting in place thereof the words:—April the first, nineteen hundred and seventy-two.

Approved June 30, 1971.

Chap. 472. AN ACT SUSPENDING THE LAW RELATIVE TO THE PUBLICATION AND DISTRIBUTION OF RULES AND REGULATIONS PROMULGATED BY STATE AGENCIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for postponing the time for compliance with the law relative to the publication and distribution of rules and regulations promulgated by state agencies, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 808 of the acts of 1969 is hereby amended by striking out section 9, as most recently amended by section 8 of chapter 712 of the acts of 1970, and inserting in place thereof the following section:—

Section 9. The secretary shall, on or before February the fifteenth, nineteen hundred and seventy-two, cause all regulations which were in full force and effect on January the first, nineteen hundred and seventy-one, and, to the extent practicable, all regulations and amendments thereto adopted between said dates, to be compiled, indexed, reproduced and published in the manner provided in section six of chapter thirty A of the General Laws.

Approved June 30, 1971.

Chap. 473. AN ACT PROVIDING FOR RELEASE ON PERSONAL RECOGNIZANCE WITHOUT SURETY AND FOR A SPEEDY APPEAL FROM A DENIAL TO ORDER SUCH RELEASE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 276 of the General Laws is hereby amended by striking out section 58, as amended by section 1 of chapter 499 of the acts of 1970, and inserting in place thereof the following section:—

Section 58. A justice or a clerk or assistant clerk of the district court, a bail commissioner of master in chancery, in accordance with the applicable provisions of the preceding section, shall, when a prisoner is held under arrest or committed either with or without a warrant for an offense other than an offense punishable by death, or for any offense on which a warrant of arrest has been issued by the superior court, hold a hearing in which the defendant and his counsel, if any, may participate and inquire into the case and shall admit such person to bail on his personal recognizance without surety unless said justice, clerk or assistant clerk, bail commissioner or master in chancery determines, in the exercise of his discretion, that such a release will not reasonably assure the appearance of the prisoner before the court. In his determination, said justice, clerk or assistant clerk, bail commissioner or master in chancery shall, on the basis of any information which he can reasonably obtain, take into account the nature and circumstances of the offense charged, the prisoner's family ties, financial resources, employment record and history of mental illness, his reputation and the length of residence in the community, his record of convictions, if any, any flight to avoid prosecution or any failure to appear at any court proceeding to answer to an offense.

A prisoner, before being released on personal recognizance without surety, shall be informed by the person authorized to admit such prisoner to bail of the penalties provided by section eighty-two A if he fails without sufficient excuse to appear at the specified time and place in accordance with the terms of his recognizance. A person authorized to take bail may charge the fees authorized by section twenty-four of chapter two hundred and sixty-two, if he goes to the place of detention of the prisoner to make a determination provided for in this section although said prisoner is released on his personal recognizance without surety. Said fees shall not be charged by any clerk or assistant clerk of a district court during regular working hours.

A prisoner aforesaid charged with an offense and not released on his personal recognizance without surety by a clerk or assistant clerk of the district court, a bail commissioner or master in chancery shall

forthwith be brought before the next session of the district court for a review of the order to recognize in accordance with the standards set forth in the first paragraph of this section. A prisoner aggrieved by the denial of a district court justice to admit him to bail on his personal recognizance without surety may petition the superior court for a review of the order of the recognizance and the justice of the district court shall thereupon immediately notify such person of his right to file a petition for review in the superior court. When a petition for review is filed in the district court or with the detaining authority subsequent to petitioner's district court appearance, the clerk of the district court or the detaining authority, as the case may be, shall immediately notify by telephone the clerk and probation officer of the district court, the district attorney for the district in which the district court is located, the prosecuting officer, the petitioner's counsel, if any, and the clerk of courts of the county to which the petition is to be transmitted. The clerk of the district court, upon the filing of a petition for review, either in the district court or with the detaining authority, shall forthwith transmit the petition for review, a copy of the complaint and of the record of the court, including the appearance of the attorney, if any is entered, and a summary of the court's reasons for denying the release of the defendant on his personal recognizance without surety to the superior court for the county in which the district court is located, if a justice thereof is then sitting, or to the superior court of the nearest county in which a justice is then sitting; the probation officer of the district court shall transmit forthwith to the probation officer of the superior court copies of all records of the probation office of said district court pertaining to the petitioner, including the petitioner's record of prior convictions, if any, as currently verified by inquiry of the commissioner of probation. The district court or the detaining authority, as the case may be, shall cause any petitioner in its custody to be brought before said superior court on the same day the petition shall have been filed, unless the district court or the detaining authority shall determine that such appearance and hearing on the petition cannot practically take place before the adjournment of the sitting of said superior court for that day and in which event the petitioner shall be caused to be brought before said court for such hearing during the morning of the next business day of the sitting of said superior court. The district court is authorized to order any officer authorized to execute criminal process to transfer the petitioner and any papers herein above described from the district court or the detaining authority to the superior court, and to coordinate the transfer of the petitioner and the papers by such officer. The petition for review shall constitute authority in the person or officer having custody of the petitioner to transport the petitioner to said superior court without the issuance of any writ or other legal process, provided, however, that any district or superior court is authorized to issue a writ of habeas corpus for the appearance forthwith of the petitioner before the superior court.

The superior court shall, in accordance with the standards set forth in the first paragraph of this section, hear the petition for review as speedily as practicable and except for unusual circumstances on the same day the petition is filed, provided, however, that the court may

continue the hearing to the next business day if the required records and other necessary information are not available. The justice of the superior court may, after a hearing on the petition for review, order that the petitioner be released on bail on his personal recognizance without surety, or, in his discretion, to reasonably assure the effective administration of justice, make any other order of bail or recognizance or remand the petitioner in accordance with the terms of the process by which he was ordered committed by the district court.

Except where the defendant has defaulted on his recognizance or has been surrendered by a probation officer, an order of bail or recognizance shall not be revoked, revised or amended by the district court, either because the defendant has appealed or has been bound over to the superior court, provided, however, that if any court, in its discretion, finds that changed circumstances or other factors not previously known or considered, make the order of bail or recognizance ineffective to reasonably assure the appearance of said defendant before the court, the court may make a further order of bail, either by increasing the amount of the recognizance or requiring sufficient surety or both, which order will not revoke the order of bail or recognizance previously in force and effect.

The chief justice of the district courts and the chief justice of the municipal court of the city of Boston shall prescribe forms for use in their respective courts, for the purpose of notifying a defendant of his right to file a petition for review in the superior court, forms for a petition for review and forms for the implementation of any other procedural requirements. The clerk of courts shall forthwith notify the district court of all orders or judgments of the superior court on petitions for review. Costs or expenses of services and transportation under this section shall be ordered paid in the amount determined by the superior court out of the county treasury of the county where the petition for review was originally filed.

SECTION 2. Said chapter 276 is hereby further amended by striking out section 65, as amended by section 2 of said chapter 499, and inserting in place thereof the following section:—

Section 65. The condition of a recognizance of a person, either with or without surety, binding him to appear before a court or justice to answer to a charge against him or to prosecute an appeal shall be so framed as to bind him personally to appear at the time so expressed, and at any subsequent time to which the case may be continued, unless previously surrendered or discharged, and so from time to time, until the final decree, sentence or order of the court or justice thereon, and to abide such final sentence, order or decree, and not depart without leave. The condition of a recognizance of a person held to answer to a charge before a district court shall be further so framed as to bind him to appear before the district court to answer to the charge and before the superior court to prosecute an appeal on said charge or to answer to any indictment which may be returned against him. The superior court shall by rule provide for the forms of recognizances and bail bonds. A recognizance of a person held to answer to a complaint before a district court which is required by law to sit in more than one municipality may, with his consent or at his request, be conditioned for his appearance at the next sitting of the court at any one of said municipalities.

Approved June 30, 1971.

Chap. 474. AN ACT PROHIBITING THE IMPORTATION OF CERTAIN RUBBISH, GARBAGE OR OTHER WASTE MATTER INTO THE COMMONWEALTH AND THE DISPOSAL THEREOF IN DUMPING FACILITIES LOCATED IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 270 of the General Laws is hereby amended by inserting after section 17 the following section:—

Section 17A. No person, firm or corporation or any city or town engaged in the business of the collection and disposal of rubbish or garbage or other refuse from residences or business facilities located outside the commonwealth shall deposit such rubbish, garbage or other refuse in any dumping facility in this commonwealth. Whoever violates this section shall be punished by a fine of one hundred dollars. Each such violation shall constitute a separate offense. The provisions of this section shall not apply to rubbish, garbage or refuse so deposited under a regional waste matter agreement entered into by the governing bodies of the parties to such agreement whether within or without the commonwealth, nor under a recycling program whereby at least sixty per cent of such rubbish, garbage or refuse is scheduled to be recycled; provided, however, that the remainder of such rubbish, garbage or refuse not so recycled shall not be so deposited without the prior approval of the governing body of the city or town wherein such rubbish, garbage or refuse is to be deposited.

Approved June 30, 1971.

Chap. 475. AN ACT FURTHER INCREASING THE AMOUNT OF WAGES AND PENSIONS WHICH SHALL BE EXEMPT FROM ATTACHMENT BY TRUSTEE PROCESS.

Be it enacted, etc., as follows:

SECTION 1. Section 28 of chapter 246 of the General Laws is hereby amended by striking out the first and second sentences and inserting in place thereof the following two sentences:—If wages for personal labor or personal services of a defendant are attached for a debt or claim, an amount not exceeding one hundred dollars out of the wages then due to the defendant for labor performed or services rendered during each week for which such wages were earned but not paid shall be reserved in the hands of the trustee and shall be exempt from such attachment. If a pension payable to a defendant, which is not otherwise exempt by law from attachment, is attached for a debt or claim, an amount not exceeding seventy-five dollars for each week which has elapsed since the last preceding payment under such pension was payable to said defendant shall be reserved in the hands of the trustee from the amount then payable to said defendant but not paid and shall be exempt from attachment.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-two and shall apply only to actions begun on and after said date.

Approved June 30, 1971.

Chap. 476. AN ACT AUTHORIZING THE CONSOLIDATION OF THE TRUSTEES OF THAYER ACADEMY AND THAYERLANDS SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. Thayerlands School, a charitable corporation incorporated under the provisions of chapter one hundred and eighty of the General Laws, is hereby authorized, by acceptance of this act within one year after its effective date at a meeting of the members duly called for the purpose, to consolidate with the Trustees of Thayer Academy, a charitable corporation organized and existing under chapter ninety-one of the acts of eighteen hundred and seventy-nine, and upon such consolidation the Trustees of Thayer Academy shall in all respects be a continuation of, shall have all the powers, privileges and exemptions of, and shall be subject to all duties, liabilities and restrictions provided by law insofar as they relate to both said corporations. Upon such acceptance, and upon acceptance of this act within one year after its effective date at a meeting of the Trustees of Thayer Academy duly called for the purpose, copies of the votes of acceptance certified by the clerk or other officer of the respective corporations shall be filed in the registry of deeds of Norfolk county and with the state secretary, and the consolidation of Thayerlands School with the Trustees of Thayer Academy shall thereupon be complete.

SECTION 2. Upon such consolidation, all property, real and personal, of the Thayerlands School and all devises, bequests, conveyances and gifts heretofore and hereafter made to such corporation shall vest in the Trustees of Thayer Academy and otherwise shall be held by it subject to the same terms, conditions, limitations and trusts as they are now held by the Thayerlands School or would have been held but for this act, and the treasurers of such corporations are hereby respectively authorized to execute, acknowledge and deliver all papers and documents that may be deemed necessary or proper for the purpose of confirming in the trustees of Thayer Academy the record title of the property of the Thayerlands School.

SECTION 3. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act.

Approved June 30, 1971.

Chap. 477. AN ACT RELATIVE TO PROCEDURES FOR APPLICATIONS FOR LICENSES AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 138 of the General Laws, as appearing in section 2 of chapter 376 of the acts of 1933, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—It may require any statement which may be made before it and papers which may be filed with it relative to applications for licenses to be sworn to, and for such purpose any member may administer oaths.

SECTION 2. Said chapter 138 is hereby further amended by striking out section fifteen A, as most recently amended by section 2 of chapter 192 of the acts of 1970, and inserting in place thereof the following section:—

Section 15A. All applications for an original license under sections twelve and fifteen shall be made on a form or forms to be prescribed by the commission and shall include a sworn statement by the applicant giving the names and addresses of all persons who have a direct or indirect beneficial interest in said license. No stock in a corporation holding a license to sell alcoholic beverages shall be transferred, pledged or issued without first obtaining the permission of the local licensing authorities and the commission. Provisions of this section shall not apply to stockholders of a corporation whose stock is listed for sale to the general public with the Securities and Exchange Commission and who hold less than ten per cent of the outstanding stock entitled to vote at the annual meeting of said corporation. Notation of the date and hour of filing shall be made on every application. Within ten days after receipt of any such application, the local licensing authorities shall cause a notice thereof to be published at the expense of the applicant. Such notice shall be published in the city or town wherein the license is intended to be exercised or, if no newspaper is published in such city or town, then in a daily newspaper published in the county wherein such license is intended to be exercised. After such publication the name of the newspaper publishing such notice shall be noted by the local licensing authorities on the application for a license. The notice shall set forth the name of the applicant in full, the kind of license applied for, a description of the location and area where the license is intended to be exercised, designating, if practicable, the street and number. No application shall be acted upon by the local licensing authorities except after hearing thereon which shall be held not sooner than ten calendar days after the publication of such notice. An affidavit of the person making such publication on behalf of such authorities, together with an attested copy of the notice published, shall be filed in the office of such authorities, and a certified copy of such affidavit shall be prima facie evidence that such notice has been published in accordance with this section. Where there are no premises actually in existence at the time the application is made, the applicant may file with the local licensing authorities a plan showing the actual dimensions of premises which are to be constructed on which the license is to be exercised. The local licensing authorities may thereafter grant a license upon the condition that such license shall issue upon completion of such premises according to said plan, and the decision of the licensing authorities as to whether or not said plan has been complied with shall be final.

Every applicant for an original license under section twelve, fifteen or thirty A, or for a transfer of such a license from one location to another, or an applicant for a change in the description of a licensed premises, or someone in his behalf, shall, within three days after publication as hereinbefore provided, cause a copy of the published notice to be sent by registered mail to each of the persons appearing upon the assessors' most recent valuation list as the owners of the

property abutting on the premises where the license is intended to be exercised and, if a school, which gives not less than the minimum instruction and training to children of compulsory school age required by chapter seventy-one, or a church or hospital, is located within a radius of five hundred feet from said premises, to such school, church or hospital. The notice sent to such school, church or hospital shall indicate the necessity of a written objection to prevent the issuance or transfer of such license under the provisions of section sixteen C. An affidavit of the applicant or of the person mailing such notice in his behalf, together with an attested copy of the notice mailed, shall be filed in the office of the local licensing authorities, and a certified copy of such affidavit shall be prima facie evidence that such notice has been mailed in accordance with this section. If any abutter or the authorities in charge of any such school, church or hospital shall make complaint in writing to the local licensing authorities that such license was granted or transferred hereunder without such notice having been mailed to him or them as required hereby, and after due hearing it appears that such notice was not mailed as aforesaid, the local licensing authorities may cancel the license. Any person who has filed a complaint with the local licensing authorities under this section who is aggrieved by the action of such authorities in refusing to cancel a license hereunder or by their failure to act upon such a complaint within a period of thirty days may appeal to the commission in writing within five days following receipt of written notice of such action or within five days following the expiration of the thirty day period, and the commission may, after hearing, cancel such a license and in such event shall send notice of the cancellation to the local licensing authorities. Nothing herein contained shall be construed to prohibit a licensee whose license has been cancelled by the local licensing authorities under authority contained in this section from appealing to the commission as provided in section sixty-seven. No application by the same applicant for the same type of license to be exercised on the same premises may be filed within one year of the date of his last prior application except in the discretion of the licensing authorities.

SECTION 3. Section 23 of said chapter 138 is hereby amended by striking out the last paragraph, added by chapter 652 of the acts of 1955.

SECTION 4. The fifth paragraph of section 67 of said chapter 138, as amended by chapter 574 of the acts of 1954, is hereby further amended by striking out the second sentence.

Approved June 30, 1971.

Chap. 478. AN ACT REVISING THE PROCEDURE FOR THE PROMULGATION OF REGULATIONS BY THE ALCOHOLIC BEVERAGES CONTROL COMMISSION.

Be it enacted, etc., as follows:

Chapter 138 of the General Laws is hereby amended by striking out section 24, as most recently amended by chapter 426 of the acts of 1952, and inserting in place thereof the following section:—

Section 24. The commission shall, in accordance with chapter thirty A and with the approval of the governor, make regulations not inconsistent with the provisions of this chapter for clarifying, carrying out, enforcing and preventing violation of all and any of its provisions for inspection of the premises and method of carrying on the business of any licensee, for insuring the purity, and penalizing the adulteration, or in any way changing the quality or content, of any alcoholic beverage, for the proper and orderly conduct of the licensed business, for establishing maximum prices chargeable by licensees under this chapter, and regulating all advertising of alcoholic beverages, except such advertising as appears in publications which are circulated to the liquor trade and not to the general public, and shall, with like approval, make regulations governing the labelling of packages of alcoholic beverages as to their ingredients and the respective quantities thereof. *Approved June 30, 1971.*

Chap. 479. AN ACT CLARIFYING THE LAW RELATIVE TO THROUGH WAY SIGNS.

Be it enacted, etc., as follows:

Section 9 of chapter 89 of the General Laws is hereby amended by striking out the third sentence, as appearing in chapter 416 of the acts of 1948, and inserting in place thereof the following sentence:— No such designation of a through way shall become effective as to regulation of traffic at any point of intersection with another way until said department or the board or officer having control of ways in a city or town, as the case may be, shall have caused suitable signs or signals to be erected at or near such point.

Approved June 30, 1971.

Chap. 480. AN ACT FURTHER REGULATING THE SENIORITY OF EMPLOYEES TRANFERRED WITHIN A DEPARTMENT.

Be it enacted, etc., as follows:

Paragraph 2 of section 15D of chapter 31 of the General Laws is hereby amended by striking out the last sentence, as amended by section 2 of chapter 9 of the acts of 1970, and inserting in place thereof the following sentence:—No appointment, transfer or promotion from a division of a department to another division of the same department shall affect the seniority date of any such employee so appointed, transferred or promoted; provided, that any such employee so appointed shall serve a probationary period in the new division.

Approved June 30, 1971.

Chap. 481. AN ACT PERMITTING CERTAIN RETIRED PUBLIC EMPLOYEES TO BE ELECTED TO THE RETIREMENT BOARD FOR CITIES, TOWNS, COUNTIES AND TEACHERS.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 15 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 4

of chapter 658 of the acts of 1945, and inserting in place thereof the following sentence: — Such board shall consist of three members as follows: — the commissioner of education who shall be a member ex officio and who shall serve as chairman, a second member who shall be elected by the members in service of such system from among their number, or from among persons retired from such system, in such manner and for such term, not exceeding three years, as the commissioner of insurance shall determine, and a third member who shall be chosen by the other two for a term of three years.

SECTION 2. Paragraph (*b*) of subdivision (3) of section 20 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 1 of chapter 658 of the acts of 1945, and inserting in place thereof the following sentence: — Such board shall consist of three members as follows: — the county treasurer who shall be a member ex officio, a second member who shall be elected by the members in service of such system from among their number, or from among persons retired from such system, in such manner and for such term, not exceeding three years, as the county commissioners shall determine, and a third member who shall be chosen by the other two for a term of three years.

SECTION 3. Paragraph (*b*) of subdivision (4) of said section 20 of said chapter 32 is hereby amended by striking out the second sentence, as so appearing, and inserting in place thereof the following two sentences: — Such board shall consist of three members as follows: — the city auditor or town accountant or other officer having similar powers and duties who shall be a member ex officio, a second member who shall be elected by the members in service of such system from among their number, or from among persons retired from such system, in such manner and for such term, not exceeding three years, as the mayor in a city or the board of selectmen in a town shall determine, and a third member who shall be chosen by the other two members of the board for a term of three years. If the third member is not chosen by the other two members within thirty days after the expiration of the term of the third member, said member shall be appointed in a city by the mayor, subject to confirmation by the city council, or in a town by the board of selectmen.

Approved June 30, 1971.

Chap. 482. AN ACT DESIGNATING THE OVERPASS OVER STATE HIGHWAY ROUTE 140 AT HOLLOWAY STREET IN THE CITY OF TAUNTON AS THE P. F. C. EDWARD J. DULL OVERPASS.

Be it enacted, etc., as follows:

The overpass over state highway route 140 at Holloway street in the city of Taunton shall be known and designated as the Edward J. Dull overpass, in memory of Private First Class Edward J. Dull, who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. A suitable marker bearing said designation shall be attached thereto by the department of public works.

Approved June 30, 1971.

Chap. 483. AN ACT AUTHORIZING THE FURNISHING AND EQUIPPING OF AN ADMINISTRATION BUILDING AT THE BARNSTABLE COUNTY FIRE FIGHTERS TRAINING SCHOOL.

Be it enacted, etc., as follows:

Chapter 43 of the acts of 1969 is hereby amended by striking out section 1 and inserting in place thereof the following section: —

Section 1. The county commissioners of Barnstable county are hereby authorized to construct, equip and furnish an administration building at the Barnstable county fire fighters training school.

Approved June 30, 1971.

Chap. 484. AN ACT FURTHER REGULATING THE OPERATION OF BICYCLES.

Be it enacted, etc., as follows:

Section 11B of chapter 85 of the General Laws is hereby amended by striking out the next to the last sentence, as appearing in section 4 of chapter 518 of the acts of 1961, and inserting in place thereof the following sentence: — This section shall apply only to a bicycle at least one wheel of which is or exceeds sixteen inches in diameter.

Approved June 30, 1971.

Chap. 485. AN ACT FURTHER REGULATING NOTICE OF DECISIONS, ORDERS OR RULINGS OF THE DEPARTMENT OF PUBLIC UTILITIES AND APPEALS THEREFROM.

Be it enacted, etc., as follows:

The second paragraph of section 5 of chapter 25 of the General Laws, as appearing in section 1 of chapter 575 of the acts of 1953, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences: — Such petition for appeal shall be filed with the secretary of the commission within twenty days after the date of service of the decision, order or ruling of the commission, or within such further time as the commission may allow upon request filed prior to the expiration of the twenty days after the date of service of said decision, order or ruling. The commission shall serve such decision, order or ruling upon all parties in interest by mailing, postpaid, within one day of its being entered, and service shall be presumed to have occurred in the normal course of delivery of such mail.

Approved June 30, 1971.

Chap. 486. AN ACT AUTHORIZING THE LICENSING OF A GAME COMMONLY CALLED BEANO.

Be it enacted, etc., as follows:

SECTION 1. Chapter 271 of the General Laws is hereby amended by striking out section 6B, inserted by chapter 243 of the acts of 1953, and inserting in place thereof the following section:—

Section 6B. Whoever, except as provided in section twenty-two B, sets up or promotes the game commonly known as skilo or any similar

game regardless of name, shall be held to have set up and promoted a lottery and shall be punished as provided in section seven.

SECTION 2. Said chapter 271 is hereby further amended by inserting after section 22A the following section:—

Section 22B. Nothing in this chapter shall authorize the prosecution, arrest or conviction of any person for promoting or playing, or for allowing to be conducted, promoted or played, the game commonly called beano, or substantially the same game under another name in connection with which prizes are offered to be won by chance; provided, said game is conducted under a license issued by the commissioner of public safety, under the provisions of section fifty-two of chapter one hundred and forty-seven.

SECTION 3. Chapter 147 of the General Laws is hereby amended by adding, under the caption LICENSING OF A GAME COMMONLY CALLED BEANO, the following four sections:—

Section 52. Any fraternal organization having chapters or branches in at least one other New England state, any religious organization under the control of or affiliated with an established church of the commonwealth and any veterans' organization incorporated or chartered by the Congress of the United States or listed in clause (12) of section five of chapter forty, any volunteer, nonprofit fire company or similar organization furnishing public fire protection, and any volunteer, nonprofit organization furnishing a public ambulance service, desiring to operate or conduct the game commonly called beano, or substantially the same game under another name, in connection with which prizes are offered to be won by chance, may upon application to the commissioner be granted a license to conduct said game in a city or town which has voted to allow granting of licenses for the operation, holding or conducting of said game therein; provided, that the application of such organization is in the case of a city, other than the city of Boston, approved by the majority of the city council and approved by the mayor, in a town by the board of selectmen, and in the city of Boston by the licensing board for said city; and provided further, that such organization has been in existence for at least five years immediately prior to June the first, nineteen hundred and sixty-eight.

The fee for such license shall be fifty dollars per annum. The proceeds of said fees shall be paid into the treasury of the commonwealth.

Such license may be revoked at the discretion of the commissioner and shall be suspended or revoked upon written request to the commissioner by the city or town approving authority as set forth above in this section. The action of the commissioner in suspending or revoking a license shall be final, and the licensee shall not have a right of appeal.

No such license shall be granted to allow the operation, holding or conduct of said game on a Sunday. Each license shall limit the playing of said game to the hours between seven o'clock postmeridian and twelve o'clock midnight. Each such organization licensed hereunder shall be limited to conducting said games to one night, other than Sunday, in each calendar week, and said night shall be set forth in the license.

No licensee shall give a prize which exceeds fifty dollars in value, either in cash or merchandise.

No alcoholic beverages shall be sold, dispensed or consumed in that portion of any building or premises of the licensee during the hours such game is being conducted.

No minor shall be permitted in that portion of any building or premises of the licensee during such time as such game is being played.

No game shall be advertised or publicized by sign or billboard beyond the city or town limits covered by each license.

Any organization licensed under this section to conduct said game shall operate, manage and control said game by members of the local branch of said organization who have been such members for at least two years. Whoever, not being a member of such organization, operates said game under a license issued to such organization shall be punished by a fine of one thousand dollars and by imprisonment for not more than one year.

If an organization licensed to conduct beano fails to exercise exclusive control and mangement of said game, or fails to have one of its members in good standing in full control and management of the game at all times during its operation, it shall be punished by a fine of not more than one thousand dollars.

The profits of any game licensed to be conducted under this section shall be the property of the organization conducting said game, and shall be used for charitable, religious or educational purposes, and shall not be distributed to the members of such organization. No person shall be entitled to a percentage of any money received as a result of conducting said game.

Accurate records and books shall be kept by each licensee showing the total amount of all monies deposited by people who played, attended or participated in said games, the expenses incurred and the name and address of each person receiving said money. A separate checking account shall be kept of receipts and expenditures of beano and money for expenses shall be withdrawn only by checks having preprinted consecutive numbers and made payable to a specific person or corporation and at no time shall a check be made payable to cash. Proceeds from beano shall be kept in a separate bank account and the organization shall file an annual report in January of the charitable, religious or educational disbursements of the preceding year with the commissioner of public safety and the mayor and council or selectmen in such form as the commissioner may prescribe. Such annual report shall be a public record. All monies expended for said charitable, religious or educational purposes shall be duly and accurately recorded as to specific amounts expended and the purposes for which expended. A copy of such records shall be filed with the local licensing authority on or before December the thirty-first of each year. The commissioner, the approving authority of the city or town wherein said game is conducted, or their duly authorized agents or representatives, shall at all times have access to said records and books of any licensee for the purpose of examining and checking the same.

The commissioner may make such other rules and regulations for the conduct of said game as he may deem necessary to carry out the provisions of this section and section fifty-three.

The commissioner of public safety shall on or before March the first file a report with the clerk of the house of representatives and the clerk of the senate showing the cities and towns which have licenses issued therein, the number of licenses by categories of organizations, the revenue received from these licenses, and such other information as he may deem relevant, together with his recommendations for any legislation he may deem appropriate. Whoever violates any regulation promulgated by the commissioner of public safety under this section may be punished by a fine not exceeding one thousand dollars.

Section 53. Any organization operating or conducting a game under section fifty-two 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 such game is held or within such further time as said commissioner of corporations and taxation may allow, and shall pay therewith a tax of ten per cent of the gross receipts derived from such game. Such return shall include the names and addresses of all persons receiving prizes in such game and the amount of each such prize. All such returns and the amounts of all such payments shall be public records.

The provisions of chapter sixty-two relative to the assessment, collection, payment, abatement, verification and administration of taxes, including penalties, shall, so far as pertinent, apply to the tax imposed by this section. Every officer, employee or member of an organization which fails to pay any sums required by this section to be paid shall be personally and individually liable therefor to the commonwealth. 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.

Section 54. Whoever violates any provision of sections fifty-two and fifty-three the punishment for which is not otherwise provided, and whoever submits false information on any application, report or return required by any provision of said sections, 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.

Section 55. The state treasurer, upon certification of the state tax commission, shall annually distribute to each of the cities and towns in which any game has been licensed, operated or conducted under section fifty-two during the preceding calendar year the following amounts:

(a) An amount equal to one half of the proceeds of all license fees received under said section fifty-two during such year by reason of any game or games to be operated or conducted in such city or town; and

(b) An amount equal to one half of all sums received under section fifty-three during such year as taxes, by reason of any game or games operated or conducted in such city or town.

SECTION 4. The following question shall be placed upon the official ballot to be used for the election of city or town officers at the next regular city or annual town election:—"Shall licenses be granted in this city (or town) for the operation, holding or conducting a game commonly called beano?"

YES.	
NO.	

If a majority of the votes cast in a city or town in answer to said question is in the affirmative, such city or town shall be taken to have authorized the operation, holding or conducting of a game commonly called beano in accordance with the provisions of sections fifty-two and fifty-three of chapter one hundred and forty-seven of the General Laws, for the period ending December the thirty-first, nineteen hundred and seventy-five. In the year nineteen hundred and seventy-five, said question shall again be submitted to the qualified voters of the cities and towns at city or town elections in the same manner, and, if a majority of the votes cast in a city or town in answer to said question is in the affirmative, such city or town shall be taken to have authorized the operation, holding or conducting of a game commonly called beano in accordance with the provisions of sections fifty-two and fifty-three of chapter one hundred and forty-seven of the General Laws.

Beginning in the year nineteen hundred and seventy-nine, the city council of any city and the selectmen of any town shall, upon the filing with the city or town clerk of a petition signed by registered voters of such city or town equal in number to at least five per cent of the whole number of registered voters therein and conforming to the provisions of section thirty-eight of chapter forty-three of the General Laws relative to initiative petitions, requesting that the question of licensing the game of beano in such city or town be submitted to the voters thereof, cause to be so submitted at the regular city or town election the following question:—"Shall licenses be granted in this city (or town) for the operation, holding or conducting of a game commonly called beano?"

YES.	
NO.	

The foregoing question shall not be submitted to the voters of any city or town oftener than once in four years. If a majority of the vote cast in answer to such question is in the affirmative, such city or town shall be taken to have authorized the game called beano, in accordance with the provisions of sections fifty-two and fifty-three of said chapter one hundred and forty-seven. *Approved July 1, 1971.*

Chap. 487. 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 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 seventy-one.

NORFOLK COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$169,362 50
2.	For reduction of county debt		450,000 00
3.	For county commissioners, salaries and expenses		74,740 04
	1. Personal services	$72,640 04	
	2. Contractual services	1,500 00	
	3. Supplies and materials	400 00	
	4. Current charges and obligations	200 00	
4.	For transportation and expenses of county and acting commissioners		1,270 00
5.	For clerk of courts, salary and expenses		208,989 97
	1. Personal services	191,514 97	
	2. Contractual services	9,400 00	
	3. Supplies and materials	5,500 00	
	4. Current charges and obligations	2,300 00	
	5. Equipment	275 00	
6.	For county treasurer, salaries and expenses		66,281 60
	1. Personal services	59,387 60	
	2. Contractual services	3,900 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	814 00	
	5. Equipment	180 00	
7.	For sheriff, salary and expenses		16,085 00
	1. Personal services	15,400 00	
	2. Contractual services	75 00	
	3. Supplies and materials	475 00	
	4. Current charges and obligations	135 00	
8.	For registry of deeds, salaries and expenses		525,216 13
	1. Personal services	450,830 13	
	2. Contractual services	26,000 00	
	3. Supplies and materials	20,092 00	
	4. Current charges and obligations	26,804 00	
	5. Equipment	1,490 00	
8a.	For registry of probate, salaries and expenses		32,174 60
	1. Personal services	4,877 60	
	2. Contractual services	13,000 00	
	3. Supplies and materials	10,000 00	
	4. Current charges and obligations	4,000 00	
	5. Equipment	297 00	
9.	For law library, salaries and expenses		13,790 60
	1. Personal services	6,905 60	
	2. Contractual services	40 00	
	3. Supplies and materials	140 00	
	4. Current charges and obligations	6,635 00	
	5. Equipment	70 00	
10.	For highways, including state highways, bridges and land damages		705,211 75
	1. Personal services	166,484 50	
	2. Contractual services	83,000 00	
	3. Supplies and materials	6,600 00	
	4. Current charges and obligations	578 00	
	5. Equipment	537 25	
	6. All other	448,012 00	

Item		Subtotal	Total
12.	For criminal costs in superior court		$629,789 49
	1. Personal services	$290,622 85	
	2. Contractual services	306,342 00	
	3. Supplies and materials	23,264 88	
	4. Current charges and obligations	8,150 00	
	5. Equipment	1,409 76	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		319,385 85
	1. Personal services	103,878 73	
	2. Contractual services	214,544 00	
	3. Supplies and materials	883 12	
	4. Current charges and obligations	80 00	
14.	For district courts, salaries and expenses		
	District Court of Northern Norfolk		231,311 66
	1. Personal services	209,595 66	
	2. Contractual services	13,800 00	
	3. Supplies and materials	5,000 00	
	4. Current charges and obligations	1,876 00	
	5. Equipment	1,040 00	
	District Court of East Norfolk		500,415 75
	1. Personal services	454,408 95	
	2. Contractual services	31,900 00	
	3. Supplies and materials	9,650 00	
	4. Current charges and obligations	3,841 80	
	5. Equipment	615 00	
	District Court of Western Norfolk		182,261 93
	1. Personal services	166,754 93	
	2. Contractual services	7,500 00	
	3. Supplies and materials	5,625 00	
	4. Current charges and obligations	1,451 00	
	5. Equipment	931 00	
	District Court of Southern Norfolk		148,477 81
	1. Personal services	134,719 81	
	2. Contractual services	9,050 00	
	3. Supplies and materials	3,220 00	
	4. Current charges and obligations	1,138 00	
	5. Equipment	350 00	
	Municipal Court of Brookline		202,207 91
	1. Personal services	174,426 91	
	2. Contractual services	18,810 00	
	3. Supplies and materials	6,200 00	
	4. Current charges and obligations	2,596 00	
	5. Equipment	175 00	
	District Court — Juvenile Division		98,634 56
	1. Personal services	90,459 56	
	2. Contractual services	7,500 00	
	3. Supplies and materials	475 00	
	4. Current charges and obligations	200 00	
	District Court — Appellate Division		1,150 00
	1. Personal services	550 00	
	2. Contractual services	300 00	
	3. Supplies and materials	300 00	
15.	For medical examiners and commitments of insane		65,000 00

Item		Subtotal	Total
16.	For jail and house of correction, maintenance and operation		$570,984 40
	1. Personal services	$415,186 22	
	2. Contractual services	19,775 00	
	3. Supplies and materials	110,675 00	
	4. Current charges and obligations	4,697 00	
	5. Equipment	12,851 18	
	6. All other	7,800 00	
17.	For training school		35,000 00
18.	For court houses and registry buildings, maintenance and operation		556,744 30
	1. Personal services	301,432 30	
	2. Contractual services	154,800 00	
	3. Supplies and materials	91,525 00	
	4. Current charges and obligations	3,225 00	
	5. Equipment	5,762 00	
19.	For construction of county buildings and purchase of land		50,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		672,370 70
	1. Personal services	507,850 70	
	2. Contractual services	65,000 00	
	3. Supplies and materials	80,000 00	
	4. Current charges and obligations	8,500 00	
	5. Equipment	11,020 00	
24.	For noncontributory pensions		175,000 00
25.	For contributory retirement system and supervisory expenses		233,992 41
26.	For miscellaneous and contingent expenses		51,395 80
27.	For unpaid bills of previous years		40,279 56
28.	For reserve fund		50,000 00
30.	For forest fire patrol		7,364 00
39.	For group insurance		125,000 00
	Total amount of appropriations		$7,209,888 32
	Less estimated amount available for reduction of county tax		1,842,193 06
	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		$5,367,695 26

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

Approved July 1, 1971.

Chap. 488. 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 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 seventy-one.

HAMPSHIRE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$4,500 00
3.	For county commissioners, salaries and expenses		32,941 24
	1. Personal services	$30,976 24	
	2. Contractual services	725 00	
	3. Supplies and materials	600 00	
	4. Current charges and obligations	260 00	
	5. Equipment	380 00	
4.	For transportation and expenses of county and acting commissioners		400 00
5.	For clerk of courts, salaries and expenses		52,835 30
	1. Personal services	49,680 80	
	2. Contractual services	2,100 00	
	3. Supplies and materials	650 00	
	4. Current charges and obligations	404 50	
6.	For county treasurer, salaries and expenses		34,925 10
	1. Personal services	31,778 10	
	2. Contractual services	1,250 00	
	3. Supplies and materials	920 00	
	4. Current charges and obligations	432 00	
	5. Equipment	545 00	
7.	For sheriff, salary and expenses		13,207 50
	1. Personal services	12,678 00	
	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		88,273 06
	1. Personal services	69,852 58	
	2. Contractual services	10,000 00	
	3. Supplies and materials	3,300 00	
	4. Current charges and obligations	715 00	
	5. Equipment	4,405 48	
8a.	For registry of probate, salaries and expenses		6,027 70
	2. Contractual services	3,000 00	
	3. Supplies and materials	1,850 00	
	4. Current charges and obligations	530 00	
	5. Equipment	647 70	

Item		Subtotal	Total
9.	For law library, salaries and expenses	. . .	$14,540 00
	2. Contractual services	$980 00	
	3. Supplies and materials	60 00	
	4. Current charges and obligations	13,500 00	
10.	For highways, including state highways, bridges and land damages	. . .	236,530 00
	2. Contractual services	24,280 00	
	6. All others	212,250 00	
12.	For criminal costs in superior court	. . .	148,592 02
	1. Personal services	40,120 98	
	2. Contractual services	102,939 04	
	3. Supplies and materials	750 00	
	4. Current charges and obligations	1,145 00	
	5. Equipment	3,637 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	. . .	46,087 40
	1. Personal services	9,582 40	
	2. Contractual services	35,585 00	
	3. Supplies and materials	115 00	
	4. Current charges and obligations	210 00	
	5. Equipment	595 00	
14.	For district courts, salaries and expenses District Court of Hampshire	. . .	229,526 89
	1. Personal services	211,820 79	
	2. Contractual services	9,730 00	
	3. Supplies and materials	3,650 00	
	4. Current charges and obligations	2,745 85	
	5. Equipment	1,580 25	
	District Court of Eastern Hampshire	. . .	30,175 40
	1. Personal services	28,026 40	
	2. Contractual services	700 00	
	3. Supplies and materials	260 00	
	4. Current charges and obligations	1,139 00	
	5. Equipment	50 00	
15.	For medical examiners and commitments of insane	. . .	17,200 00
16.	For jail and house of correction, maintenance and operation	. . .	299,815 82
	1. Personal services	211,716 32	
	2. Contractual services	24,000 00	
	3. Supplies and materials	55,000 00	
	4. Current charges and obligations	4,575 00	
	5. Equipment	4,524 50	
17.	For training school	. . .	3,000 00
18.	For court houses and registry buildings, maintenance and operation	. . .	68,353 22
	1. Personal services	27,533 22	
	2. Contractual services	9,700 00	
	3. Supplies and materials	7,879 00	
	4. Current charges and obligations	2,241 00	
	6. All others	21,000 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation	. . .	83,768 95
	1. Personal services	74,654 95	
	2. Contractual services	7,000 00	
	3. Supplies and materials	1,600 00	
	4. Current charges and obligations	395 00	
	5. Equipment	119 00	

Item		Total
21.	For state reservation, maintenance and operation (Mount Tom)	$14,519 32
21a.	For state reservation, maintenance and operation (Deer Hill)	3,000 00
24.	For noncontributory pensions	17,201 38
25.	For contributory retirement system and supervisory expenses	72,129 53
26.	For miscellaneous and contingent expenses	2,856 85
27.	For unpaid bills of previous years	1,216 64
28.	For reserve fund	20,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	13,000 00
31.	For radio system for fire protection	375 00
32.	For forest development	6,000 00
39.	For group insurance	26,000 00
	Total amount of appropriations	$1,586,998 32
	Less estimated amount available for reduction of county tax	223,363 80
	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	$1,363,634 52

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

Approved July 1, 1971.

Chap. 489. AN ACT DESIGNATING CERTAIN STATE LAND IN THE TOWN OF FRAMINGHAM AS THE RAYMOND J. CALLAHAN PARK.

Be it enacted, etc., as follows:

The so-called Fiske property in the town of Framingham, acquired by the department of natural resources, shall be known and designated as the Raymond J. Callahan park in memory of Raymond J. Callahan, a former newspaper editor of said town. A suitable marker bearing said designation shall be placed in a suitable location at said park by the department of natural resources. *Approved July 1, 1971.*

Chap. 490. AN ACT PROVIDING FOR THE ESTABLISHMENT AND MAINTENANCE OF A RADIO BROADCASTING SYSTEM AND COMMUNICATIONS CENTER TO AID IN POLICE PROTECTION AND LAW ENFORCEMENT IN PLYMOUTH COUNTY.

Be it enacted, etc., as follows:

The county commissioners of Plymouth county are hereby authorized to establish a radio broadcasting system and communications center to aid in police protection and law enforcement in said county.

For said purpose said county commissioners may expend such sums as may be appropriated therefor to conduct studies, establish, operate and maintain said system and staff said center and to accept and expend any grants or gifts from federal, state or private sources or agencies in connection therewith. *Approved July 1, 1971.*

Chap. 491. AN ACT REQUIRING THE TESTING OF BLOOD FOR SICKLE TRAIT OR ANEMIA AS A PREREQUISITE TO SCHOOL ATTENDANCE.

Be it enacted, etc., as follows:

Chapter 76 of the General Laws is hereby amended by inserting after section 15 the following section: —

Section 15B. Every child, which the commissioner of public health, by rule or regulation, may determine is susceptible to the disease known as sickle cell trait or sickle cell anemia, shall be required to have a blood test to determine whether or not he has such disease before being admitted to a public school, or in the first year of attendance in a public school. Such rule or regulation shall include provisions for the preparation and distribution of educational materials relating to sickle cell trait and sickle cell anemia. *Approved July 1, 1971.*

Chap. 492. AN ACT AUTHORIZING THE TOWN OF MERRIMAC TO PURCHASE A CERTAIN PARCEL OF LAND LOCATED PARTLY IN SAID TOWN AND PARTLY IN THE TOWN OF NEWTON, NEW HAMPSHIRE.

Be it enacted, etc., as follows:

SECTION 1. The town of Merrimac is hereby authorized to purchase a parcel of land located partly in said town and partly in the town of Newton, in the state of New Hampshire, bounded and described as follows: —

Beginning at a point on the Massachusetts, New Hampshire Line 715 feet, Southeasterly from Hoyt Monument on the Southeasterly side of Bear Hill Road; thence running

NORTHEASTERLY 950 feet, more or less, along a ditch by land of grantor to a point at edge of Pine Hill Swamp, so-called; thence running

SOUTHEASTERLY 590 feet, more or less, by land of grantor to a point at land, now or formerly of Croft, formerly of the heirs of Sally Sargent; thence

SOUTHEASTERLY by said Croft land 350 feet, more or less, to the line between said Massachusetts and New Hampshire; thence running

NORTHWESTERLY by said line between New Hampshire and Massachusetts, 1330 feet, more or less, to the point of beginning.

Containing 10 acres, more or less.

SECTION 2. The vote of the town of Merrimac taken under Article twenty-two of the warrant for the annual town meeting in nineteen hundred and sixty-five is hereby validated and confirmed in all respects as though this act had been in full force and effect on the date when said warrant for said meeting was posted. *Approved July 1, 1971.*

Chap. 493. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR WILLIAM E. WARNER, INCUMBENT OF THE OFFICE OF POLICE CHIEF OF THE TOWN OF MIDDLEBOROUGH.

Be it enacted, etc., as follows:

William E. Warner, incumbent of the office of police chief of the town of Middleborough, shall hold said office during good behavior until he reaches age sixty-five, 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.

Approved July 1, 1971.

Chap. 494. AN ACT FURTHER REGULATING PRICES AS BETWEEN WHOLESALER AND RETAILER UNDER THE ALCOHOLIC BEVERAGES CONTROL LAW.

Be it enacted, etc., as follows:

Section 25A of chapter 138 of the General Laws is hereby amended by adding the following paragraph: —

All price lists or price quotations made to a licensee by a wholesaler shall remain in effect for at least thirty days after the establishment of such price list or quotation. Any sale by a wholesaler of any alcoholic beverages at prices lower than the price reflected in such price list or quotation within such thirty day period shall constitute price discrimination under this section. *Approved July 1, 1971.*

Chap. 495. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO AWARD CERTAIN SCHOLARSHIPS.

Be it enacted, etc., as follows:

SECTION 1. The city of New Bedford may annually provide for not more than five four-year scholarships at Southeastern Massachusetts University and one four-year scholarship at the Swain School of Design, for residents of said city, the sum so required to be raised by taxation.

SECTION 2. Chapter three hundred and eighty-four of the acts of nineteen hundred and fifty-seven is hereby repealed.

Approved July 1, 1971.

Chap. 496. AN ACT AUTHORIZING THE CITY OF NEWTON TO PAY TWO EMPLOYEES OF SAID CITY FOR THE DIFFERENCE BETWEEN THEIR REGULAR WAGES AND CERTAIN SUMS RECEIVED BY THEM AS WORKMEN'S COMPENSATION.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation and promoting the public good, the city of Newton is hereby authorized to appropriate, and the city treasurer is hereby authorized to pay, the sum of nine hundred thirty-six dollars to Charles DelGizzi and four hundred ninety

dollars and twenty-four cents to Alfred Dellicicchi, employees of the street department of said city, said sums being the difference between the amount paid to said employees on workmen's compensation and the amount they would have received as salary if they had not been disabled as a result of injury sustained in the course of their employment.

Approved July 1, 1971.

Chap. 497. AN ACT INCREASING THE EXCISES UPON GASOLINE AND SPECIAL FUELS FOR THE PURPOSE OF PROVIDING ADDITIONAL REVENUE TO CITIES AND TOWNS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 4 of chapter 64A of the General Laws, as most recently amended by section 1 of chapter 721 of the acts of 1969, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—At the time of filing such return, every distributor shall pay for the account of the purchaser an excise of seven and one half cents on each gallon of fuel sold by him in the commonwealth during the calendar month covered by the return.

SECTION 2. The second paragraph of said section 4 of said chapter 64A, as inserted by section 2 of said chapter 721 of the acts of 1969, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—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 seven 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. Said chapter 64A is hereby further amended by striking out section 13, as most recently amended by sections 1 and 2 of chapter 878 of the acts of 1970, and inserting in place thereof the following section:—

Section 13. All sums received under this chapter shall be paid into the treasury of the commonwealth and credited as follows:—

(*a*) Forty per cent of the excise imposed by section four and all sums received as penalties, forfeiture, interest, costs of suits and fines, less all amounts allowed for reimbursement under sections seven and seven A except as hereinafter provided, shall be credited to the Highway Fund and reserved in the highway debt service account to be used solely to meet payments of interest and principal on debt service obligations of the Highway Fund.

(*b*) Whereas not less than one and fifty-six hundredths per cent of the excise imposed by section four is obtained from the sale or importation of fuel used in producing or generating power for the operation of watercraft of every description, except seaplanes, two thirds of said amount, after deducting all reimbursements allowed to persons who have used such fuel in producing or generating power in the operation of such watercraft, shall be credited as follows:—one sixth to the inland fisheries and game fund established by section two of chapter one hundred and thirty-one; two sixths to the public access fund established by section seventeen of chapter twenty-one; two

sixths to the marine fisheries fund established by section two A of chapter one hundred and thirty; and one sixth to the recreational boating fund established by section sixteen of chapter ninety B; and one third of said amount shall be credited as follows:—one sixth to the division of sanitary engineering in the department of public health to continue aquatic weed control program and five sixths to the harbors and inland waters maintenance fund established by section one B of chapter ninety-one.

(*c*) Thirteen and thirty-three hundredths per cent of the excise imposed by section four and all sums received as penalties, forfeiture, interest, costs of suits and fines, less all amounts allowed for reimbursement under section seven and seven A, except as hereinbefore provided, shall be credited to the Highway Fund and used solely for reimbursing cities and towns for the costs incurred in constructing, maintaining and policing city or town streets or roads as provided in section thirty-one of chapter eighty-one.

(*d*) The balance of the excise imposed by section four and all sums received as penalties, forfeiture, interest, costs of suits and fines, less all amounts allowed for reimbursement under sections seven and seven A, except as hereinbefore provided, shall be credited to the Highway Fund and used for highway maintenance.

SECTION 4. Section 4 of chapter 64E of the General Laws, as most recently amended by section 3 of chapter 721 of the acts of 1969, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—At the time of filing such return, every licensee shall pay to the commissioner for the account of the purchaser an excise of seven and one half cents on each gallon of special fuels sold or used by him in the commonwealth during the preceding calendar month covered by the return.

SECTION 5. Said chapter 64E is hereby further amended by striking out section 13, as inserted by section 1 of chapter 619 of the acts of 1956, and inserting in place thereof the following section:—

Section 13. All sums received under this chapter shall be paid into the treasury of the commonwealth and credited as follows:—

(*a*) Forty per cent of the excise imposed by this chapter and all sums received as penalties, forfeiture, interest, costs of suits and fines shall be credited to the Highway Fund and reserved in the highway debt service account to be used solely to meet payments of interest and principal on debt service obligations of the Highway Fund.

(*b*) Thirteen and thirty-three hundredths per cent of the excise imposed by this chapter and all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the Highway Fund and used solely for reimbursing cities and towns for the costs incurred in constructing, maintaining and policing city or town streets or roads as provided in section thirty-one of chapter eighty-one.

(*c*) The balance of the excise imposed by this chapter and all sums received as penalties, forfeiture, interest, costs of suits and fines shall be credited to the Highway Fund and used for highway maintenance.

SECTION 6. Section 3 of chapter 64F of the General Laws, as most recently amended by section 5 of chapter 451 of the acts of 1965, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Any person who, having acquired fuel or special fuels outside the commonwealth, shall

use the same for the propulsion of motor vehicles upon or over the highways of the commonwealth, or who has in his possession fuel or special fuels so acquired for such use, including persons who although not residents of the commonwealth shall regularly or habitually use and operate motor vehicles over the highways of the commonwealth, shall be subject to an excise for the privilege of using said highways at the rate of seven and one half cents per gallon.

SECTION 7. Section 6 of said chapter 64F, as most recently amended by section 4 of chapter 721 of the acts of 1969, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:—At the time of filing such return every licensee shall pay to the commissioner the excise due at the rate of seven and one half cents on each gallon of fuel and special fuels used by him in the commonwealth during the calendar quarter covered by the return.

SECTION 8. Said chapter 64F is hereby further amended by striking out section 14, as inserted by section 2 of chapter 619 of the acts of 1956, and inserting in place thereof the following section:—

Section 14. All sums received under this chapter shall be paid into the treasury of the commonwealth and credited as follows:—

(*a*) Forty per cent of the excise imposed by this chapter and all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the Highway Fund and reserved in the highway debt service account to be used solely to meet payments of interest and principal on debt service obligations of the Highway Fund.

(*b*) Thirteen and thirty-three hundredths per cent of the excise imposed by this chapter and all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the Highway Fund and used solely for reimbursing cities and towns for the costs incurred in constructing, maintaining and policing city or town streets or roads as provided in section thirty-one of chapter eighty-one.

(*c*) The balance of the excise imposed by this chapter and all sums received as penalties, forfeitures, interest, costs of suits and fines shall be credited to the Highway Fund and used for highway maintenance.

SECTION 9. Every person other than a licensed distributor, as defined in section one of chapter sixty-four A of the General Laws, who at the commencement of business on the day next following the effective date of this act has on hand for sale or use fuel, as defined in section one of said chapter sixty-four A, other than such fuel as is wholly contained within the fuel supply tank of a motor vehicle, shall make and file with the commissioner of corporations and taxation within twenty days thereafter a return subscribed under penalties of perjury showing a complete inventory of such fuel, and shall, at the time he is required to file such return, pay an additional tax on such fuel at the rate of one cent per gallon. All provisions of said chapter sixty-four A relative to the collection, payment, abatement, verification and administration, including penalties, shall be applicable to the tax imposed by this section. All sums received under this section, including penalties, forfeiture, interest, costs of suits and fines, shall be credited to the Highway Fund and used solely for reimbursing cities and towns for the costs incurred in constructing, maintaining and policing city or town streets or roads as provided in section thirty-one of chapter eighty-one.

SECTION 10. Every person other than a licensed supplier, as defined in section one of chapter sixty-four E of the General Laws, who at the commencement of business on the day next following the effective date of this act has on hand for sale or use special fuels, as defined in section one of said chapter sixty-four E, other than such special fuels as is wholly contained within the fuel supply tank of a motor vehicle shall make and file with the commissioner of corporations and taxation within twenty days thereafter a return subscribed under the penalties of perjury showing a complete inventory of such special fuels, and shall, at the time he is required to file such return, pay an additional tax on such special fuels at the rate of one cent per gallon. All provisions of said chapter sixty-four E relative to the collection, payment, abatement, verification and administration, including penalties, shall be applicable to the tax imposed by this section. All sums received under this section, including penalties, forfeitures, interest, costs of suits and fines, shall be credited to the Highway Fund and shall be used solely for reimbursing cities and towns for the costs incurred in constructing, maintaining and policing city or town streets or roads as provided in section thirty-one of chapter eighty-one.

SECTION 11. Section nine of chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two and section nine of chapter four hundred and fifty-one of the acts of nineteen hundred and sixty-five shall not apply to the proceeds of the excises imposed by chapters sixty-four A, sixty-four E and sixty-four F of the General Laws, as amended by this act, and shall not apply, after thirty days following the effective date of this act, to the proceeds of the excises imposed by said chapters prior to their amendment by this act.

SECTION 12. Notwithstanding any provision of chapters sixty-four A, sixty-four E and sixty-four F of the General Laws, as amended by this act, the amount to be paid by every distributor, unclassified importer and licensee under said chapters for fuels and special fuels sold or used in the commonwealth or imported or caused to be imported into the commonwealth prior to the day next following the effective date of this act shall be six and one half cents on each gallon so sold, used, imported or caused to be imported.

SECTION 13. Chapter 58 of the General Laws is hereby amended by adding after section 18A the following section:—

Section 18B. The state treasurer, without further appropriation and upon certification of the commission, shall annually distribute to the several cities and towns in accordance with the provisions of section thirty-one of chapter eighty-one that portion of the Highway Fund allocated therefor.

The commissioner of public works shall notify the state tax commission of the estimated amounts required to be distributed under this section. The state tax commission shall include said amounts in its notification to the assessors of each city and town under section twenty-five A and said amounts shall be included by the assessors in estimated receipts in determining the rate of taxation to be levied upon taxable property in each city and town.

If upon any date of distribution the amount available for distribution under this section is insufficient to make the full distributions required by said section thirty-one of said chapter eighty-one, the distributions thereunder shall be the amount otherwise due each city

or town under said section multiplied by a fraction, the numerator of which shall be the amount available for distribution under this section and the denominator shall be the total amount otherwise due for the several cities and towns under the provisions of said section thirty-one of said chapter eighty-one. If upon any date of distribution the amount available for distribution under this section exceeds the amount necessary to make the full distributions required by said section thirty-one of chapter eighty-one, the distributions thereunder shall be the amount otherwise due each city or town under said section thirty-one of chapter eighty-one increased by an amount which shall be the total amount available for distribution less the total amount required for distribution multiplied by a fraction, the numerator of which shall be the amount otherwise due each city or town under said section thirty-one of chapter eighty-one and the denominator of which shall be the amount otherwise due the several cities and towns under said section.

SECTION 14. Chapter 81 of the General Laws is hereby amended by adding after section 30 the following sections:—

Section 31. The portion of the Highway Fund allocated for reimbursements to cities and towns for costs actually incurred in constructing, maintaining and policing city or town streets or roads shall annually be apportioned among the several cities and towns as follows:

(*a*) The amount apportioned to each city and town in any calendar year shall be the amount of the "equalizing municipal highway grant" for such city or town multiplied by the number of miles of streets and roads in such city or town. The "equalizing municipal highway grant" for such city or town shall be the total of a basic mileage allowance of four hundred dollars per mile plus an additional road-use allowance of seven dollars per motor vehicle per road-mile less and equalizing deduction of ten cents per thousand dollars of equalized valuation per mile.

For the purposes of this section, the following words shall have the following meaning:—

(*1*) "Streets and roads in such city or town", the total mileage, to the nearest one hundredth of a mile, of public ways, other than state highway, in such city or town, as determined by the most recent mileage survey conducted by the commissioner of public works; and said commissioner is directed to conduct such survey annually.

(*2*) "Motor vehicles per road-mile", the total number of motor vehicles registered and garaged in such city or town, exclusive of reissues, as determined annually by the registrar of motor vehicles, divided by the total mileage, to the nearest one hundredth of a mile, of public ways, other than state highway, in such city or town, as determined by the most recent mileage survey conducted by the commissioner of public works.

(*3*) "Equalized valuation per mile", the equalized valuation of the aggregate property in such city or 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, divided by the total mileage, to the nearest one hundredth of a mile, or public ways, other than state highway, in such city or town.

The commissioner of public works shall annually notify the state tax commission of the amounts apportioned to each city or town under this section; provided, however, that the sum payable to each city or town shall be used solely to reimburse such city or town for the costs actually incurred during the fiscal year of such city or town in constructing, maintaining and policing city or town streets or roads and shall not exceed the amount so incurred by such city or town.

The mayor of each city and the selectmen of each town shall notify the commissioner of public works in writing of the amount that will be incurred during the fiscal year of such city or town for constructing, maintaining and policing city or town streets or roads. The commissioner of public works shall annually, on or before December the first, certify to the state tax commission, the amounts approved for payment to each city or town under this section.

Section 32. For the purposes of reimbursing cities and towns for the costs actually incurred in constructing, maintaining and policing city or town streets or roads as provided in section thirty-one the following words shall have the following meanings:—

(*a*) "Constructing", all operations on the travelled way on new location or where considerable reconstruction is to be undertaken, including resurfacing and other work incidental to the above, such as shoulders, side road approaches, roadsides, drainage, structures, sidewalks, traffic control and service facilities, intersection construction, and unusual or disaster operations and professional services, or for such other purposes that the commissioner of public works may specifically authorize.

(*b*) "Maintaining", all operations on the travelled way including scarifying, reshaping, applying dust palliatives and restoring material losses; patching, mudjacking, joint filling, surface treating, etc. and replacement in kind; other work such as restoration of erosion controls; reshaping drainage channels and side slopes; mowing; tree trimming; replacing topsoil, sod, shrubs, curbing, gutters, riprap, underdrains, culverts; cleaning and repairing culverts; cleaning; painting and repairing of structures; replacement of rail, floors, stringers and beams of structures; replacement of walls and the repairing of drawbridges; removal of snow and ice and related operations such as sanding, chemical applications, etc.; the erection of snow fences and the opening of inlets clogged with snow and ice; removal of litter from the roadsides and drainage; operation of drawbridges charged to highway traffic; painting, repairing and replacement in kind of signs, guardrail, signals, lighting standards, etc.; maintenance and replacement in kind of rest areas; servicing of and furnishing power and light bulbs for highway lighting and traffic control devices; roadside cleaning operations; operation of roadside areas, towing service, information booths, etc.; or for such other purposes that the commissioner of public works may specifically authorize.

(*c*) "Policing", all operations on the travelled way by city or town law enforcement officials having to do with the direction or control of traffic thereon and such other purposes as the commissioner of public works may specifically authorize.

SECTION 15. Sections one, two, four, six and seven shall take effect on the day next following the effective date of this act and shall apply

to all fuel and special fuels on hand, sold or used in the commonwealth or imported or caused to be imported into the commonwealth on and after said date. Sections nine to fourteen, inclusive, of this act shall take effect upon passage of this act. Sections three, five and eight shall apply with respect to all sums received under chapters sixty-four A, sixty-four E and sixty-four F of the General Laws, as amended by this act; and to all sums received under said chapters prior to their amendment by this act after thirty days following the effective date of this act. *Approved July 6, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON July 6, 1971.

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 497 of the Acts of 1971, entitled "AN ACT INCREASING THE EXCISES UPON GASOLINE AND SPECIAL FUELS FOR THE PURPOSE OF PROVIDING ADDITIONAL REVENUE TO CITIES AND TOWNS FOR HIGHWAY PURPOSES." and the enactment of which received my approval on July 6, 1971, 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 provide forthwith for the collection of revenue authorized by this act.

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

OFFICE OF THE SECRETARY, BOSTON, July 6, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at ten o'clock and twenty 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 ninety-seven of the acts of nineteen hundred and seventy-one.

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

Chap. 498. AN ACT RELATIVE TO REGULATING BOATING ON GREAT PONDS.

Be it enacted, etc., as follows:

Section 45 of chapter 131 of the General Laws, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by inserting after the first sentence the following sentence: — Any such rule

and regulation relative to boating may include, on all or any portion of said pond, for all or any portion of the year, any of the following: a speed limit, a limit on engine horsepower, a prohibition of the use of internal combustion engines, a ban on water skiing and other high speed uses, and a limitation of such uses to certain areas and certain times. *Approved July 12, 1971.*

Chap. 499. AN ACT DESIGNATING THE MAPLE AVENUE BRIDGE OVER INTERSTATE HIGHWAY ROUTE I–195 IN THE TOWN OF SWANSEA AS THE LIEUTENANT COLONEL EDWARD FRANCIS ROBERTS BRIDGE.

Be it enacted, etc., as follows:

The Maple avenue bridge over interstate highway route I–195 in the town of Swansea shall be known and designated as the Lieutenant Colonel Edward Francis Roberts bridge, in memory of Lieutenant Colonel Edward Francis Roberts, who was a member of the Rhode Island Air National Guard. The department of public works shall erect a suitable marker bearing such designation in compliance with the standards of said department and as authorized by the federal highway administration. *Approved July 12, 1971.*

Chap. 500. AN ACT RELATIVE TO THE OPERATION OF MOTOR VEHICLES IN THE COMMONWEALTH BY NONRESIDENTS.

Be it enacted, etc., as follows:

The fourth paragraph of section 3 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 3 of chapter 463 of the acts of 1953, and inserting in place thereof the following sentence: — For the purposes of such registration, the registrar may determine what vehicles or what proportion of vehicles owned by such nonresident are so used, and such determination shall be final. *Approved July 12, 1971.*

Chap. 501. AN ACT PERMITTING CO-OPERATIVE BANKS TO DESIGNATE CERTAIN ACCOUNTS AS SAVINGS ACCOUNTS.

Be it enacted, etc., as follows:

Subsection 3 of section 13 of chapter 170 of the General Laws is hereby amended by adding the following paragraph: —

(*e*) Savings share accounts may be designated savings accounts.

Approved July 12, 1971.

Chap. 502. AN ACT DISSOLVING THE GREATER BOSTON STADIUM AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The Greater Boston Stadium Authority is hereby directed to pay over any funds in its possession into the treasury of the commonwealth and shall transfer all of the machinery, equipment and

other property belonging to said Authority which it may have on the effective date of this act to the commissioner of administration.

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

Approved July 12, 1971.

Chap. 503. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY NEWTON COLLEGE OF THE SACRED HEART.

Be it enacted, etc., as follows:

SECTION 1. Newton College of the Sacred Heart, a corporation organized under chapter one hundred and eighty of the General Laws, is hereby authorized to hold real and personal estate to an amount not exceeding thirty million dollars, which estate or its income shall be devoted to the purposes set forth in its charter or agreement of association or in any amendment thereof, and it may receive and hold, in trust or otherwise, funds received by gift or bequest to be devoted by it to such purposes.

SECTION 2. Chapter seven hundred and ninety-eight of the acts of nineteen hundred and sixty-five is hereby repealed.

Approved July 12, 1971.

Chap. 504. AN ACT AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES IN RESTAURANTS, TAVERNS AND INNS ON ELECTION AND PRIMARY DAYS.

Be it enacted, etc., as follows:

Section 33 of chapter 138 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 436 of the acts of 1962, and inserting in place thereof the following sentence: — No licensee under section fifteen shall sell or deliver any alcoholic beverages, and no registered pharmacist acting under section twenty-nine and no licensee under section thirty A shall sell any alcoholic beverages or alcohol without a physician's prescription, during polling hours on any day on which a state or municipal election, caucus or primary is held in the city or town in which such licensed place is conducted; provided, that the foregoing restrictions shall not apply in the case of such an election, primary or caucus if the local licensing authorities issue an order to that effect applicable alike to all licensees of every class subject to such restrictions. *Approved July 12, 1971.*

Chap. 505. AN ACT FURTHER REGULATING THE AGGREGATE AMOUNT OF PERSONAL LOANS WHICH MAY BE MADE BY A SAVINGS BANK.

Be it enacted, etc., as follows:

Section 37 of chapter 168 of the General Laws is hereby amended by inserting after the fourth sentence, inserted by chapter 877 of the acts of 1970, the following sentence: — The aggregate limitation of ten per cent of its deposits may be waived by the commissioner upon the application of a corporation not to exceed, however, an aggregate limitation of twelve per cent of its deposits. *Approved July 12, 1971.*

Chap. 506. AN ACT FURTHER REGULATING THE LAW RELATIVE TO PENSIONS FOR WIDOWS OF FIRE FIGHTERS 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 most recently amended by chapter 318 of the acts of 1970, 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 any emergency or while at the scene of a fire or any emergency 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 the amount of pension immediately payable shall be equal to the maximum salary set for the position whether or not such police officer or fire fighter had reached the maximum at the time of his death. *Approved July 12, 1971.*

Chap. 507. AN ACT FURTHER REGULATING THE ELECTION OF TEACHERS BY SCHOOL COMMITTEES.

Be it enacted, etc., as follows:

Section 38 of chapter 71 of the General Laws, as most recently amended by chapter 780 of the acts of 1970, is hereby further amended by adding the following paragraph: —

The vote on the election or a contract of a teacher recommended by the superintendent shall be by yeas and nays. The superintendent shall submit a new recommendation if there is a negative vote of the school committee on any name submitted by him.

Approved July 12, 1971.

Chap. 508. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF WEST BRIDGEWATER AND AUTHORIZING THE TOWN TO ACQUIRE FOR SCHOOL PURPOSES LAND AND BUILDINGS OWNED BY THE TRUSTEES OF THE HOWARD FUNDS IN WEST BRIDGEWATER, TO REMODEL AND EQUIP SAID BUILDINGS, AND TO BORROW MONEY FOR SAID PURPOSE, AND PROVIDING FOR STATE AID IN CONNECTION THEREWITH.

Be it enacted, etc., as follows:

SECTION 1. The town of West Bridgewater is hereby authorized to acquire for school purposes certain land and buildings in said town owned by The Trustees of the Howard Funds in West Bridgewater and more particularly known as the Howard School for Girls, 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 to exceed, in the aggregate, two hundred and forty thousand dollars.

SECTION 2. The vote passed by the town of West Bridgewater at its annual town meeting held on March the eighth, nineteen hundred and seventy-one, or at any adjourned session thereof, appropriating the sum of fifteen thousand dollars and authorizing the borrowing of two hundred twenty-five thousand dollars for acquiring for school purposes certain land and buildings located in the town from The Trustees of the Howard Funds in West Bridgewater is hereby validated, ratified and confirmed in all respects.

SECTION 3. For the purpose set forth in section one of this act the treasurer of the 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, two hundred twenty-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words West Bridgewater School Acquisition Loan, Act of 1971. 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 4. 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 bonds or notes authorized by section three of this act.

SECTION 5. Upon acquisition of the land and buildings referred to in section one, said town shall be entitled to receive state school construction grant assistance, provided the school building, after remodeling and renovating, 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 final approved cost for assistance 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, and remodeling and renovating the same.

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

Approved July 13, 1971.

Chap. 509. AN ACT AUTHORIZING THE CITY OF LYNN TO BORROW ADDITIONAL MONEY FOR THE ESTABLISHMENT OF OFF-STREET PARKING FACILITIES IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Lynn may, for the purposes of chapter six hundred and fifty-five of the acts of nineteen hundred and fifty-six, borrow, from time to time, within a period of five years from the passage of this act, such sums as may be necessary, not exceeding in the aggregate seven hundred and ten thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of Lynn, Public Parking Loan, Act of 1971. Each authorized issue shall con-

stitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be outside the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof. All funds required by the Lynn Off-Street Parking Commission for the purposes of this act shall be appropriated to it by the city of Lynn, and shall be maintained by said commission as a separate account. Any funds appropriated to said commission and not required by it in any fiscal year for the purposes of this act shall be returned to the city of Lynn at the end of such fiscal year.

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

Approved July 13, 1971.

Chap. 510. AN ACT DESIGNATING THE NORTHERN TRAFFIC CIRCLE AT THE NORTHERN END OF THE REVERE BEACH BOULEVARD AS THE RAYMOND E. CAREY MEMORIAL TRAFFIC CIRCLE.

Be it enacted, etc., as follows:

SECTION 1. The northern traffic circle at the northern end of the Revere Beach boulevard in the city of Revere shall be known and designated as the Raymond E. Carey Memorial traffic circle, in memory of Raymond E. Carey, a former mayor of said city and a former member of the house of representatives. A suitable marker bearing such designation shall be placed thereon by the metropolitan district commission.

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

Approved July 13, 1971.

Chap. 511. AN ACT PROVIDING FOR THE APPOINTMENT OF TWO MESSENGERS FOR THE PROBATE COURT OF NORFOLK COUNTY.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by inserting after section 32A the following section: —

Section 32B. The judges of probate for Norfolk county may appoint two messengers for the court of probate and insolvency for said county, may remove them at their pleasure and may fill vacancies caused by removal and otherwise. Said messengers shall wait upon said court and perform such duties as the judges may direct, including duty as a court officer of said court. They shall, while in attendance on said court, wear uniforms, such as the court shall order, to be furnished at the expense of the county.

Approved July 13, 1971.

Chap. 512. AN ACT LIBERALIZING THE REQUIREMENT THAT A VOTER SIGNING A NOMINATION PAPER SIGN AS HE IS REGISTERED.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 53 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 112 of the acts of 1968, and inserting in place thereof the following sentence: — Every voter signing a nomination paper shall

sign in person, as registered or substantially as registered, and shall state his residence on January the first preceding, or his residence when registered if subsequent thereto, and the place where he is then living, with the street and number, if any; provided, however, if both addresses given are identical, the voter may so indicate by writing the word "same" in the column indicating where he is then living; but any voter who is prevented by physical disability from writing may authorize some person to write his name and residence in his presence; and, except as provided in section three of chapter fifty-four A, every voter may sign as many nomination papers for each office as there are persons to be elected thereto, and no more.

SECTION 2. Said section 7 of said chapter 53 is hereby further amended by adding the following paragraph: —

For the purposes of this section a registered voter who in signing his name to a nomination paper inserts a middle name or initial in, or omits a middle name or initial from, his name as registered shall be deemed to have signed his name substantially as registered.

Approved July 13, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 13, 1971

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 512 of the Acts of 1971, entitled "AN ACT LIBERALIZING THE REQUIREMENT THAT A VOTER SIGNING A NOMINATION PAPER SIGN AS HE IS REGISTERED." and the enactment of which received my approval on July 13, 1971, 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 order for the provisions of this act to be implemented for the collection of signatures for nomination to offices being filled in the current year.

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

OFFICE OF THE SECRETARY, BOSTON, July 13, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at five o'clock, 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 twelve of the acts of nineteen hundred and seventy-one.

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

Chap. 513. AN ACT PROVIDING FOR THE CONSTRUCTION OF MOTOR VEHICLE FACILITIES AT NORTH SHORE COMMUNITY COLLEGE.

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized and directed to construct, reconstruct or widen roadways, bridges, parking areas, driveways and other necessary motor vehicle accommodations for the North Shore Community College.

SECTION 2. For the purposes of this act, said department may take public or private lands by eminent domain and may accept any lands conveyed to it by the city of Beverly or others.

SECTION 3. Said department, upon completion of said project, shall thereafter maintain that portion of said highways that are designated as state highways and the city of Beverly shall maintain the remainder.

SECTION 4. To carry out the provisions of this act, said department is hereby authorized to expend such sums as may be necessary from accelerated highway program funds or from such funds as may be made available therefor by the Massachusetts board of regional community colleges. *Approved July 13, 1971.*

Chap. 514. 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 requirements, and to meet certain requirements of law, 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 seventy-one.

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		31,626 52
	1. Personal services	$30,189 52	
	2. Contractual services	650 00	
	3. Supplies and materials	462 00	
	4. Current charges and obligations	325 00	
4.	For transportation and expenses of county and acting commissioners		1,000 00
5.	For clerk of courts, salary and expenses		47,761 33
	1. Personal services	43,824 33	
	2. Contractual services	1,200 00	
	3. Supplies and materials	2,300 00	
	4. Current charges and obligations	437 00	

Item		Subtotal	Total
6.	For county treasurer, salaries and expenses		$35,587 27
	1. Personal services	$31,663 27	
	2. Contractual services	1,475 00	
	3. Supplies and materials	900 00	
	4. Current charges and obligations	332 00	
	5. Equipment	1,217 00	
7.	For sheriff, salary and expenses		14,606 00
	1. Personal services	13,656 00	
	2. Contractual services	850 00	
	4. Current charges and obligations	100 00	
8.	For registry of deeds, salaries and expenses Northern District		55,178 20
	1. Personal services	48,503 20	
	2. Contractual services	3,500 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	1,100 00	
	5. Equipment	75 00	
	Middle District		87,571 98
	1. Personal services	70,746 98	
	2. Contractual services	10,575 00	
	3. Supplies and materials	5,500 00	
	4. Current charges and obligations	750 00	
	Southern District		23,095 07
	1. Personal services	19,634 07	
	2. Contractual services	2,200 00	
	3. Supplies and materials	990 00	
	4. Current charges and obligations	55 00	
	5. Equipment	216 00	
8a.	For registry of probate, salaries and expenses		7,095 00
	2. Contractual services	4,000 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	400 00	
	5. Equipment	695 00	
9.	For law library, salaries and expenses		17,603 35
	1. Personal services	8,338 50	
	2. Contractual services	550 00	
	3. Supplies and materials	120 00	
	4. Current charges and obligations	7,500 00	
	5. Equipment	1,094 85	
10.	For highways, including state highways, bridges and land damages		404,721 98
	1. Personal services	87,846 98	
	2. Contractual services	2,000 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	1,000 00	
	6. All other	310,875 00	
12.	For criminal costs in superior court		154,218 79
	1. Personal services	49,763 39	
	2. Contractual services	100,966 80	
	3. Supplies and materials	2,225 00	
	4. Current charges and obligations	370 00	
	5. Equipment	893 60	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		79,685 00
	1. Personal services	11,140 00	
	2. Contractual services	68,345 00	
	3. Supplies and materials	200 00	

Item		Subtotal	Total
14.	For district courts, salaries and expenses		
	District Court of Northern Berkshire		$59,263 09
	1. Personal services	$49,729 89	
	2. Contractual services	1,750 00	
	3. Supplies and materials	3,500 00	
	4. Current charges and obligations	3,583 20	
	5. Equipment	700 00	
	District Court of Central Berkshire		155,577 39
	1. Personal services	146,027 39	
	2. Contractual services	6,100 00	
	3. Supplies and materials	2,340 00	
	4. Current charges and obligations	1,110 00	
	District Court of Southern Berkshire		36,917 23
	1. Personal services	33,246 43	
	2. Contractual services	1,950 00	
	3. Supplies and materials	922 00	
	4. Current charges and obligations	798 80	
	Fourth District Court of Berkshire		46,488 46
	1. Personal services	42,153 46	
	2. Contractual services	1,700 00	
	3. Supplies and materials	1,600 00	
	4. Current charges and obligations	1,035 00	
	District Court of Lee		42,064 40
	1. Personal services	36,510 60	
	2. Contractual services	1,050 00	
	3. Supplies and materials	2,270 00	
	4. Current charges and obligations	2,233 80	
	District Court of Williamstown		37,685 98
	1. Personal services	33,235 98	
	2. Contractual services	825 00	
	3. Supplies and materials	1,100 00	
	4. Current charges and obligations	2,525 00	
	District Court — Juvenile Division		39,843 50
	1. Personal services	35,193 50	
	2. Contractual services	4,000 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	150 00	
	District Court — Appellate Division		50 00
15.	For medical examiners and commitments of insane		35,000 00
16.	For jail and house of correction, maintenance and operation		279,106 09
	1. Personal services	206,535 89	
	2. Contractual services	14,500 00	
	3. Supplies and materials	56,000 00	
	4. Current charges and obligations	1,700 00	
	5. Equipment	370 20	
17.	For training school		7,000 00
18.	For court houses and registry buildings, maintenance and operation		60,957 00
	1. Personal services	38,315 00	
	2. Contractual services	18,500 00	
	3. Supplies and materials	2,815 00	
	4. Current charges and obligations	872 00	
	5. Equipment	455 00	

Item		Subtotal	Total
20.	For agricultural school or county aid to agriculture, maintenance and operation		$85,749 98
	1. Personal services	$74,936 98	
	2. Contractual services	7,000 00	
	3. Supplies and materials	1,515 00	
	4. Current charges and obligations	2,298 00	
21.	For state reservation, maintenance and operation (Mount Everett)		12,172 00
	1. Personal services	8,462 00	
	2. Contractual services	260 00	
	3. Supplies and materials	350 00	
	4. Current charges and obligations	3,100 00	
23a.	For county tuberculosis clinic		60,963 32
24.	For noncontributory pensions		4,513 70
25.	For contributory retirement system and supervisory expenses		81,314 14
26.	For miscellaneous and contingent expenses		17,125 00
27.	For unpaid bills of previous years		14,763 36
28.	For reserve fund		25,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		45,000 00
30.	For forest fire patrol		7,167 55
31.	For radio system for fire protection		11,200 00
32.	For forest development		2,500 00
35.	For industrial development commission		55,187 50
36.	For Dutch elm disease		5,000 00
39.	For group insurance		40,000 00
	Total amount of appropriations		$2,273,360 18
	Less estimated amount available for reduction of county tax		418,214 66
	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		$1,855,145 52

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

Approved July 15, 1971.

Chap. 515. AN ACT VALIDATING THE ACTION OF THE TOWN OF WINCHESTER IN APPROPRIATING THE SUM OF FOUR THOUSAND TWO HUNDRED DOLLARS FOR THE PAYMENT OF ITS SHARE IN A CERTAIN COOPERATIVE EDUCATIONAL PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation and notwithstanding any contrary provision of law, the town of Winchester is hereby authorized to appropriate the sum of four thousand two hun-

dred dollars, to be expended by the school department of said town as its share of the cost of participating in a cooperative educational program called "Special Education of Education Mutual".

SECTION 2. Any action taken by a town meeting of the town of Winchester under article thirty at the adjourned session of the March the eleventh, nineteen hundred and seventy-one annual representative town meeting of said town, held on April the twentieth, nineteen hundred and seventy-one, shall be valid and effective as though section one of this act had been in effect at the time of the posting of the warrant for said meeting.

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

Approved July 15, 1971.

Chap. 516. AN ACT AUTHORIZING HEBREW REHABILITATION CENTER FOR AGED TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide that the Hebrew Rehabilitation Center for Aged be allowed to avail itself immediately of present opportunities to finance the expansion of its facilities, which opportunities may not be available in the future, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and convenience.

Be it enacted, etc., as follows:

Hebrew Rehabilitation Center for Aged, a corporation duly organized and existing under the provisions of general law, is hereby authorized to hold, for the purposes for which it is incorporated, real and personal estate in an amount not exceeding forty million dollars.

Approved July 15, 1971.

Chap. 517. AN ACT RELATIVE TO THE MASSACHUSETTS HISTORICAL COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 26 of chapter 9 of the General Laws, added by section 1 of chapter 697 of the acts of 1963, is hereby amended by striking out, in lines 2 and 3, the words "section twenty-seven" and inserting in place thereof the words: — sections twenty-seven to twenty-seven B, inclusive.

SECTION 2. Said chapter 9 is hereby further amended by inserting after section 27 the following two sections: —

Section 27A. The commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the commission's program; may make and sign any agreements and may

do and perform any and all acts which may be necessary or desirable to carry out the purposes of sections twenty-six to twenty-seven B, inclusive. The commission may request from any department, division, board, bureau, commission or agency of the commonwealth, or any municipal historical commission, such assistance and data as will enable it properly to carry out its powers and duties.

Section 27B. The commission shall develop historical surveys and plans in accordance with the requirements of the federal historic preservation act (Title 16, U.S.C. sections 470–470N). The commission shall be the sole agency of the commonwealth for administration of said act. The state treasurer shall be the custodian of funds received by the commonwealth under section one hundred and three of said act, and said funds shall be expended by the commission, without special appropriation, on projects approved by it which carry out the objects of said act.

SECTION 3. Section 8D of chapter 40 of the General Laws, inserted by section 4 of chapter 697 of the acts of 1963, is hereby amended by inserting after the third sentence the following sentence: — The commission may hold hearings, may enter into contracts with individuals, organizations and institutions for services furthering the objectives of the commission's program; may enter into contracts with local or regional associations for cooperative endeavors furthering the commission's program; may accept gifts, contributions and bequests of funds from individuals, foundations and from federal, state or other governmental bodies for the purpose of furthering the commission's program; may make and sign any agreements and may do and perform any and all acts which may be necessary or desirable to carry out the purposes of this section. *Approved July 15, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 15, 1971

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 517 of the Acts of 1971, entitled "AN ACT RELATIVE TO THE MASSACHUSETTS HISTORICAL COMMISSION." and the enactment of which received my approval on July 15, 1971, should take effect immediately.

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

To enable the Massachusetts Historical Commission immediately to benefit from the provisions of the National Historic Preservation Act and to accept grants which have already been offered to the Commonwealth.

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

OFFICE OF THE SECRETARY, BOSTON, July 15, 1971.

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

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

Chap. 518. AN ACT PROVIDING FOR AN APPEAL TO THE SUPERIOR COURT BY CERTAIN PERSONS WHO HAVE BEEN DEMOTED BY SCHOOL COMMITTEES.

Be it enacted, etc., as follows:

Section 43A of chapter 71 of the General Laws, inserted by chapter 462 of the acts of 1958, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Any teacher or superintendent of schools employed at discretion who has been dismissed by vote of a school committee under the provisions of section forty-two or section sixty-three or any person who has been demoted by vote of a school committee under the provisions of section forty-two A may, within thirty days after the vote of dismissal or demotion, appeal therefrom to the superior court in the county in which he was employed. *Approved July 15, 1971.*

Chap. 519. AN ACT PERMITTING TRUST COMPANIES TO ENGAGE IN FEDERAL FUNDS TRANSACTIONS WITHOUT COLLATERAL.

Be it enacted, etc., as follows:

Section 54 of chapter 172 of the General Laws, as amended by section 5 of chapter 648 of the acts of 1970, is hereby further amended by adding the following subsection:—

C. Notwithstanding the provisions of the preceding paragraphs, liabilities for federal funds and other short-term obligations of any national bank or other trust company to a trust company may exceed one hundred per cent of the capital stock and surplus account of a trust company and no collateral shall be required for such obligations except insofar as the commissioner of banks may by regulation set limits on such obligations and require collateral of any kind.

Approved July 15, 1971.

Chap. 520. AN ACT PROVIDING FOR ADDITIONAL LIMITS FOR UNINSURED MOTOR VEHICLE COVERAGE.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of the second paragraph of section 113C of chapter 175 of the General Laws, as appearing in section 9

of chapter 670 of the acts of 1970, is hereby amended by inserting after the word "so-called", in line 13, the words:—, and of uninsured motor vehicle coverage, additional coverage beyond that required by section one hundred and thirteen L of at least fifteen thousand dollars on account of injury to or death of one person and forty thousand dollars on account of any one accident resulting in injury to or death of more than one person, provided that such additional amount of uninsured motor vehicle coverage chosen shall not exceed the amount of additional bodily injury coverage chosen under this section.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-two. *Approved July 15, 1971.*

Chap. 521. AN ACT FURTHER REGULATING TRIAL AND APPEAL PROCEDURES RELATIVE TO DEPARTMENTAL CHARGES AGAINST STATE POLICE OFFICERS.

Be it enacted, etc., as follows:

Section 9A of chapter 22 of the General Laws is hereby amended by striking out the second paragraph, as amended by chapter 343 of the acts of 1957, and inserting in place thereof the following paragraph:—

No officer appointed under this section shall be denied reenlistment if he has served satisfactorily for six years or more; provided, that he has passed such physical examination as is prescribed by rules and regulations made hereunder. Any officer appointed under this section who has served for one year or more, against whom charges have been preferred, shall be tried by a court to be appointed by the executive officer, with the approval of the commissioner, or, at the request of the officer, may be tried by a court consisting of the executive officer, with the consent of the commissioner. Any person aggrieved by the finding of such trial court may, within sixty days after being notified thereof, bring a petition in the district court within the judicial district of which he resides or in the municipal court of the city of Boston addressed to the justice of the court praying that the action of the departmental trial court be reviewed by the court, and after such notice to the commissioner, as the court deems necessary, it shall hear witnesses, review such finding and determine whether or not upon all the evidence such finding was justified. If the court finds that such finding was justified the action of the departmental court shall be affirmed; otherwise it shall be reversed and the petitioner shall be reinstated in his office without loss of compensation. The decision of the court shall be final and conclusive upon the parties, and a copy of the decision shall be forwarded forthwith by the clerk of the court to the commissioner. A member of the uniformed branch who was dismissed from the force after trial before a trial court, or who resigned while charges, to be tried by a trial court or courts martial, were pending against him, shall not be reinstated by the commissioner. *Approved July 15, 1971.*

Chap. 522. AN ACT AUTHORIZING CREDIT UNIONS TO REVISE, AMEND, MODIFY, REDUCE OR OTHERWISE CHANGE THE TERMS OF A REAL ESTATE MORTGAGE WITH THE ASSENT OF THE OBLIGOR.

Be it enacted, etc., as follows:

Subsection (*b*) of subdivision (B) of section 24 of chapter 171 of the General Laws is hereby amended by adding the following paragraph:—

12. Subject to such requirements or limitations as the board of directors may determine, a credit union, with the assent of the persons obligated on any mortgage loan on real estate, may, from time to time, revise, amend, modify, suspend, reduce, extend or otherwise change any of the terms, payments or obligations pertaining to such loan. Every such change shall be evidenced by an instrument setting forth the change, the payments to be made pursuant thereto and the provisions of any mortgage extension, which instrument shall be filed with the papers relating to the loan. Any sums loaned by such credit union, after the recording of its original mortgage, for the purposes referred to in section twenty-eight A of chapter one hundred and eighty-three, shall be governed by the provisions of said section.

Neither the mortgage note evidencing the loan nor the mortgage securing the same shall be prejudiced by any change made pursuant to this paragraph, notwithstanding the fact that no provision for such change was originally made in the note or mortgage; and both the note and mortgage shall continue to be held by the credit union as good and sufficient security for the balance remaining unpaid after the date of such change.

Nothing contained in this paragraph shall be construed as preventing any mortgage loan held by such credit union from being rewritten, substituted or converted into any other type of mortgage which such credit union may lawfully hold.

Whenever any real estate loan is acquired by purchase, any terms thereof may be changed or supplemented by an extension or other agreement in order to cause such loan to conform with applicable provisions of law. *Approved July 15, 1971.*

Chap. 523. AN ACT RELATIVE TO THE MEMBERSHIP OF THE NORTHERN MIDDLESEX AREA COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section four of chapter forty B of the General Laws, the membership of the Northern Middlesex Area Commission formerly known as the Greater Lowell Area Planning Commission shall consist of the mayor of the city of Lowell, or his designee who shall be a member of the city council, one member from the board of selectmen from each town included within said district, elected by said board of selectmen, a member of the planning board of each such city or town elected annually by said planning board; and the commissioner of community affairs or his designee shall be a member ex officio without the right to vote. The selectmen members shall serve for a term of one year commencing April the first of the year elected to March the thirty-first of the succeeding year, and the

election or designation of each member shall be certified annually to the commission by the respective authority in the month of March.

SECTION 2. The members of the Northern Middlesex Area Commission on the effective date of this act shall continue to serve until the expiration of the term for which they were appointed or elected.

Approved July 15, 1971.

Chap. 524. AN ACT MAKING IT A CRIMINAL OFFENSE TO DISRUPT COURT PROCEEDINGS.

Be it enacted, etc., as follows:

Chapter 268 of the General Laws is hereby amended by inserting after section 13B the following section:—

Section 13C. Whoever causes or actively participates in the willful disruption of proceedings of any court of the commonwealth may be punished by a fine of not more than one thousand dollars or by imprisonment in a jail or house of correction for not more than one year, or both. Nothing in this section shall interfere with or prevent the exercise by any court of the commonwealth of its power of contempt.

Approved July 15, 1971.

Chap. 525. AN ACT FURTHER REGULATING THE INVESTMENT OF FUNDS OF CREDIT UNIONS.

Be it enacted, etc., as follows:

Chapter 171 of the General Laws is hereby amended by striking out section 21 and inserting in place thereof the following section:—

Section 21. The capital, deposits and surplus of a credit union shall be invested in loans to members, with approval of the credit committee, as provided in section twenty-two, and also when so required herein of the board of directors; and any capital, deposits or surplus funds in excess of the amount for which loans shall be approved by the credit committee and the board of directors may be deposited in savings banks or trust companies incorporated in the commonwealth, or in banking companies so incorporated and which are members of the Federal Deposit Insurance Corporation, or in national banks located in the commonwealth, or invested in any bonds, notes, certificates of deposit, bankers' acceptances, bank stocks, or one-bank holding company stocks, or insurance stocks which are at the time of their purchase legal investments for savings banks in the commonwealth, or, to the extent authorized by section three of chapter two hundred and sixteen of the acts of nineteen hundred and thirty-two, in the shares of the Central Credit Union Fund, Inc., or in paid-up shares and accounts of and in co-operative banks incorporated in the commonwealth, or in the shares of savings and loan associations incorporated in the commonwealth, or in the shares of federal savings and loan associations having a usual place of business within the commonwealth to an amount not in excess of the insurance provided by the Federal Savings and Loan Insurance Corporation for a depositor in any one of such associations, but not more than ten per

cent of the assets of a credit union shall be invested in bank stocks, or one-bank holding company stocks or insurance stocks or in all three of such types of stock; provided, that not more than fifteen thousand dollars or one per cent of the assets of a credit union, whichever is greater, shall be invested in the stock of any one bank, one-bank holding company or insurance company. The amount invested by a credit union in bonds, notes or bankers' acceptances shall not be in excess of that permitted to savings banks. At least five per cent of the total assets of a credit union shall be carried as cash on hand or as balances due from banks and trust companies or banking companies which are members of the Federal Deposit Insurance Corporation, or invested in the bonds or notes of the United States, or of any state, or subdivision thereof, which are legal investments for savings banks as above provided, or deposited in savings banks incorporated in the commonwealth or invested in paid-up shares and accounts of and in co-operative banks incorporated in the commonwealth or in the shares of savings and loan associations incorporated in the commonwealth or in the shares of federal savings and loan associations having a usual place of business within the commonwealth, or in the shares of the Central Credit Union Fund, Inc.; provided, that such bonds, notes or shares are the absolute property and under the control of such credit union. Whenever the aforesaid ratio falls below five per cent, no further loans shall be made until the ratio as herein provided has been reestablished. Investments, other than personal loans, shall be made only with the approval of the board of directors. Subject to such approval and to the approval of the commissioner a credit union may invest a sum not exceeding its guaranty fund and other surplus accounts for the purchase of a suitable site and the erection or preparation of a suitable building or for alterations, improvements or additions thereto for the convenient transaction of its business. Subject to approval as heretobefore provided a credit union may expend a sum not exceeding its guaranty fund and other surplus accounts for the alterations, improvements and additions to any premises leased by it for the convenient transaction of its business. 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 July 15, 1971.*

Chap. 526. AN ACT AUTHORIZING LOCAL ENFORCEMENT OF VIOLATIONS OF THE DOG CONTROL LAWS.

Be it enacted, etc., as follows:

The first paragraph of section 173A of chapter 140 of the General Laws, as appearing in chapter 627 of the acts of 1967, is hereby amended by adding the following sentence:—Notwithstanding the foregoing procedure and schedule of fines and subject, however, to all

of the other provisions of this section, a city or town may, by ordinance or by-law, provide for an alternative procedure and a different schedule of fines; provided, however, that no new schedule of fines shall contain a fine in excess of ten dollars. *Approved July 15, 1971.*

Chap. 527. AN ACT AUTHORIZING THE TOWN OF NATICK TO PAY A CERTAIN SUM OF MONEY TO WILLIAM J. FANNON, A RETIRED FIREFIGHTER OF SAID TOWN.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the town of Natick may appropriate and pay to William J. Fannon, a retired firefighter of said town, the sum of three hundred dollars for hospital, medical and surgical expenses incurred by him as a result of a physical disability received by him in the performance of his duty as a firefighter with said town, notwithstanding the failure of said town to accept section one hundred B of chapter forty-one of the General Laws. *Approved July 15, 1971.*

Chap. 528. AN ACT PROHIBITING AN ELECTED MEMBER OF THE REPRESENTATIVE TOWN MEETING OF THE TOWN OF WINCHESTER FROM ACTING AS A MEMBER AT LARGE.

Be it enacted, etc., as follows:

The second paragraph of section 3 of chapter 167 of the acts of 1928 is hereby amended by striking out the seventh sentence and inserting in place thereof the following sentence:—Every elected member, whose official position entitles him to be a member at large, shall forthwith resign as an elected town meeting member, pursuant to the procedure set forth in the preceding sentence of this act, and he shall not be permitted to act as a member at large until his resignation as an elected town meeting member shall have taken effect; provided, however, that the foregoing limitation shall not apply during the period of the annual town meeting to a member of the board of selectmen or the finance committee, whose term of office expires at the dissolution of such annual town meeting. *Approved July 15, 1971.*

Chap. 529. AN ACT AUTHORIZING THE CONSOLIDATION OF THE FIRST CHURCH IN NEWTON MASSACHUSETTS, THE SECOND CHURCH IN NEWTON AND THE ELIOT CHURCH OF NEWTON.

Be it enacted, etc., as follows:

SECTION 1. The First Church in Newton Massachusetts, organized in sixteen hundred and sixty-four and incorporated under the provisions of chapter four hundred and four of the acts of eighteen hundred and eighty-seven, The Second Church in Newton, organized in seventeen hundred and eighty-one and incorporated under the provisions of section fifty-one of chapter thirty-six of the Revised Laws, and The Eliot Church of Newton, organized in eighteen hundred and forty-five and incorporated under the provisions of

section fifty-one of chapter sixty-seven of the General Laws, 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 United Church of Newton, hereinafter called the consolidated corporation, which shall in all respects be a continuation of each of said existing corporations.

SECTION 2. The consolidated corporation shall have all the rights, 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 conferred by this act the consolidated corporation is empowered to 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 in furtherance of its purposes, may make appropriations including appropriations to other organizations to enable them to assist in carrying out such purposes and may receive, hold, manage, invest and reinvest and distribute any real and personal property for any of its purposes subject to section eight.

SECTION 3. Upon such consolidation becoming effective, all property of The First Church in Newton Massachusetts, The Second Church in Newton and The Eliot Church of Newton, including all bequests, devises, gifts and transfers of any kind heretofore or hereafter made to or for the benefit of any of them, shall be transferred to and vested in the consolidated corporation without further act or deed, and shall be held and administered by the consolidated corporation upon and subject to the same terms, conditions, limitations and trusts as they are now held or would have been held had such consolidation not been effected. The consolidated corporation shall have the same rights, privileges, powers and immunities with respect to such property as would have been possessed by The First Church in Newton Massachusetts, The Second Church in Newton and The Eliot Church of Newton 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 Church of Newton Massachusetts, The Second Church in Newton and The Eliot Church of Newton.

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 unless at meetings called for the purpose each of said existing corporations shall have accepted this act by an affirmative vote of a majority of the members present, and unless after such acceptance said existing corporations shall have called and held an organization meeting of the consolidated corporation to be held in the city of Newton composed of persons designated by said existing corporations, for the purpose of adopting by-laws for the consolidated corporation and of electing officers and committees as said by-laws may require.

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

SECTION 8. The consolidated corporation may hold real and personal estate not exceeding ten million dollars.

SECTION 9. Any questions arising as to the rights, privileges, powers, immunities 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 any 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. If the application of any provision of this act to any property or funds held by any of The First Church in Newton Massachusetts, The Second Church in Newton and The Eliot Church of Newton shall be held invalid, the application of such provision to property and funds other than those to which it is held invalid shall not be affected thereby.

SECTION 10. At any time after the effective date of the consolidation hereunder, other churches in the city of Newton, whether incorporated or not, may be merged into the consolidated corporation by the acceptance by their members of all of the terms and conditions of this act and by transferring all assets and members to the consolidated corporation as herein provided for the original consolidating churches.

Approved July 15, 1971.

Chap. 530. AN ACT REQUIRING THE SUPERINTENDENT OF A STATE MENTAL INSTITUTION TO MAKE AN IMMEDIATE REPORT TO THE DISTRICT ATTORNEY OF THE DEATH OF ANY PERSON CONFINED THEREIN.

Be it enacted, etc., as follows:

Chapter 123 of the General Laws is hereby amended by inserting after section 28, as appearing in section 4 of chapter 888 of the acts of 1970, the following section:—

Section 28A. Upon the death of any person confined to a mental institution under the control of the department, the superintendent of such institution shall, if he is of the opinion that the death may have resulted from violence or unnatural causes, immediately notify the district attorney for the district in which the death occurred, giving him the name and address of the person who died and the cause of death.

Approved July 15, 1971.

Chap. 531. AN ACT PROVIDING A PENALTY FOR ASSAULT AND BATTERY DURING AN ATTEMPTED LARCENY FROM AN AGED OR INFIRM PERSON AND FOR STEALING A HANDBAG FROM THE PERSON OF A FEMALE.

Be it enacted, etc., as follows:

Chapter 265 of the General Laws is hereby amended by inserting after section 13D the following section:—

Section 13E. Whoever commits an assault and battery on an aged or infirm person during an attempted larceny from said person or whoever steals or attempts to steal a handbag from the person of a female shall be punished by imprisonment for not less than one year nor more than two and one half years in the house of correction.

For the purpose of this section an aged person shall be a person seventy years of age or older and an infirm person shall be a person whose infirmity is plainly obvious. *Approved July 15, 1971.*

Chap. 532. AN ACT MAKING CERTAIN EVIDENCE IN AN ACTION TO RECOVER FROM AN INSURER FOR THEFT OF PERSONAL PROPERTY FROM A MOTOR VEHICLE OR TRAILER PRIMA FACIE EVIDENCE OF FORCIBLE ENTRY INTO SUCH VEHICLE.

Be it enacted, etc., as follows:

Chapter 233 of the General Laws is hereby amended by inserting after section 79H the following section:—

Section 79I. In an action to recover from an insurer under a policy which provides coverage for theft of personal articles from a motor vehicle or trailer if all windows and doors are locked and if there are visible signs of forcible entry into the vehicle or trailer, the fact that such motor vehicle or trailer was stolen shall be prima facie evidence that there was a forcible entry. *Approved July 15, 1971.*

Chap. 533. AN ACT INCREASING THE FEES CHARGED FOR THE LICENSING OF APPRENTICE, JOURNEYMEN AND MASTER PLUMBERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for increasing the revenue of the commonwealth by further regulating the fees for licensing apprentice, journeymen and master plumbers, 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 142 of the General Laws is hereby amended by striking out section 5, as most recently amended by chapter 209 of the acts of 1966, and inserting in place thereof the following section: —

Section 5. The fee for the first license of a master plumber shall be twenty-five dollars; for any biennial renewal thereof, twenty-four dollars; and for an examination therefor, twenty dollars. The fee for the first license of a journeyman plumber shall be ten dollars; for any biennial renewal thereof, twelve dollars; and for an examination therefor, ten dollars. The fee for the first license of an apprentice shall be three dollars; and for any biennial renewal thereof, six dollars.

Approved July 21, 1971.

Chap. 534. AN ACT AUTHORIZING THE TOWN OF GROTON TO PAY A CERTAIN SUM OF MONEY TO MATCO, INC.

Be it enacted, etc., as follows:

SECTION 1. The town of Groton is hereby authorized to pay to Matco, Inc., a corporation organized under the laws of the state of Rhode Island, the sum of ten thousand one hundred and seventy-eight dollars in payment for materials furnished and labor performed for said town, pursuant to a contract entered into by and through the superintendent of schools, in the year nineteen hundred and seventy payment for which is legally unenforceable against said town by reason of its being made in excess of authority and not in compliance with the requirements of law respecting public bidding and certificatjon by the town accountant.

SECTION 2. Said bill shall not be approved by the town accountant of said town for payment, or paid by the treasurer thereof under authority of this act, unless and until a certificate has been signed and filed with said town accountant, 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 town and that such goods and materials were delivered and actually received by said town and that such services were rendered to said town.

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

Approved July 21, 1971.

Chap. 535. AN ACT INCREASING THE ANNUITY PAYABLE TO BARBARA A. KELLEY, THE WIDOW OF WILLIAM H. KELLEY, A FORMER MEMBER OF THE STATE POLICE.

Be it enacted, etc., as follows:

For the purpose of promoting the public good, the state retirement board shall increase the annuity payable to Barbara A. Kelley, the widow of William H. Kelley, a former member of the state police who suffered the loss of a leg in the performance of his duties. Said increased sum shall be equal to the annuity paid to widows of state police officers who die as the result of disability which is service-connected.

Approved July 21, 1971.

Chap. 536. AN ACT RELATIVE TO THE COMPENSATION OF THE VICE CHAIRMAN OF THE SENATE COMMITTEE ON WAYS AND MEANS.

Be it enacted, etc., as follows:

SECTION 1. The fourth sentence of section 9 of chapter 3 of the General Laws is hereby amended by inserting after the word "chairman", in line 1, as appearing in section 4 of chapter 19 of the acts of 1969, the words: — of the senate committee on ways and means and the vice chairman.

SECTION 2. This act shall take effect as of January the sixth, nineteen hundred and seventy-one.. *Approved July 21, 1971.*

EMERGENCY LETTER — August 5, 1971 at 1:45 P.M.

Chap. 537. AN ACT AMENDING THE CHARTER OF THE MASSACHUSETTS COLLEGE OF PHARMACY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 93 of the acts of 1852 is hereby amended by striking out sections 1 to 9, inclusive, and inserting in place thereof the following three sections: —

Section 1. Thomas Farrington, Joseph Burnett, George S. Jones and all such persons as are now members of an association known as the "Massachusetts College of Pharmacy", or shall hereafter become members of the same, are hereby constituted a corporation and body politic, in law and in fact, by the name of the "Massachusetts College of Pharmacy", for the purpose of cultivating, improving and making known the principles of pharmacy, its collateral branches of science and the best modes of preparing medicines and their compounds, and of giving instruction in the same; and may hold real and personal estate to an amount not exceeding twenty million dollars.

Section 2. Said college may establish by-laws and rules for its government and regulation, and for the preservation and application of the funds thereof, not repugnant to the constitution and laws of the United States or of the commonwealth of Massachusetts, and shall have power to erect buildings for its use, and to constitute a faculty in the various disciplines involved in the respective pharmaceutical curricula as it may judge necessary, and, whenever it shall see fit, to remove them or any of them and to appoint others in their stead; to confer degrees in pharmacy; and to do all acts necessary or proper for the establishment and maintenance of said college and faculty.

Section 3. The corporation hereby created shall have all the powers and privileges and be subject to all the duties, restrictions and liabilities contained in all general laws now or hereafter in force relating to such corporations, except as may otherwise be provided herein.

SECTION 2. Chapter two hundred and seventy-three of the acts of nineteen hundred and sixty-nine is hereby repealed.

Approved July 21, 1971.

Chap. 538. AN ACT FURTHER DEFINING THE TERM "INSURANCE AGENT" AS IT APPLIES TO A FRATERNAL BENEFIT SOCIETY.

Be it enacted, etc., as follows:

Subsection (1) of section 35 of chapter 176 of the General Laws, as appearing in section 1 of chapter 540 of the acts of 1958, is hereby amended by inserting after the word "contract", in line 4, the words: —, including any corporation which is organized exclusively for the purpose of acting as such insurance agent and which is subject to the provisions of section one hundred and seventy-four of chapter one hundred and seventy-five insofar as said provisions are applicable to a fraternal benefit society.

Approved July 21, 1971.

Chap. 539. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO ESTABLISH A PROGRAM FOR THE PREVENTION OF THE DISEASE ERYTHROBLASTOSIS FETALIS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by adding after section 4H the following section: —

Section 4I. The department is hereby authorized to establish, promote and administer a statewide program for the prevention of erythroblastosis fetalis, and may produce and distribute as much anti-Rh gamma globulin as it deems necessary for such purpose.

The department may contract with any agency, public, private or federal, and may adopt and promulgate such rules and regulations as are necessary to carry out the purposes of this section.

Approved July 21, 1971.

Chap. 540. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC UTILITIES TO ISSUE DRIVERS' LICENSES TO PERSONS EIGHTEEN YEARS OF AGE AND OVER AND PROHIBITING THE ISSUANCE OF SUCH LICENSES TO PERSONS WHO HAVE ATTAINED AGE SEVENTY.

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 amended by chapter 669 of the acts of 1969, and inserting in place thereof the following sentence: — No license shall be issued by the department except to persons at least eighteen years of age and less than seventy years of age who have qualified in accordance with the department's requirements.

Approved July 21, 1971.

Chap. 541. AN ACT RELATIVE TO THE BONDING PROVISION REQUIRED FOR THE EXCAVATION OF PUBLIC WAYS.

Be it enacted, etc., as follows:

Section 21 of chapter 81 of the General Laws is hereby amended by striking out the third sentence, added by chapter 507 of the acts of 1950, and inserting in place thereof the following sentence: — The amount of said bond shall be determined by the department not to exceed the estimated cost of the work and possible damage, but shall be not less than two thousand dollars nor more than fifty thousand dollars.

Approved July 21, 1971.

Chap. 542. AN ACT FURTHER REGULATING THE AMOUNT OF THE BOND TO BE FILED IN CONNECTION WITH HORSE AND DOG RACING MEETINGS.

Be it enacted, etc., as follows:

Section 3 of chapter 128A of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 3 of chapter 374 of the acts of 1934, and inserting in place thereof the following paragraph: —

No license shall be issued unless the person applying therefor shall have executed and delivered to the commission a bond, payable to the

commission in the amount of one hundred and twenty-five thousand dollars, with a surety or sureties approved by the commission conditioned upon the payment of all sums which may become payable to the commission under this chapter; provided that the amount of such bond, in the case of any person holding or conducting a racing meeting in connection with a state or county fair, shall be twenty-five thousand dollars.

Approved July 21, 1971.

Chap. 543. AN ACT FURTHER REGULATING NONPROFIT MEDICAL SERVICE CORPORATIONS SUBJECT TO THE SUPERVISION OF THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 176B of the General Laws is hereby amended by striking out the definition "Nonprofit medical service plan", as appearing in section 8 of chapter 432 of the acts of 1968, and inserting in place thereof the following definition: —

"Nonprofit medical service plan", a plan operated by a medical service corporation under the provisions of this chapter, whereby the cost of medical service and other health services furnished to subscribers and covered dependents is paid by the corporation to subscribers, to participating physicians and to such other physicians as are provided for herein, and to providers of other health services.

SECTION 2. Section 3 of said chapter 176B is hereby amended by striking out the fourth paragraph, added by chapter 186 of the acts of 1955, and inserting in place thereof the following paragraph: —

Any medical service corporation may contract with any agency of the United States of America, of the commonwealth or of any city or town within the commonwealth or with any corporation organized under general or special laws for any of the purposes mentioned in chapter one hundred and eighty for the purpose of providing medical service or other health services or reimbursement for such medical service or other health services.

SECTION 3. Section 4 of said chapter 176B is hereby amended by striking out the first paragraph, as most recently amended by sections 33 and 34 of chapter 443 of the acts of 1970, and inserting in place thereof the following paragraph: —

Any medical service corporation may enter into contracts with its subscribers and with participating physicians, dentists, podiatrists, optometrists and other providers of health services licensed under the laws of the commonwealth, for such medical, visual, surgical and other health services as may lawfully be rendered by them to the subscribers and to their dependents, and may pay for such services. The form of agreement with participating physicians, dentists, podiatrists, optometrists and other providers of health services and the methods of compensating participating physicians, dentists, podiatrists, optometrists and other providers of health services for their services to subscribers or covered dependents shall at all times be subject to the written approval of the commissioner, but no participating physicians shall be denied their right to enter into a contract with any medical service corporation by reason of any unfair or arbitrary discrimination.

Approved July 21, 1971.

Chap. 544. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW REQUIRING THE COMPILATION OF CERTAIN VITAL STATISTICS BY THE COMMISSIONER OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 2 of chapter 111 of the General Laws, added by section 2 of chapter 508 of the acts of 1964, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences: — The commissioner shall prepare from birth, marriage and death records made available to him by the state secretary under the provisions of section twenty-one of chapter forty-six, and from the divorce returns made available to him under the provisions of section forty-seven of chapter two hundred and eight, such statistical tables as he deems useful, and shall make annual report thereof to the general court. The commissioner shall return all such birth, marriage, death and divorce records to the state secretary without undue delay.

SECTION 2. Chapter 208 of the General Laws is hereby amended by striking out section 47, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 47. The state secretary shall as soon as it is reasonably practicable make the divorce returns received by him available to the commissioner of public health for the purposes set forth in section two of chapter one hundred and eleven. Upon return of said divorce returns from the commissioner of public health, the state secretary shall prepare an index thereto and shall retain custody thereof.

Approved July 21, 1971.

Chap. 545. AN ACT PROVIDING FOR THE INVESTMENT IN FEDERAL FUNDS BY A CITY, TOWN OR DISTRICT.

Be it enacted, etc., as follows:

Section 55 of chapter 44 of the General Laws, as most recently amended by chapter 91 of the acts of 1967, is hereby further amended by striking out the last two sentences and inserting in place thereof the following sentences: — A treasurer of a city, town or district may invest not more than eighty per cent of the proceeds from the issue of bonds and notes, exclusive of temporary notes issued in anticipation of revenue or of serial bond or note issues, prior to their application to the payment of liabilities incurred for the purposes specified in the authorization of the loan, in certificates of deposit in trust companies or national banks or banking companies or in United States treasury bills and federal funds. Said treasurer may invest in United States treasury bills and federal funds, or in certificates of deposit in trust companies, national banks or banking companies, such portion of revenue cash, exclusive of the proceeds from temporary notes issued under sections four, five, five A, five B, six, six A and seventeen, as he shall deem not required for current maintenance expenses; provided, however, that no temporary notes in anticipation of revenue shall be issued by the treasurer as long as such revenue cash remains so invested.

Approved July 21, 1971.

Chap. 546. AN ACT PROVIDING FOR THE RECOGNITION OF CERTAIN JANITORIAL SERVICES RENDERED IN THE BOSTON PUBLIC SCHOOLS AS CREDITABLE SERVICE UNDER THE VETERANS NONCONTRIBUTORY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

Section 1 of chapter 267 of the acts of 1952 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Upon the completion of such make-up payments, such member shall receive, for the purposes of retirement under the Boston retirement system or the State-Boston retirement system, as the case may be, or under section fifty-seven or fifty-eight of chapter thirty-two of the General Laws, the same credit for services so rendered as would have been allowed had such services been rendered by him as an employee of the city of Boston. *Approved July 21, 1971.*

Chap. 547. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO INSTALL PARKING METERS IN A PUBLIC PARK, TO APPROPRIATE RECEIPTS THEREFROM FOR THE MAINTENANCE AND IMPROVEMENT OF THE PARK AND TO VALIDATE CERTAIN ACTIONS PREVIOUSLY TAKEN BY THE TOWN OF BARNSTABLE AND ITS OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-two B of chapter forty and section seven of chapter forty-five of the General Laws, or any other provision of law to the contrary, the town of Barnstable may install parking meters for public parking in the Ralph Bismore Park, located in said town, and may appropriate the receipts from any such parking meters for the maintenance and improvement of said park.

SECTION 2. Any proceedings heretofore taken by the town of Barnstable or any of its officers authorizing the installation of parking meters in the Ralph Bismore Park, and the appropriations and expenditures of receipts from such parking meters or any other municipal funds for the purchase of such meters, and expenditures of receipts from such parking meters for the maintenance and improvement of said park, are hereby validated and confirmed to the same extent as if this act had been in effect at the time such proceedings were taken or initiated.

Approved July 21, 1971.

Chap. 548. AN ACT RELATIVE TO THE TIME WITHIN WHICH CERTAIN ACTIONS MAY BE BROUGHT AGAINST EXECUTORS AND ADMINISTRATORS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 197 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 1 of chapter 552 of the acts of 1954, and inserting in place thereof the following section: —

Section 9. Except as provided in this chapter, an executor or administrator shall not be held to answer to an action by a creditor of the deceased which is not commenced within six months from the time of his giving bond for the performance of his trust, or to such an action which is commenced within said six months unless before the expiration thereof the writ in such action has been served by delivery in hand upon such executor or administrator or service thereof accepted by him or a notice stating the name of the estate, the name and address of the creditor, the amount of the claim and the court in which the action has been brought has been filed in the proper registry of probate. An executor, administrator or administrator de bonis non shall not be held to answer to an action by a creditor of the deceased which is commenced within any other or additional period of limitation for bringing such action provided by or under this chapter unless before the expiration of such period the writ in such action has been served by delivery in hand upon him or service thereof accepted by him or a notice as aforesaid has been filed in the proper registry of probate. The probate court may allow creditors further time for bringing actions, not exceeding one year from the time of the giving of his official bond by such executor or administrator, provided that application for such further time be made before the expiration of six months from the time of the approval of the bond.

SECTION 2. This act shall apply only to estates of persons dying on or after January the first, nineteen hundred and seventy-two.

Approved July 21, 1971.

Chap. 549. AN ACT AUTHORIZING WILLISTON ACADEMY, FORMERLY KNOWN AS WILLISTON SEMINARY, TO HOLD ADDITIONAL REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Williston Academy, originally incorporated under the name of Williston Seminary by chapter twenty-eight of the acts of eighteen hundred and forty-one, may hold real and personal estate to the value of ten million dollars, to be devoted exclusively to the purposes of education.

Approved July 21, 1971.

Chap. 550. AN ACT RELATIVE TO THE CONSTRUCTION, FINANCING, OPERATION OR LEASING OF SOLID WASTE DISPOSAL FACILITIES IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

SECTION 1. The third sentence of section 1 of chapter 867 of the acts of 1970 is hereby amended by inserting after the word "shall", in line 2, the word: — not, — so as to read as follows: — In carrying out the foregoing, the city shall not be subject to sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws or sections thirty-nine F to thirty-nine M, inclusive, of chapter thirty of the General Laws, or to any law or ordinance requiring competitive bidding or the solicitation of bids by advertisement.

SECTION 2. Section 2 of said chapter 867 is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences: — Each authorized issue shall mature serially beginning not later than two years and ending not later than thirty years after the date of issue or the date of commencing regular operation of the facility or facilities to be provided under this act, as determined or estimated by the mayor, 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 for a more rapid amortization of principal.

SECTION 3. Said chapter 867 is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

Section 4. Indebtedness incurred under this act shall be in excess of the statutory limits prescribed by section ten of chapter forty-four of the General Laws, but shall, except as provided herein, be subject to the applicable provisions of said chapter forty-four, exclusive of sections seven, eight and seventeen thereof. In addition to other lawful items, the project costs to be financed by the issue of bonds or notes hereunder may include initial training costs, the cost of test or trial operations and interest up to the date of commencing regular operation of the facility or facilities to be provided under this act, as determined or estimated by the mayor.

SECTION 4. Said chapter 867 is hereby further amended by striking out section 5 and inserting in place thereof the following section: —

Section 5. In addition to any other power conferred by law, the city of Malden may from time to time contract for the operation by others of any facility or facilities financed or to be financed in whole or in part under this act or may from time to time lease the same to others for operation by them and may contract with any such operator for the disposal of refuse, garbage and waste, or for any of the foregoing, or for the purchase or use of by-products or residue resulting from the operation of such facilities. All other cities, towns and other public agencies and private parties are also authorized from time to time to contract with the city of Malden or with any such operator for the disposal of refuse, garbage and waste, or for any of the foregoing, or for the purchase or use of by-products or residue resulting from the operation of such facilities. Without limiting the generality of the foregoing, contracts hereunder may include provisions for the delivery of minimum amounts of refuse, garbage and waste and payments for the use of the facilities to be based thereon, unit prices, which may be graduated, and adjustments thereof. Any contract or lease under this section by a city or town, including the city of Malden, may be entered into by the appropriate officers acting under general authorization of the city council or town meeting and may run for a period not exceeding thirty-one years from the date of the contract or lease or from the date of commencing regular operation of the facility or facilities to be provided under this act, as determined or estimated in such contract or lease, whichever date is later. Any contract or lease hereunder may include provisions for arbitration. A contract by a city or town hereunder shall not be subject to section four of chapter forty of the General Laws

and shall not be precluded by the acceptance of section nine A of chapter ninety-two of the General Laws. The obligations represented by payments by a city or town under such a contract shall not be included in any determination of the borrowing capacity of such city or town under any limitation on its indebtedness.

SECTION 5. Said chapter 867 is hereby further amended by inserting after section 7 the following two sections: —

Section 7A. The establishment and operation of solid waste disposal facilities hereunder shall be subject to applicable laws except as otherwise provided herein. Reasonable requirements may be imposed thereon by proceedings or regulations pursuant to section one hundred and fifty A or chapter one hundred and eleven of the General Laws but the assignment of a site may not be rescinded, other than on appeal from the original assignment, pursuant to that section or otherwise.

Section 7B. In the event that solid waste disposal facilities hereunder include or are to include facilities for the production of steam as a by-product, any necessary steam pipes may be laid by the city as part of the solid waste disposal facilities project, or by the city or its redevelopment authority as part of an urban renewal project or by a corporation operating or leasing the solid waste disposal facilities. For this purpose such a corporation, whether domestic or foreign, shall have the powers granted by section twelve of chapter one hundred and fifty-eight of the General Laws but the production and sale of such steam and the foregoing grant of powers shall not cause the corporation to be otherwise subject to such chapter one hundred and fifty-eight or excluded from chapter one hundred and fifty-six or one hundred and fifty-six B of the General Laws or cause the corporation to be deemed a heat or power company for the purposes of the corporation laws of the commonwealth.

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

Approved July 22, 1971.

Chap. 551. AN ACT SUSPENDING THE PROVISIONS OF LAW RELATIVE TO CERTAIN SOUND LEVEL LIMITATIONS IN CONNECTION WITH THE SALE OF NEW RECREATION OR SNOW VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the immediate suspension of the provisions of law relative to certain sound level limitations in connection with the sale of new recreation or snow vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 24 of chapter 90B of the General Laws, as appearing in section 2 of chapter 589 of the acts of 1970, is hereby amended by striking out, in line 1, the word "seventy-one" and inserting in place thereof the word: — seventy-two, — so as to read as follows: —

On or after January the first, nineteen hundred and seventy-two no new recreation vehicle or new snow vehicle shall be sold in the commonwealth unless such vehicle is certified by the manufacturer as being

able to conform with the sound level limitation of less than seventy-three decibels on the "A" scale at fifty feet.

SECTION 2. This act shall take effect as of January the first, nineteen hundred and seventy-one. *Approved July 22, 1971.*

Chap. 552. AN ACT PROVIDING THAT ROBERT RICHARD SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A FIRE FIGHTER IN THE TOWN OF BURLINGTON.

Be it enacted, etc., as follows:

Notwithstanding any rule or law to the contrary regulating the maximum age of applicants for appointment as a fire fighter, Robert Richard shall be eligible to take the next open competitive examination for fire fighter in the town of Burlington and, provided he meets all other requirements, shall be eligible for certification and appointment as a fire fighter in said town. *Approved July 22, 1971.*

Chap. 553. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY THE LOWELL GENERAL HOSPITAL.

Be it enacted, etc., as follows:

Section 2 of chapter 49 of the acts of 1925, as amended by chapter 78 of the acts of 1960, is hereby further amended by striking out, in line 3, the word "twenty" and inserting in place thereof the word: — sixty, — so as to read as follows: —

Section 2. Said corporation may hold real and personal estate to an amount not exceeding sixty million dollars, anything in the laws of the commonwealth to the contrary notwithstanding.

Approved July 22, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 22, 1971

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 553 of the Acts of 1971, entitled "AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY THE LOWELL GENERAL HOSPITAL." and the enactment of which received my approval on July 22, 1971 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 order to permit the immediate construction of additional facilities for the Lowell General Hospital.

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

OFFICE OF THE SECRETARY, BOSTON, July 22, 1971.

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

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

Chap. 554. AN ACT AUTHORIZING THE ESTABLISHMENT OF THE GERIATRIC AUTHORITY OF HOLYOKE AND PROVIDING FOR THE FINANCING THEREOF.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that the establishment of a geriatric authority in the city of Holyoke to shelter and protect and provide services to the aging and infirm who can continue to reside in the community but may be in need of activities and services provided for at or by the Municipal Nursing Home of Holyoke and such social welfare and health programs in the community relating to the care of the aging is a public purpose. It is further declared that the lack of properly constructed dwelling units designed specifically to meet the needs of elderly and infirm persons aggravates those diseases peculiar to the elderly.

SECTION 2. There shall be in the city of Holyoke the Geriatric Authority of Holyoke, hereinafter referred to as the Authority, which shall be the municipal board to oversee, maintain and operate the Municipal Nursing Home of Holyoke and any other facilities which may be established by said Authority in accordance with the powers conferred upon it by this act.

SECTION 3. Said Authority shall consist of seven members, three to be appointed by the board of aldermen and three to be appointed by the mayor without confirmation, who shall serve for a term of three years. The six members so appointed shall elect a seventh member for a term of one year. Of the members first appointed by the mayor or the board of aldermen, one shall serve for a term of one year, one for a term of two years and one for a term of three years. No member shall serve for more than nine consecutive years. The mayor's appointments shall be selected as follows: — one representing the medical field, one representing the legal or financial field and the third with experience in the field of geriatrics. The board of aldermen's appointments shall be selected as follows: — one representing the medical field, one representing the legal or financial field and the third having experience in the field of geriatrics. Any member may be removed from office by vote of the board of aldermen for cause. The Authority shall hold at least twelve meetings in every calendar year, and a majority of the members shall constitute a quorum for each meeting.

SECTION 4. The Authority shall have the general management and control of the Municipal Nursing Home of Holyoke, any branches thereof which have been or which may hereafter be established, and of the expenditure of the money appropriated for the operation thereof. Said Authority may appoint an administrator with such assistant and

subordinate officers and other employees as it may deem necessary or expedient. Said Authority shall have jurisdiction of its affairs and the property under its control. It shall establish and enforce all necessary rules and regulations for the administration, admission, government and removal of residents in the Municipal Nursing Home of Holyoke and any other such facility which it may control. It shall have charge and control of all financial receipts and expenditures; provided, however, that any funds received by it shall be paid over to the city treasurer who shall keep them as a separate fund subject to disbursal at the direction of the Authority; and provided, further, that any outstanding bonded indebtedness incurred by the city pursuant to section ten may be paid out of said special fund from time to time if, in the opinion of the Authority, the financial condition of said fund warrants such payments without endangering its then current operating expenses, such payments to supplement any payments due from the city and not in lieu thereof.

SECTION 5. The members of the Authority shall elect a chairman, vice-chairman, secretary and treasurer who shall serve for a term of one year, or until their successors are elected. Said election shall be held annually during the month of January.

SECTION 6. The following standing committees shall be appointed by the chairman with the approval of the members: budget and finance, medical, personnel, social and volunteer service. The chairman shall be a member ex officio of all committees.

SECTION 7. The chairman shall preside at all meetings of the Authority. He shall appoint the chairmen of all standing and special committees and shall maintain general supervision over all the affairs of the Authority. He shall, together with the treasurer, execute and deliver for on behalf and in the name of the city of Holyoke all instruments which may be required for the proper prosecution of its business. In the absence or inability of the chairman to perform his duties, his duties shall be performed by the vice-chairman. The secretary shall attend all meetings of the Authority and shall record the proceedings thereof in a book provided for such purpose. The treasurer shall attend all meetings of the Authority. He shall keep and maintain complete records of all financial transactions, shall carry a complete record of all accounts and deposit all monies with the city treasurer. The treasurer shall cause books to be kept containing a detailed account of all funds received and expended, and shall make quarterly reports to the city auditor of funds received and expended.

SECTION 8. The Authority, acting alone or in cooperation with any federal, state, municipal or public agency, or nonprofit agency, is hereby authorized and empowered in the name and behalf of the city: —

(*a*) Subject to appropriation of necessary funds by two thirds vote of the board of aldermen and to the other provisions of this act, to plan, design, acquire, construct, reconstruct, improve, extend, enlarge, equip, repair, maintain and operate geriatric facilities and, with a two thirds vote of the board of aldermen and approval of the mayor, to lease geriatric facilities, either as lessee or lessor, wherever and to the extent that it deems such facilities to be necessary or desirable in the city, including such municipal owned or operated geriatric facilities which may be in existence on the effective date of this act or which may be hereafter constructed.

(*b*) Subject to appropriation and the approval of the board of aldermen to acquire by purchase, gift, eminent domain under chapter seventy-nine, seventy-nine A or eighty A of the General Laws, by lease, or otherwise, real property or any interest therein or water rights or air rights necessary for or incidental to the acquisition, construction, improvement, reconstruction, enlargement or operation of geriatric facilities, and to acquire such personal property as it may deem necessary in connection therewith;

(*c*) With the approval of the board of aldermen, to sell, lease, exchange or otherwise dispose of property and property rights acquired under this act, as the public interest may warrant.

(*d*) To maintain an office at such place or places within the city as it may determine.

(*e*) To make and enforce such rules and regulations as may, in the judgment of the Authority, be necessary or desirable for the efficient operation of any geriatric facility or geriatric system within its jurisdiction, control and supervision, and for accomplishing the purposes of this act.

(*f*) Subject to appropriation of necessary funds by the board of aldermen and to chapter thirty A, section twenty-nine of chapter forty-three and chapter one hundred and forty-nine of the General Laws and to other provisions of this act, but notwithstanding any provision contained in the city charter to the contrary, in the name and on behalf of the city to make and enter into all contracts and agreements and to employ such consulting and other engineers, attorneys, accountants, construction and financial experts, superintendents, managers and such other employees and agents as it may deem necessary or incidental to the performance of its duties and the execution of its powers under this act.

(*g*) In the name and on behalf of the city, to enter into contracts with any federal agency within the commonwealth or any agency or instrumentality thereof, or with any other city or town, district, private corporation, partnership, association or individual providing for or relating to any geriatric facility or geriatric system under its jurisdiction, control or supervision.

(*h*) To accept from any authorized federal agency or from the commonwealth or any agency or instrumentality thereof or from nonprofit agencies loans or grants for the planning, construction or acquisition of any geriatric facility or part thereof and to enter into agreements with such agency respecting any such loans or grants, and to receive and accept aid and 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 and contributions may be made.

(*i*) To call upon the various departments, authorities, boards and commissions of the city for the purposes of assisting in making investigations and in effecting the design, construction and operation of the geriatric facility to be constructed hereunder, and the Authority shall arrange for payment for such services and expenses of said agencies in connection therewith.

(*j*) To do all acts and things neceassry or convenient to carry out the provisions of this act.

SECTION 9. The city shall not be assessed any tax upon any geriatric facility or geriatric system or part thereof, or upon the income therefrom,

and the bonds and interim receipts issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation within the commonwealth, but payment shall be made to the city of Holyoke by the Authority, in lieu of taxes, upon the vote of the Authority. Nothing in this act contained shall exempt any lessee or person in possession of a geriatric facility or part thereof or the property leased or possessed from taxes or assessments payable under the General Laws.

SECTION 10. 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, two million dollars. Such bonds or notes shall bear on their face the words, Geriatric Authority of Holyoke Loan, Act of 1971. 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 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 said chapter forty-four, exclusive of the limitation contained in the first paragraph of section seven thereof, provided that, it shall first (*i*) establish the geriatric system in which such facility or facilities will be a part, (*ii*) determine that the estimated cost of such facility or facilities is reasonable, (*iii*) establish or revise as the case may require a schedule of fees to be charged for geriatric care in the facility or facilities to be financed by such revenue funds, and (*iv*) determine that the estimated amount of such fees and any other reserve to be pledged to secure bonds will be sufficient to pay the current expenses of such facility or facilities and a fund sufficient to pay interest on and principal of such revenue bonds, as they become due plus reasonable reserves therefor.

SECTION 11. This act shall take effect upon its acceptance by the city of Holyoke. *Approved July 22, 1971.*

Chap. 555. AN ACT IMPOSING CERTAIN TAXES TO PROVIDE NEEDED REVENUE FOR THE COMMONWEALTH AND ITS 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 additional revenue for 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. Section 19 of chapter 32 of the General Laws, as most recently amended by chapter 691 of the acts of 1956, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The rights of a member to an annuity, pension or retirement allowance, such annuity, pension or retirement allowance itself, and all his rights in the funds of any system established under the provisions of such sections, shall be exempt from taxation, including income taxes levied under the provisions of chapter sixty-two and from the operation of any law relating to bankruptcy or

insolvency and shall not be attached or taken upon execution or other process.

SECTION 2. Section 41 of said chapter 32, as appearing in the Tercentenary Edition, is hereby amended by striking out the words "the portion of the wages or salary of an employee deducted or to be deducted under the two preceding sections".

SECTION 3. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Twenty-seventh and inserting in place thereof the following clause: —

Twenty-seventh, Property, other than real estate, the income from which is taxed under chapter sixty-two, or would be taxable thereunder if the property yielded income.

SECTION 4. Said section 5 of said chapter 59 is hereby further amended by striking out clause Twenty-eighth and inserting in place thereof the following clause: —

Twenty-eighth, Deposits in any savings bank chartered by the commonwealth, in any banking company or Morris Plan company subject to the provisions of chapter one hundred and seventy-two A, or in the Massachusetts Hospital Life Insurance Company, or in credit unions chartered by the commonwealth, and savings deposits in any trust company so chartered, and savings deposits in any national banking association doing business in the commonwealth.

SECTION 5. Chapter 62 of the General Laws is hereby amended by striking out sections 1 to 8, inclusive, and inserting in place thereof the following sections: —

Section 1. When used in this chapter the following words shall, unless the context indicates otherwise, have the following meanings: —

(*a*) "Commissioner", the commissioner of corporations and taxation.

(*b*) "Commission", the state tax commission.

(*c*) "Code", the Internal Revenue Code of the United States, as amended on January the first, nineteen hundred and seventy-one.

(*d*) "Federal Gross Income", gross income as defined under the Code.

(*e*) Income shall be deemed to be received within the meaning of the term "received" even though the same is withheld from the person entitled thereto in payment of or to secure the payment of any tax imposed by the federal government or by any state or foreign government.

(*f*) As used in this chapter, the word "dividend" shall mean any distribution of property made by a corporation, partnership, association or trust, the beneficial interest in which is represented by transferable shares, to its shareholders —

(1) out of its accumulated earnings and profits, or

(2) out of its earnings and profits of the year in which such dividend is paid, computed as of the close of such year without diminution by reason of any distributions made during such year, without regard to the amount of the earnings and profits at the time the distribution was made.

Every distribution is made out of earnings and profits to the extent thereof and from the most recently accumulated earnings and profits. Earnings and profits, as used herein, mean the earnings and profits shown by the books of the corporation or other entity making the distribution.

(*g*) As used in this chapter, the word "resident" or "inhabitant" shall mean every natural person domiciled in the commonwealth. The

word "nonresident" shall mean any natural person whose domicile is outside the commonwealth.

(*h*) For the purposes of this chapter, the determination of whether the taxpayer is married shall be made as of the close of his taxable year, except that if his spouse dies during his taxable year such determination shall be made as of the time of such death. An individual legally separated from his spouse under a decree of divorce or of separate maintenance shall not be considered as married.

(*i*) As used in this chapter, "taxable year" means (1) the calendar year, (2) a period of twelve months ending on the last day of any month other than December as authorized under this chapter, or (3) the period for which the return is made, if a return is made for a period of less than twelve months.

Section 2. (*a*) Gross income means federal gross income with the following modifications: —

(1) The items to be added thereto are: —
   (*i*) Interest on certain governmental obligations excluded under section one hundred and three of the Code.
   (*ii*) The dividend exclusion under section one hundred and sixteen of the Code.
   (*iii*) Earned income from foreign sources excluded under section nine hundred and eleven of the Code.
   (*iv*) Contributions for annuity contracts excluded under section four hundred and three (*b*) of the Code.

(2) The items to be deducted therefrom are: —
   (*i*) Interest on obligations of the United States to the extent included in federal gross income.
   (*ii*) Amounts included in federal gross income under Subchapter S of the Code.

(*b*) Adjusted gross income means gross income, as defined in subsection (*a*), less the deductions allowed under section sixty-two and section four hundred and four of the Code; provided, however, the following deductions shall not be allowed: —

1. The deduction for long-term capital gains allowed by section twelve hundred and two of the Code.

2. The deductions allowed to life tenants and income beneficiaries by paragraph (6) of section sixty-two of the Code insofar as such deductions are allowed to a trust or estate subject to taxation under this chapter.

3. The deduction for moving expenses allowed by section two hundred and seventeen of the Code to the extent that such expenses relate to moving to a new principal place of work where the income from such work is not subject to taxation in the commonwealth.

4. Any deduction allowed by Subchapter S of the Code.

5. Any deduction relating or allowable to any income not subject to taxation under this chapter.

Section 3. Income subject to taxation shall be the adjusted gross income less the following items of income included therein, which shall be exempt from taxation: —

(*a*) Interest from bonds, notes and certificates of indebtedness of the commonwealth and of political subdivisions thereof as are exempt from taxation under clause twenty-fifth of section five of chapter fifty-nine or under any other provision of law.

(*b*) Income from a contributory annuity, pension, endowment or retirement fund of the United States government or the commonwealth or any political subdivision thereof, to any of which the employee has contributed.

(*c*) Income received by corporations, except as provided in section fourteen.

(*d*) Income of a trust which pursuant to the terms of the will, deed or other instrument creating the trust is currently payable or irrevocably set aside for public charitable purposes, or to or for the benefit of any organization or organization established and operated exclusively for charitable purposes.

(*e*) Income received from any trustee or other fiduciary, which income is taxable under this chapter to the trustee or other fiduciary.

(*f*) Dividends received from a trust, partnership or association with transferable shares subject to taxation under this chapter to the extent that such dividends are exempt from taxation under this chapter.

(*g*) Income received by trustees or other fiduciaries subject to taxation under section nine or ten as is payable to or accumulated for persons not inhabitants of the commonwealth to the extent that such income would not be subject to taxation under section five A if received by a nonresident.

(*h*) Interest and dividends in the amount of one hundred dollars for a single person or a married person filing a separate return or two hundred dollars for a husband and wife filing a joint return from savings deposits, savings accounts, shares or share savings accounts subject to taxation under subsection (*b*) of section 4.

Section 4. (*a*) The amount by which the following classes of income included in the income subject to taxation and received or derived during the taxable year by any resident of the commonwealth, exceeds the exemption allowable under section five B (*b*) shall be taxed at the rate of nine per cent:

(1) Interest from bonds, notes, money at interest, debts and from other sources, except

(*i*) Interest and dividends from savings deposits, savings accounts, shares or share savings accounts in any savings or cooperative bank, trust company or credit union incorporated in or chartered by the commonwealth; in any national banking association, federal savings or loan association or federal credit union located in the commonwealth; in any banking company or Morris Plan company subject to chapter one hundred and seventy-two A; in any savings or loan association under the supervision of the commissioner of banks; or in the Massachusetts Hospital Life Insurance Company.

(*ii*) Interest from loans made in the course of business by persons subject to the provisions of sections seventy to eighty-five, inclusive, of chapter one hundred and forty.

(2) Dividends on shares in all corporations and in all trusts, partnerships and associations with transferable shares.

(3) The net capital gain, as hereinafter defined, after deducting therefrom the net capital loss, if any, as hereinafter provided. The "net capital gain" shall be the excess of the recognized gains over the recognized losses during the taxable year from sales or exchanges of capital

assets or from other transactions deemed to be sales or exchanges of capital assets or granted gains treatment under the provisions of the Code. The "net capital loss" shall be the excess of the recognized losses over the recognized gains during the taxable years from such sales, exchanges or transactions under the provisions of the Code. Such net capital gain and net capital loss shall be determined without taking into account any capital loss carryback or carryover allowable under the Code, but shall include capital gain distributions of a regulated investment company and a real estate investment trust, as defined under sections eight hundred and fifty-one and eight hundred and fifty-six of the Code. Any portion of a gain from the disposition of property considered ordinary income under the Code shall not be taxable under this subsection, but shall be taxed under subsection (*b*).

The net capital loss, as so determined, or one thousand dollars, whichever is smaller, shall be applied against any interest and dividends taxable under this subsection. Any excess of such net capital loss shall be applied to reduce the net capital gain of the taxpayer and one thousand dollars of interest and dividends taxable under this subsection in each of the five succeeding taxable years to the extent that such amount exceeds the total of any net capital gain and one thousand dollars of interest and dividends taxable under this subsection of any taxable year intervening between the taxable year in which the net capital loss arose and such succeeding taxable year.

(*b*) The amount by which the income subject to taxation, other than the income taxable under subsection (*a*), received or accrued during the taxable year by any resident of the commonwealth exceeds the exemptions allowable under section five B (*a*) shall be taxed at the rate of five per cent.

(*c*) From the income taxable under subsection (*a*) of section four, the taxpayer may receive a deduction on account of interest paid by him during the taxable year on the following debts:

(1) Debts, except those secured by mortgage, pledge, real estate, or tangible personal property, owed by persons engaged in the business of buying, selling, or otherwise dealing in intangible personal property, provided that such business, if it includes other classes of dealings, does not include buying, selling, improving or otherwise dealing in or with real estate or buying, selling, manufacturing or otherwise dealing in or with tangible personal property other than gold bullion.

(2) Debts owed by other persons, except debts secured by such mortgage or pledge and debts on account of which the taxpayer is entitled to claim a deduction under subsection (*b*) of section two.

(*d*) From the income taxation under subsection (*b*) of section 4, the taxpayer may receive a deduction on account of the following: —

(1) Taxes paid to the United States under the provisions of the Federal Insurance Contributions Act.

(2) All sums deducted from wages as contributions to an annuity, pension, endowment or retirement fund of the United States government, the commonwealth or any political subdivision thereof, or any private association formed in pursuance of sections thirty-nine and forty of chapter thirty-two, and any income from a contributory annuity, pension, endowment or retirement fund of the United States government or the commonwealth or any political subdivision thereof, or any income from a contributory annuity, pension, endowment or re-

tirement fund as set forth in section forty-one of chapter thirty-two, to any of which the employee has contributed, or any income from a contributory annuity, pension, endowment or retirement fund of any other state or any political subdivision thereof, provided that income from any such similar fund established under the laws of the commonwealth is not subject to taxation in such other state or political subdivision.

Said deductions shall be allowed, in respect of interest on any debt belonging to class (2) above enumerated arising from loans or open accounts directly or indirectly secured by intangible personal property, only to an amount not exceeding eighty per cent of the income returned by the taxpayer for taxation under subsection (*a*) of section four on account of intangible personal property which secured such loans or open accounts.

Persons described in paragraph (1) of this subsection may, if the deductions allowed by subsection (*b*) of section two exceed the income taxable under subsection (*b*) of section four, deduct from their taxable interest and dividends, after deducting the aforesaid interest deduction, an amount of such excess which bears the same proportion to the total excess as their income taxable under subsection (*a*) of section four bears to their total net income as below determined.

The amount of interest paid during the year by the taxpayer on debts of class (1) or (2) enumerated above, for which deduction is authorized by this subsection, which interest shall be called the net interest. The total net income of the taxpayer, exclusive of income taxable under subsection (*a*) of section four, shall be determined as such total net income would be if no deduction were made for interest paid during the year. The taxpayer may deduct from his income taxable under subsection (*a*) of section four an amount of interest paid by him during the year which shall bear the same proportion to the net interest paid as his income taxable under subsection (*a*) of section four bears to his total net income as above determined.

Section 5. Notwithstanding the provisions of section four, income subject to taxation shall be exempt from all taxes imposed by this chapter if the total income received or accrued during the taxable year does not exceed three thousand dollars for a single individual or five thousand dollars in the aggregate for a husband and wife. No tax shall be imposed under this chapter which shall reduce such total income below three thousand dollars and five thousand dollars, respectively. No exemption shall be allowed under this section to any married individual unless he and his spouse file a joint return. No exemption shall be allowed under this section with respect to any taxable year of less than twelve months. For purposes of this section, "total income" means income subject to taxation plus income deducted under section two (*a*) (2) (*i*) and under section three (*a*) and (*e*) and, with respect to a nonresident, such income shall be determined without regard as to its source from within or without the commonwealth.

Section 5A. The amount of the income subject to taxation, as defined in section three, received or accrued during the taxable year by any nonresident of the commonwealth from sources within the commonwealth shall be taxed in accordance with the provisions of section four. Income from sources within the commonwealth shall include income derived from or connected with any business, trade, profession or oc-

cupation carried on in the commonwealth or the ownership of any interest in real or tangible personal property located in the commonwealth. The nonresident shall be allowed the exemptions provided in section five B. If a taxpayer is required to file both a resident and a nonresident return to report income received during a twelve-month period, such exemptions shall be divided between such returns on the basis of the number of months, or major fraction thereof, included in each return so that the aggregate amount of such exemptions so claimed does not exceed that which would have been available to the taxpayer if he had filed a single return for such twelve-month period. Said nonresident shall be entitled to the deductions provided in this chapter only to the extent that they relate or are allowable to the income subject to taxation in the commonwealth. If the nonresident derives income from sources within and without the commonwealth, the commissioner may determine the amount derived from sources within the commonwealth by the apportionment provisions of section thirty-eight of chapter sixty-three or by any other reasonable apportionment method.

The provisions of this section shall not apply to the compensation paid by the United States to its uniformed military personnel assigned to duty at military posts, bases or stations within the commonwealth for services rendered by said personnel while on active duty.

Section 5B. (*a*) The following exemptions shall be allowable to individuals against the income subject to taxation under subsection (*b*) of section four: —

(1) In the case of a single person,
   (*i*) a personal exemption of two thousand dollars,
   (*ii*) an additional exemption of two thousand dollars if the taxpayer was totally blind at the close of his taxable year, and
   (*iii*) an additional exemption of six hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(2) In the case of a husband and wife filing a joint return,
   (*i*) a personal exemption of two thousand six hundred dollars and an amount, not exceeding two thousand dollars, equal to the salary, wages or other compensation subject to taxation under subsection (*b*) of section four of the spouse having the smaller amount of such income,
   (*ii*) an additional exemption of two thousand dollars for each spouse who was totally blind at the close of his taxable year, and
   (*iii*) an additional exemption of six hundred dollars for each spouse who had attained the age of sixty-five before the close of his taxable year.

(3) In the case of a married person filing a separate return,
   (*i*) a personal exemption of one thousand dollars,
   (*ii*) an additional exemption of two thousand dollars if the taxpayer was totally blind at the close of his taxable year, and
   (*iii*) an additional exemption of six hundred dollars if the taxpayer had attained the age of sixty-five before the close of his taxable year.

(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 Code.

(5) An exemption equal to the deduction for medical, dental and other expenses allowed under section two hundred and thirteen of the Code. No exemption shall be allowable under this paragraph to an individual who elects the standard deduction under section one hundred and forty-one of the Code on his federal income tax return or to one who files a joint federal income tax return with his spouse unless a joint return is also filed under this chapter.

(6) An exemption equal to the fees, in excess of three per cent of the income subject to taxation under subsection (*b*) of section four of this chapter, paid within the taxable year to any agency licensed to place children for adoption by the taxpayer on account of the adoption of a minor child.

(7) An exemption equal to the amount of premiums paid for compulsory motor vehicle insurance for one passenger motor vehicle only owned and registered in the commonwealth for the personal, nonbusiness use of a resident of the commonwealth. For the purpose of this section, the term "passenger motor vehicle" means any self-propelled vehicle designed for use and used primarily for the nonbusiness transportation of passengers upon the highways and as further defined in regulations issued by the commission. No exemption shall be allowed under this section to any married individual unless he and his spouse file a joint return under this chapter and the exemption for a husband and wife shall be limited to one passenger motor vehicle.

(*b*) An exemption shall be allowable to an individual against the income subject to taxation under subsection (*a*) of section four in the amount by which the exemptions provided in subsection (*a*) exceed the income subject to taxation under subsection (*b*) of section four plus any such income received, payable to or accumulated for such individual by a trustee or other fiduciary subject to taxation under this chapter. No exemption shall be allowed under this subsection to any married individual unless he and his spouse file a joint return under this chapter.

(*c*) If the taxable year of an individual is less than twelve months and such short taxable year is not due to the death of such individual, any exemption allowable under this section shall be multiplied by a fraction whose numerator is the number of months in the taxable year and whose denominator is twelve.

Section 6. The following credits shall be allowed under this chapter:

(*a*) A credit shall be allowed against taxes imposed by this chapter to a resident for taxes due any other state, territory or possession of the United States, or the Dominion of Canada or any of its provinces on account of any part of income subject to taxation under this chapter subject to the following restrictions and limitations: (1) the amount of such taxes due on such income shall exclude interest and penalties; (2) the amount of such taxes due shall be reduced by any federal credit therefor allowable on the resident's federal income tax return; and (3) the amount of the credit allowed shall be the lesser of such taxes due as reduced by (1) and (2), or the amount of tax imposed by this chapter on the portion of income subject to taxation that is taxable in such other jurisdiction.

(*b*) Every qualified taxpayer, as hereinafter defined, shall be entitled to a credit of four dollars for himself, four dollars for his spouse, if any, and eight dollars for each qualified dependent, as hereinafter defined, provided, however, that such credit shall not be allowable if the income subject to taxation under this chapter of such individual and his spouse, if any, exceeded five thousand dollars for such year. No such credit shall be allowable to a married individual unless a joint return is filed under this chapter or chapter sixty-two A. If the tax due as shown by the return of any individual is less than the total amount of the credits which he is entitled to claim pursuant to this subsection, such individual shall be entitled to a refund in the amount of the excess of the credits over the tax otherwise due.

Any individual entitled to claim any credit pursuant to this subsection and not otherwise required to file a return under this chapter may obtain a refund in the amount of such credit by filing a return and claiming a refund. Any refund to which an individual is entitled under the provisions of this subsection shall be made in the same manner as other refunds under this chapter. No refund or credit shall be allowed pursuant to this subsection unless such credit or refund is claimed on a return filed on or before the fifteenth day of the fourth month following the close of the taxable year or within any extension of time granted for filing such return.

As used in this section, the term "qualified taxpayer" means an individual who was an inhabitant of the commonwealth for not less than six months during the preceding calendar year, and who was not a person whom another taxpayer was entitled to claim as a dependent under section five B, and the term "qualified dependent" means an individual other than a spouse for whom a qualified taxpayer was entitled to claim as a dependent under said section five B.

Section 7. In computing gains or losses from the sale or exchange of capital assets, the basis of property owned on January the first, nineteen hundred and sixteen, shall be the fair market value on that date or the cost or other basis thereof, whichever is higher. The basis for computing gain or loss from the sale or exchange of property acquired after January the first, nineteen hundred and sixteen, shall be determined, insofar as applicable, in accordance with the provisions of the Code; provided, however, if the basis of property was adjusted under the provisions of this chapter prior to January the first, nineteen hundred and seventy-one, such adjustments shall continue in effect.

In the case of real or tangible personal property, the basis shall be diminished by the amount of depreciation allowable to the taxpayer under the provisions of this chapter and corresponding provisions of earlier laws. For determining loss in the case of real property, the income from which was exempt under this chapter, the foregoing basis shall be reduced by depreciation sustained during the period such property was rented and during which the income was exempt under this chapter. In the case of undeveloped land, the foregoing basis shall be increased by the excess of the property taxes paid over the rental income received after that date but before January the first, nineteen hundred and seventy-one.

Section 8. (*a*) A partnership, association or trust, the beneficial interest in which is represented by transferable shares, engaged within

the commonwealth in any business, activity or transaction for the purpose of financial profit or gain, whether or not it maintains an office or place of business within the commonwealth, shall be subject to the taxes imposed by this chapter.

The commissioner shall determine the portion of income derived from business carried on within the commonwealth or from sources within the commonwealth under the provisions of sections thirty-eight of chapter sixty-three or through the use of any other reasonable apportionment method.

In determining the Code deductions allowable to such partnership, association or trust under this chapter it shall be considered to be an individual and not a corporation.

(*b*) The provisions of subsection (*a*) shall not apply to any such partnership, association or trust which (1) is a regulated investment company under section eight hundred and fifty-one of the Code or a real estate investment trust under section eight hundred and fifty-six of the Code; (2) is a holding company as hereinafter defined; or (3) derives less than ten per cent of its income within the commonwealth, as determined under subsection (*a*). As used in this subsection, the term "holding company" means any such partnership, association or trust in which ninety per cent of the book value of its assets, at the end of the taxable year, are securities and at least seventy-five per cent of such securities are issued by affiliates and at least ninety per cent of its gross income is derived from dividends, interest and gains from the sale or other disposition of securities; the word "affiliate" means a member of an affiliated group as defined under section fifteen hundred and four of the Code; and the word "securities" means transferable shares of beneficial interest in any corporation or other entity, bonds or debentures of any issuer or notes and other evidences of indebtedness of affiliates.

(*c*) Dividends on shares of any such partnership, association or trust subject to taxation under this chapter shall be exempt from taxation except as hereinafter provided. Any earnings and profits accumulated prior to the effective date of this section and during a period, if any, that such partnership, association or trust was not subject to taxation under this chapter solely by reason of the fact that it had elected not to file with the commissioner an agreement to pay a tax shall be considered tax-free earnings and profits and the amount thereof shall be determined as of the first day of the taxable year commencing after nineteen hundred and seventy. Notwithstanding any other provision of this chapter, dividends paid by any such partnership, association or trust subject to taxation under this chapter and having tax-free earnings and profits, as so determined, shall be deemed to have been made from such tax-free earnings and profits to the extent thereof; and any such dividends deemed to have been made from tax-free earnings and profits shall be subject to taxation under this chapter. When the aggregate dividends paid by any such partnership, association or trust on and after the effective date of this section equal its tax-free earnings and profits, as above determined, its dividends shall thereafter be exempt from taxation.

(*d*) Dividends of any such partnership, association or trust qualifying under the provisions of subsection (*b*) shall be subject to taxation in all cases.

SECTION 6. Section 10 of said chapter 62 is hereby amended by striking out subsection (*b*) and inserting in place thereof the following subsection: —

(*b*) In addition to the deductions allowable under other sections of this chapter, trustees or other fiduciaries may deduct (1) from the income taxable under subsection (*a*) of section four a proper amount for the amortization, according to any approved method, of premiums paid upon bonds owned by them, the income of which is taxable under said subsection (*a*), and (2) from income taxable under subsection (*a*) of section four before the income of the beneficiaries shall finally be determined: —

(A) such proportion of the following items paid within the year as the amounts of income taxable under said subsection bear to the total income received by the fiduciary from all sources, exclusive of income taxable under subsection (*b*) of section four: — (*i*) amounts paid for rental of safe deposit boxes; and (*ii*) amounts paid for premiums on surety bonds of the fiduciary; and (B) the compensation actually paid during the year to the fiduciary upon such income taxable under subsection (*a*) of section four as is payable to or accumulated for inhabitants of the commonwealth, or for unborn or unascertained persons or persons with uncertain interests, to an amount not exceeding seven per cent of such income subject to taxation.

SECTION 7. Said chapter 62 is hereby further amended by striking out sections 12 and 12A and inserting in place thereof the following sections: —

Section 12. A trustee or other fiduciary may, at the request of any beneficiary, claim the benefit of the exemption provided by section five for each person to whom the income from the trust is payable, or for whose benefit it is accumulated, and an inhabitant of this commonwealth receiving income from one or more trustees, none of whom is an inhabitant of this commonwealth or has derived his appointment from a court of this commonwealth, may also claim the benefit of such exemption; provided, that the commissioner is satisfied by an affidavit from the beneficiary claiming exemption, or for whose benefit the same is claimed, or otherwise, that such beneficiary is not allowed in all trusts or estates under which he may be a beneficiary, and on account of all income on which he is liable to taxation under this chapter, more than the total amount of exemption to which he is entitled under said section.

Section 12A. For any beneficiary whose exemptions provided under section five B exceed said beneficiary's income subject to taxation for the preceding calendar year, a fiduciary may, upon application by such beneficiary, claim an exemption in the amount of such excess. In the event an inhabitant of the commonwealth is a beneficiary of more than one fiduciary, the aggregate of the exemptions allowable against said inhabitant's shares of income from all fiduciaries shall not exceed the amount by which said inhabitant's exemptions allowable under section five B exceed the amount of said inhabitant's income subject to taxation for the preceding calendar year.

SECTION 8. Said chapter 62 is hereby further amended by striking out section 14, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 14. Corporations acting as trustee or in any other fiduciary capacity shall, with respect to the income received by them in that capacity, be subject to this chapter in the same manner and under the same conditions as individual inhabitants of the commonwealth acting in similar capacities, except that no such corporation shall be taxed on account of any property the income of which would be taxable if received by an individual inhabitant, or on account of the income derived from such property, if such property is held by such corporation as mortgagee or pledge to secure the payment of bonds, notes or other evidences of indebtedness the interest on which is subject to taxation to such individual inhabitants of the commonwealth as received it, or the principal of which is exempt from taxation under laws other than this chapter.

SECTION 9. Subsection (*a*) of section 17 of said chapter 62, as appearing in section 18 of chapter 698 of the acts of 1966, is hereby amended by striking out, in the last sentence, the words "section one and subsections (*a*), (*b*) and (*c*) of section five" and inserting in place thereof the words: — this chapter.

SECTION 10. Subsection (*c*) of said section 17 of said chapter 62, as so appearing, is hereby amended by striking out, paragraph (1) and inserting in place thereof the following paragraph: —

(1) the offset against interest and dividends and the carryover on account of net capital loss provided in subsection (*a*) (3) of section four; (2) the exemptions provided in section five and section five B; (3) the credit for taxes provided in subsection (*a*) of section six to the extent that such taxes are assessed to the partners in their individual capacities, but such credit shall be allowed to the partners in their individual returns, and (4) the credits provided in subsection (*b*) of section six.

SECTION 11. Subsection (*d*) of said section 17 of said chapter 62, as so appearing, is hereby amended by striking out, in the second sentence, the words "from the profession, employment, trade or business" and inserting in place thereof the words: — of the partnership.

SECTION 12. Section 18 of said chapter 62, as appearing in section 18 of chapter 698 of the acts of 1966, is hereby amended by striking out, in the last sentence, the words "section one and subsections (*a*), (*b*) and (*c*) of section five" and inserting in place thereof the words: — this chapter.

SECTION 13. Said chapter 62 is hereby further amended by striking out section 22, as appearing in section 19 of chapter 698 of the acts of 1966, and inserting in place thereof the following section: —

Section 22. Every individual inhabitant of the commonwealth who receives or accrues during the taxable year gross income, as defined in section two, in excess of two thousand dollars shall make a return of such income.

Every partnership, association or trust which receives or accrues during the taxable year gross income, as defined in section two, in excess of one hundred dollars shall make a return of such income.

Every nonresident who receives during the taxable year gross income, as defined in section two, and subject to taxation under section five A in excess of two thousand dollars shall make a return of such income.

Every individual, not otherwise required to file a return under the foregoing provisions of this section, who is a resident for a portion of a twelve-month period beginning on the first day of a taxable year and

a nonresident for a portion of the same twelve-month period and whose gross income, as defined in section two, exceeds two thousand dollars shall make separate returns as a resident and a nonresident of his income subject to taxation under this chapter.

A husband and wife may make a single return jointly of income taxes under this chapter, even though one of the spouses has neither income nor deductions, provided that their taxable years begin on the same day and either end on the same day or end on different days solely because of the death of either or both. Such return shall be known as a joint return and shall include the income, exemptions and deductions of both spouses. Each spouse shall be jointly and severally liable for the entire tax.

SECTION 14. Section twenty-five A of said chapter sixty-two is hereby repealed.

SECTION 15. Said chapter 62 is hereby further amended by striking out section 33, as most recently amended by chapter 54 of the acts of 1958, and inserting in place thereof the following section: —

Section 33. Every individual, corporation, partnership, association, trust, estate, organization, society, club, governmental agency or any other entity doing business in the commonwealth shall report annually to the commissioner, in such form as he may from time to time prescribe, giving the names and addresses of all residents of the commonwealth and other persons deriving income in the commonwealth to whom it has paid any income subject to taxation under this chapter during the preceding calendar year on the same basis as is required by the federal government under the Code and state in such report the amount of such income so paid by it.

Every trustee or other fiduciary who is an inhabitant of or has derived his appointment from a court of the commonwealth and who in such capacity receives income which, if received by an individual inhabitant of the commonwealth, would be taxable under this chapter, but which is not so taxable to such trustee or fiduciary, shall file with the commissioner for each calendar year during which he has distributed to such an inhabitant any such income not previously returned, and upon final distribution of the estate or trust in case any such income is distributed as aforesaid, a return in such form as the commissioner may from time to time prescribe, giving the name and residence of every such inhabitant and the amount and kind of income so distributed to him which is taxable under this chapter.

The returns and reports required by this section shall be made on or before June the first in each year; but the commissioner may authorize them to be made at any other date and in connection with any other reports or returns that may be required to be filed with him.

SECTION 16. Said chapter 62 is hereby further amended by striking out section 37B, as inserted by section 1 of chapter 302 of the acts of 1968, and inserting in place thereof the following section: —

Section 37B. If a person's federal taxable income is finally determined by the federal government to be different from the taxable income as originally reported, such determination shall be reported, accompanied by payment of any additional tax due with interest, as provided in section thirty-seven, to the commissioner within one year of receipt of notice of such final determination, with a statement of the reasons for the difference in such form as the commissioner may

require. If from such report or upon investigation it shall appear that any tax under this chapter has not been fully assessed, the commissioner shall, notwithstanding the three-year limitation in section thirty-seven, assess an additional tax, if any, with respect thereto, with interest as provided in section thirty-seven A. An assessment under this section shall be made in the manner provided in section thirty-seven within one year of the receipt of such report or within two years of the receipt by the commissioner of information from the federal government that it has made a final determination of such person's federal taxable income different from that reported where no report is filed with the commissioner and shall be limited to changes in such person's tax liability under this chapter resulting from the allowance or disallowance of the items which comprise such change.

If, as a result of the change by the federal government in a person's federal taxable income, such person believes that a lesser tax was due the commonwealth than was paid, he may apply in writing to the commission for an abatement thereof under section forty-three within one year of the date of notice of such final determination by the federal government. The commission shall not be limited in its consideration of such application to the items which comprise the federal change but shall abate only such portion of the tax assessed or paid as exceeds the proper tax due under this chapter.

Any person failing to comply with the provisions contained in the first paragraph hereof shall be assessed a penalty in the sum of one hundred dollars, or ten per cent of the additional tax found due, whichever sum is smaller, said penalty to become part of the additional tax found due. For reasonable cause shown, the commissioner may, in his discretion, abate such penalty in whole or in part.

SECTION 17. Section sixty-one of said chapter sixty-two is hereby repealed.

SECTION 18. Section 63 of said chapter 62, as inserted by chapter 308 of the acts of 1958, is hereby amended by adding at the end thereof the following paragraph:—

(*d*) If the commission does not permit a taxpayer to report income on the installment method and such method is used by the taxpayer in his federal income tax return, his income subject to taxation under this chapter for any taxable year in which installment income is reported in his federal income tax return must be adjusted accordingly.

SECTION 19. Section 1 of chapter 62A of the General Laws is hereby amended by striking out the definition of "Dependent", as appearing in section 2 of chapter 535 of the acts of 1969, and inserting in place thereof the following definition:—

"Dependent", any person other than a spouse of the taxpayer, whom the taxpayer is entitled to claim as a dependent under section five B of chapter sixty-two.

SECTION 20. Section 2 of said chapter 62A, as most recently amended by section 27 of chapter 698 of the acts of 1966, is hereby further amended by striking out the fourth and fifth sentences and inserting in place thereof the following sentence:—Such net income shall be arrived at by reducing the median gross taxable income in each bracket by the appropriate personal exemptions and exemptions for dependents

allowable under section five B of chapter sixty-two and a fifty-dollar deduction for union dues.

SECTION 21. Section 3 of said chapter 62A is hereby amended by striking out the last paragraph, as appearing in section 28 of said chapter 698, and inserting in place thereof the following paragraph:—

Any eligible individual entitled to any credit under subsection (*b*) of section six of chapter sixty-two may claim such credit in the return filed under this chapter.

SECTION 22. Section seven of said chapter sixty-two A is hereby repealed.

SECTION 23. Section 4 of chapter 62B of the General Laws is hereby amended by striking out paragraph (*a*), as appearing in section 34 of said chapter 698, and inserting in place thereof the following paragraph:—

(*a*) Every employee on or before the date of commencement of employment shall furnish his employer with a signed withholding exemption certificate setting forth the number of dependency exemptions which he claims, which shall in no event exceed the number to which he is entitled under section five B of chapter sixty-two plus one for his own personal exemption under said section five B. The term "dependency exemptions", as used in this chapter, shall include an exemption for a spouse meeting the requirements of said section five B. If any employee fails to furnish such signed certificate, the number of his exemptions shall be considered zero.

SECTION 24. Notwithstanding any general or special law to the contrary, no sums deducted from wages as contributions to an annuity, pension, endowment or retirement fund of the United States government, the commonwealth, or any political subdivision thereof, or their respective agencies, or of any private business corporation, partnership, association or trust or of any other entity shall be exempt from the taxes imposed by chapter sixty-two of the General Laws.

SECTION 25. Section 1 of chapter 63 of the General Laws is hereby amended by striking out the paragraph defining "Net income", as amended by chapter 327 of the acts of 1933, and inserting in place thereof the following paragraph:—

"Net income", the gross income from all sources, without exclusion, for the taxable year, less the deductions, but not credits, allowable under the provisions of the Federal Internal Revenue Code, as amended and in effect for the taxable year. Deductions with respect to the following items, however, shall not be allowed:—

(*i*) dividends received,

(*ii*) losses sustained in other taxable years, and

(*iii*) taxes on or measured by income, franchise taxes measured by net income, franchise taxes for the privilege of doing business and capital stock taxes imposed by any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States or any foreign country, or a political subdivision of any of the foregoing.

SECTION 26. Section 11 of said chapter 63, as appearing in section 11 of chapter 14 of the acts of 1966, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

For the purpose of this section, "net operating income" shall mean gross income from all sources, without exclusion, for the taxable year, less (*i*) operating expenses, (*ii*) net losses upon assets sold, exchanged or charged off as uncollectible during the taxable year, and (*iii*) minimum additions during the taxable years to its guaranty fund or surplus required by law or the appropriate federal and state supervisory authorities; and "taxable year" shall mean any fiscal or calendar year or period for which the bank is required to make a return to the federal government. Federal and state taxes paid or accrued during the taxable year shall not be deductible in computing "net operating income".

SECTION 27. Said chapter 63 is hereby further amended by inserting after section 22 the following section:—

Section 22A. Every domestic insurance company coming within the scope of the definition of a domestic company in section one of chapter one hundred and seventy-five shall annually pay, as part of its excise imposed under this chapter, an amount equal to one per cent of its total gross investment income earned during the preceding calendar year, as reported in its annual statement for said year filed with the commissioner of insurance and as shown in Exhibit 3 of said statement for a life insurance company or in Item 10, Column 8, Part I, of the Underwriting and Investment Exhibit for any other domestic insurance company.

SECTION 27A. Every insurance company, as defined in section one of chapter one hundred and seventy-five, except life insurance companies, as defined by section one hundred and eighteen of chapter one hundred and seventy-five, authorized to transact business in this Commonwealth, shall pay annually as part of its excise an amount equal to fifty per cent of the increase in income to such company in excess of nine per cent of the gross premiums, as determined by the commissioner of insurance, to be derived from savings in costs to such companies under the provisions of chapter six hundred and seventy of the acts of nineteen hundred and seventy and not returned to the holders of policies issued by such company.

SECTION 28. The first paragraph of section 25 of said chapter 63, as appearing in section 7 of chapter 558 of the acts of 1960, is hereby amended by inserting after the word twenty-two, in line 2, a comma and the word:—twenty-two A.

SECTION 29. Section 18 of said chapter 63, as appearing in section 1 of chapter 558 of the acts of 1960, is hereby amended by adding at the end of the first paragraph the following two sentences:—Every such savings and insurance bank shall annually pay, as part of its excise under this section, an amount equal to one per cent of its total gross investment income earned from the assets of its insurance department during the twelve months ending October the thirty-first of the year for which the excise is due and payable, as reported in its annual statement for said year filed with the commissioner of insurance and as shown in Exhibit 3 of said statement. If said statement has not been filed, and the amount of such gross investment income is not available on or before the due date of the return, the commissioner may extend the time for filing said return.

SECTION 30. Any savings and insurance bank subject to taxation

under section two or three of chapter four hundred and eighty-six of the acts of nineteen hundred and forty-eight in lieu of the excise imposed by section eighteen of chapter sixty-three of the General Laws shall be subject to such portion of the excise imposed by said section eighteen as relates to its gross investment income.

SECTION 31. Said chapter 63 is hereby further amended by inserting after section 24, the following section:—

Section 24A. Section twenty-one and the provision of section twenty-three imposing an excise in excess of two per cent of premiums taxable thereunder shall not apply to insurance companies organized in a state or country the laws of which do not impose retaliatory taxes or which grant, on a reciprocal basis, exemption from such retaliatory taxes to insurance companies organized in this commonwealth, or its agents. As used herein, "retaliatory taxes" means those taxes imposed upon insurance companies organized in another state or country which result from the fact that an insurance company organized in the taxing jurisdiction and doing business in such other state or country is taxable in an amount exceeding that imposed by the taxing jurisdiction upon an insurance company organized in such other state or country and doing business to the same extent in the taxing jurisdiction.

SECTION 32. Section 30 of chapter 63 of the General Laws is hereby amended by striking out paragraph 1, as most recently amended by section 2 of chapter 723 of the acts of 1964, and paragraph 2, as most recently amended by chapter 538 of the acts of 1969, and inserting in place thereof the following two paragraphs:—

1. "Domestic business corporation", every corporation organized under or subject to chapter one hundred and fifty-six, chapter one hundred and fifty-six A, chapter one hundred and fifty-six B or chapter one hundred and eighty; provided, however, that said term shall not apply to corporations organized under the provisions of section ten of chapter one hundred and fifty-seven, domestic manufacturing corporations as defined in section thirty-eight C or corporations exempt from taxation under the provisions of section five hundred and one of the Federal Internal Revenue Code, as amended and in effect for the taxable year.

2. "Foreign corporation", 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, one hundred and fifty-six A, chapter one hundred and fifty-six B or chapter one hundred and eighty which (*a*) has a usual place of business in this 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 or transaction for the purpose of financial profit or gain; provided, however, 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, to foreign manufacturing corporations as defined in section forty-two B or to

such corporations, associations or organizations as are exempt from taxation under the provisions of section five hundred and one of the Federal Internal Revenue Code, as amended and in effect for the taxable year.

SECTION 33. Subdivision (*a*) of section 38 of said chapter 63, as appearing in section 58 of chapter 698 of the acts of 1966, is hereby amended by striking out clause (1) and inserting in place thereof the following clause:—

(*1*) Dividends included therein, other than dividends from partnerships, associations or trusts engaged in business in the commonwealth the beneficial interest in which is represented by transferable shares, shall be deducted, and

SECTION 34. Said chapter 63 is hereby further amended by striking out section 38A, as amended by section 59 of chapter 698 of the acts of 1966, and inserting in place thereof the following section:—

Section 38A. The taxable net income of a domestic business corporation allocated or apportioned to this commonwealth under the provisions of section thirty-eight shall be its net income subject to tax under this chapter.

SECTION 35. Said chapter 63 is hereby further amended by striking out section 38B, as appearing in section 60 of chapter 698 of the acts of 1966, and inserting in place thereof the following section:—

Section 38B. (*a*) Every domestic business corporation or foreign corporation, which is engaged exclusively in buying, selling, dealing in, or holding securities on its own behalf and not as a broker and is not a regulated investment or bank holding company under the Federal Internal Revenue Code, as amended and in effect for the taxable year and which either makes application with the commissioner for such classification before the end of the taxable year or has been so classified by the commissioner for a prior taxable year and such classification has not been revoked before the end of the taxable year, shall pay, on account of each taxable year, an excise equal to one and two tenths per cent of the gross income, as defined in section thirty of this chapter, received by such corporation during the taxable year or one hundred and fourteen dollars, whichever is greater.

(*b*) Every domestic business corporation or foreign corporation, which is engaged exclusively in buying, selling, dealing in or holding securities on its own behalf and not as a broker and is a regulated investment or bank holding company under the Federal Internal Revenue Code, as amended and in effect for the taxable year and which either makes application with the commissioner for such classification before the end of the taxable year or has been so classified by the commissioner for a prior taxable year and such classification has not been revoked before the end of the taxable year, shall pay, on account of each taxable year, an excise equal to three tenths of one per cent of the gross income, as defined in section thirty of this chapter, received by such corporation during the taxable year or one hundred and fourteen dollars, whichever is the greater.

(*c*) Any corporation taxable under this section shall not be subject to the excise imposed by section thirty-two or thirty-nine.

SECTION 36. Said chapter 63 is hereby further amended by striking out section 42A, as amended by section 65 of chapter 698 of the acts of 1966, and inserting in place thereof the following section:—

Section 42A. The taxable net income of a foreign corporation apportioned to this commonwealth under the provisions of section thirty-eight shall be its net income subject to the tax under this chapter.

SECTION 37. Subdivision (1) of section 52A of said chapter 63 is hereby amended by striking out paragraph (*b*), as most recently amended by section 3 of chapter 611 of the acts of 1955, and inserting in place thereof the following paragraph:—

(*b*) "Net income" means the gross income from all sources, without exclusion, other than dividends from investment in such other utility corporations which represent eighty per cent or more of the voting stock thereof, for the taxable year, less the deductions, but not credits, allowable under the provisions of the Federal Internal Revenue Code, as amended and in effect for the taxable year. Deductions with respect to the following items, however, shall not be allowed:—

(*i*) dividends received,

(*ii*) losses sustained in other taxable years, and

(*iii*) taxes on or measured by income, franchise taxes measured by gross or net income, franchise taxes for the privilege of doing business and capital stock taxes imposed by any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States or any foreign country, or a political subdivision of any of the foregoing.

SECTION 38. Said section 52A is hereby further amended by striking out subdivision (2), as amended by section 68 of chapter 698 of the acts of 1966, and inserting in place thereof the following subdivision:—

(*2*) Every utility corporation doing business solely within the commonwealth shall pay annually a tax upon its corporate franchise equal to six and one half per cent of its net income during the taxable year. Every utility corporation doing business both within and without the commonwealth shall pay annually a tax upon its corporate franchise equal to six and one half per cent of that portion of its net income during the taxable year as is allocable to the commonwealth.

SECTION 39. Section 1 of chapter 63C of the General Laws, as appearing in section 21 of chapter 14 of the acts of 1966, is hereby amended by striking out the definitions of "Domestic corporation" and "Foreign corporation" and inserting in place thereof the following definitions:—

"Domestic corporation", every corporation organized under or subject to chapter one hundred and fifty-six, chapter one hundred and fifty-six A, chapter one hundred and fifty-six B or chapter one hundred and eighty; provided, however, that said term shall not apply to corporations organized under the provisions of section ten of chapter one hundred and fifty-seven or corporations exempt from taxation under the provisions of section five hundred and one of the Federal Internal Revenue Code, as amended and in effect for the taxable year.

"Foreign corporation", 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, chapter one hundred and fifty-six B or chapter one hundred and eighty; provided, however, 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 such corporations, associations or organizations as are exempt from taxation under the provisions of section five hundred and one of the Federal Internal Revenue Code, as amended and in effect for the taxable year.

SECTION 40. Section 1 of chapter 64H of the General Laws is hereby amended by striking out paragraph (5), as appearing in section 1 of chapter 757 of the acts of 1967, and inserting in place thereof the following paragraph:—

(5). "Engaged in business in the commonwealth", having a business location in the commonwealth; regularly soliciting orders for the sale of tangible personal property by salesmen, solicitors or representatives in the commonwealth, unless such activity consists solely of solicitation by direct mail or advertising via newspapers, radio or television; or regularly engaging in the delivery of property in the commonwealth other than by common carrier or United States mail. A person shall be considered to have a business location in the commonwealth only if such person (*a*) owns or leases real property within the commonwealth; (*b*) has one or more employees located in the commonwealth; (*c*) regularly maintains a stock of tangible personal property in the commonwealth for sale in the ordinary course of business; or (*d*) regularly leases out tangible personal property for use in the commonwealth. For the purposes of this paragraph, property on consignment in the hands of a consignee and offered for sale by the consignee on his own account shall not be considered as stock maintained by the consignor; a person having a business location in the commonwealth solely by reason of regularly leasing out tangible personal property shall be considered to have a business location in the commonwealth only with respect to such leased property; and an employee shall be considered to be located in the commonwealth (*a*) if his service is performed entirely within the commonwealth; or (*b*) if his service is performed both within and without the commonwealth, but in the performance of his service he regularly commences his activities at, and returns to, a place within the commonwealth. "In the commonwealth" means within the exterior limits of the commonwealth of Massachusetts and includes all territory within said limits owned by, or leased or ceded to, the United States of America.

SECTION 41. Paragraph (9) of said section 1, as so appearing, is hereby amended by adding the following clause:—

(*e*) The commonwealth, or any political subdivision thereof, or their respective agencies when such entity is engaged in making sales at retail of a kind ordinarily made by private persons.

SECTION 42. Paragraph (*c*) of section 3 of said chapter 64H, as appearing in chapter 683 of the acts of 1970, is hereby amended by adding the following sentence:—For the purpose of this paragraph, the term "motor vehicle" means any self-propelled vehicle designed for use and used primarily upon the highways.

SECTION 44. Section 6 of said chapter 64H is hereby amended by striking out paragraphs (*g*) and (*h*), as so appearing, and inserting in place thereof the following paragraphs:—

(*g*) Sales of tangible personal property includable in the measure

of the excises levied under the provisions of chapters sixty-four A, sixty-four B, sixty-four C, sixty-four E, and sixty-four F and one hundred and thirty-eight.

(*h*) Sales of food products for human consumption. "Food products" includes cereals and cereal products, flour and flour products, milk and milk products, including ice cream, oleomargarine, meat and meat products, fish and fish products, eggs and egg products, vegetables and vegetable products, fruit and fruit products, soft drinks, herbs, spices and salt, sugar and sugar products, candy and confectionery; coffee and coffee substitutes, tea, cocoa and cocoa products; and ice when used for household consumption. "Food products" does not include alcoholic beverages as defined in chapter one hundred and thirty-eight except as hereinafter provided, medicines, tonics and preparations in liquid, powdered, granular, tablet, capsule, lozenge and pill form sold as dietary supplements or adjuncts. "Food products" also includes meals consisting of any of the items defined as food products in this paragraph for consumption on or off the premises where sold, whether or not such meals are includable in the measure of the excise levied under the provisions of chapter sixty-four B; and alcoholic beverages served as part of a meal and includable in the measure of the excise levied under the provisions of said chapter sixty-four B.

SECTION 44A. Section 1 of chapter 64B, as most recently amended by section 1 of chapter 627 of the acts of 1953, is hereby further amended by striking out the paragraph defining taxable charge and inserting in place thereof the following paragraph:—

"Taxable charge", any amount charged for meals wherever furnished within the commonwealth, including cover and other charges, for which the purchaser is charged as a total one dollar or more, except meals exempt under section two A, and any amount charged for alcoholic beverages, as defined in chapter one hundred and thirty-eight, wherever furnished within the commonwealth for on-premise consumption, whether or not accompanying meals.

SECTION 44B. Section 2 of said chapter 64B, as most recently amended by section 77 of chapter 654 of the acts of 1953, is hereby further amended by striking out the first sentence and inserting in place thereof the following three sentences:—An excise is hereby imposed at the rate of five per cent upon taxable charges, except as otherwise provided in this chapter. The commissioner, with the approval of the commission, shall issue a tax schedule in such form, including the number and size of the brackets as he may determine, showing the total tax due for each bracket of taxable charges. A taxpayer shall not be required to state, charge or collect the amount of tax separately.

SECTION 44C. Section 3 of said chapter 64B, as most recently amended by section 3 of chapter 326 of the acts of 1946, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following two sentences:—The certificate so issued shall remain in effect so long as the taxpayer is engaged in making taxable charges and has complied with the provisions of this chapter. No taxpayer shall engage in serving meals or alcoholic beverages for any charge without such registration certificate.

SECTION 44D. Notwithstanding the provisions of section seventy-two of chapter five hundred and forty-six of the acts of nineteen

hundred and sixty-nine, said section shall not apply to the tax imposed by chapter sixty-four B of the General Laws.

SECTION 45. Said section 6 is hereby further amended by striking out paragraphs (*r*) and (*s*), as so appearing, and inserting in place thereof the following paragraphs:—

(*r*) Sales of materials, tools and fuel, or any substitute therefor, which become an ingredient or component part of tangible personal property to be sold or which are consumed and used directly and exclusively in agricultural production; in commercial fishing; in an industrial plant in the actual manufacture of tangible personal property to be sold, including the publishing of a newspaper; in the operation of commercial radio broadcasting or television transmission; in the furnishing of power to an industrial manufacturing plant; or in the furnishing of gas, water, steam or electricity when delivered to consumers through mains, lines or pipes. For the purpose of this paragraph, the raising of poultry and livestock shall be construed to be included in the term "agricultural production"; any material, tool or fuel shall be construed to be "consumed and used" only if its normal useful life is less than one year or if its cost is allowable as an ordinary and necessary business expense for Federal income tax purposes; and the term "industrial plant" shall mean a factory at a fixed location primarily engaged in the manufacture, conversion or processing of tangible personal property to be sold in the regular course of business.

(*s*) Sales of machinery, or replacement parts thereof, used directly and exclusively in agricultural production; in commercial fishing; in an industrial plant in the actual manufacture, conversion or processing of tangible personal property to be sold, including the publishing of a newspaper; in the operation of commercial radio broadcasting or television transmission; in the furnishing of power to an industrial manufacturing plant; or in the furnishing of gas, water, steam or electricity when delivered to consumers through mains, lines or pipes. For the purpose of this paragraph, the raising of poultry and livestock shall be construed to be included in the term "agricultural production"; the term "industrial plant" shall mean a factory at a fixed location primarily engaged in the manufacture, conversion or processing of tangible personal property to be sold in the regular course of business; and machinery shall be deemed to be used directly and exclusively in the actual manufacture, conversion or processing of tangible personal property to be sold only where such machinery is used solely during a manufacturing, conversion or processing operation to effect a direct and immediate physical change upon the tangible personal property to be sold; to guide or measure a direct and immediate physical change upon such property where such function is an integral and essential part of tuning, verifying or aligning the component parts of such property; or to test or measure such property where such function is an integral part of the production flow or function; used solely to store, transport, convey or handle such property during the manufacturing, converting or processing operations heretofore specified; or used solely to place such property in the container, package or wrapping in which such property is normally sold to the ultimate consumer thereof. Machinery used directly and

exclusively in the actual manufacture, conversion or processing of any tangible personal property which is not to be sold and which would be exempt under paragraph (*r*) or this paragraph if purchased from a vendor thereof or machinery used during any manufacturing, converting or processing, conveying or packaging operation or function or for any other purpose, except as heretofore specified, shall not be exempt under this paragraph even though such operation, function or purpose is an integral or essential part of a continuous production flow or manufacturing process. Where a portion of a group of portable or mobile machinery is used directly and exclusively in the actual manufacture, conversion or processing of tangible personal property to be sold, as heretofore defined, the number represented by such portion, if otherwise qualifying, shall be exempt under this paragraph even though the machinery in said group is used interchangeably and not otherwise identifiable as to use.

SECTION 45A. Said section 6 is hereby further amended by adding at the end thereof the following paragraph:—

(*y*) Sales of concrete mixing units to be mounted on truck chassis; provided, however, that sales of truck chassis shall not be exempt under this paragraph.

SECTION 47. Section 4 of chapter 64I of the General Laws, as amended by section 3 of chapter 797 of the acts of 1967, is hereby further amended by adding the following paragraph:—

For the purpose of this section, the term "motor vehicle" means any self-propelled vehicle designed for use and used primarily upon the highways.

SECTION 50. Agreements for the sale of goods subject to the excise imposed by chapter sixty-four H of the General Laws and the storage, use or other consumption in this commonwealth of tangible personal property subject to the excise imposed by chapter sixty-four I of the General Laws entered into before the effective date of this section shall be subject to the excises, if any, imposed by said chapters prior to their amendment by the provisions of this act; provided that such agreements are in writing, signed by the vendor and purchaser, and impose an unconditional liability on the part of the purchaser to buy the goods covered thereby at a fixed price without escalator clause, and an unconditional liability on the part of the vendor to deliver a definite quantity of such goods at the contract price; and provided, further, that delivery is made not later than ninety days after the effective date of this section.

SECTION 51. The first sentence of section 1 of chapter 65 of the General Laws, as appearing in chapter 596 of the acts of 1955, is hereby amended by adding, in line 21, after the word "thereof" the following words:—and proceeds of insurance receivable under policies of the life of the decedent.

SECTION 52. Said section 1 of chapter 65 of the General Laws, as most recently amended by chapter 566 of the acts of 1970, is hereby further amended by adding after the third paragraph the following paragraph:—

Provided, however, that proceeds of insurance receivable under policies on the life of the decedent shall be subject to the tax imposed by this chapter to the extent of (1) the amounts receivable by the

executor or administrator of the estate of the decedent and (2) the amounts receivable by all other beneficiaries under policies with respect to which the decedent possessed at his death any of the incidents of ownership, within the meaning of section two thousand and forty-two of the Federal Internal Revenue Code, as amended and in effect at the date of death, exercisable either alone or in conjunction with any other person; and provided, further, that twenty-five thousand dollars of the amounts receivable by a surviving husband or wife and surviving children as named beneficiaries under such policies shall be exempt and if the total of such amounts payable to such persons exceeds twenty-five thousand dollars, the exemption shall first apply to the amounts receivable by the surviving husband or wife and any excess of such exemption shall be apportioned equally among the surviving children and if the exemption apportioned to any child exceeds the amounts receivable by such child the excess of such exemption shall be apportioned equally among the other surviving children with amounts receivable exceeding the exemption to which they are entitled.

SECTION 53. Section two of chapter sixty-five of the General Laws, as appearing in the Tercentenary Edition, is hereby repealed.

SECTION 54. Said chapter 65 is hereby further amended by striking out section 7, as amended by chapter 429 of the acts of 1957, and inserting in place thereof the following section:—

Section 7. Taxes imposed by this chapter upon property or interests therein, passing by will or by laws regulating intestate succession, shall be payable to the commissioner by the executors, administrators or trustees within nine months after the date of death of the decedent; except that in all cases where there shall be a devise, descent or bequest to take effect in possession or come into actual enjoyment after the expiration of one or more life estates or of a term of years the taxes thereon shall be payable by the executors, administrators or trustees in office when such right of possession accrues, or, if there is no such executor, administrator or trustee, by the persons so entitled thereto, within six months after the date when the right of possession accrues to the person so entitled.

If the probate court, acting under section thirteen of chapter one hundred and ninety-seven, has ordered the executor or administrator to retain funds to satisfy a claim of a creditor, the payment of the tax with respect to such funds may be suspended by the court to await the disposition of such claim.

Taxes imposed by this chapter upon property or interests therein, passing by deed, grant or gift to take effect in possession or enjoyment after the death of the grantor or donor, or upon beneficial interests arising or accruing by survivorship in any form of joint ownership, shall be payable by the grantee, donee or survivor within nine months after the date when his right of possession or enjoyment accrues. Taxes imposed by this chapter upon property or interests therein, passing by deed, grant or gift made in contemplation of death, shall be payable by the grantee or donee within nine months after the date of death of the grantor or donor.

In case of any deed, grant or gift of a life interest or term of years, the donee for life or years shall pay a tax only on the value of his

interest, and the donee of the future interest shall pay his tax within six months after the date when his right of possession or enjoyment accrues.

SECTION 55. Said chapter 65 is hereby further amended by striking out section 11, as amended by chapter 749 of the acts of 1949, and inserting in place thereof the following section:—

Section 11. If taxes imposed by this chapter are not paid when due, interest at the rate of eight per cent per annum shall be charged and collected thereon from the time the same became payable. Any extension of time for filing a return granted under section twenty-two shall not extend the time for payment of taxes imposed by this chapter.

SECTION 56. Section 13 of said chapter 65, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—

The value of an annuity or a life interest in any such property, or any interest therein less than an absolute interest, shall be determined by the tables used by the United States Commissioner of Internal Revenue for the valuation of property interests under the federal estate tax law for persons dying on the valuation date in question; but when an annuity or a life interest is terminated by the death of the annuitant or life tenant, the tax upon such interest is not due and has not been paid in advance, the value of said interest for the purposes of taxation under this chapter shall be the amount of the annuity or income actually paid or payable to the annuitant or life tenant during the period for which he was entitled to the annuity or was in possession of the life estate.

SECTION 57. Said chapter 65 is hereby further amended by striking out section 22, as most recently amended by chapter 338 of the acts of 1970, and inserting in place thereof the following section:—

Section 22. On or before the date when the tax imposed by this chapter is required to be paid, the executor, administrator, trustee or other person liable to taxation under this chapter shall file with the commissioner a return, in such form as the commissioner, with the approval of the commission, prescribes, giving such information as the commissioner requires for the determination of the tax imposed by this chapter. Where and to the extent applicable, such return shall include a full and complete inventory of all property in which the decedent had an interest taxable under this chapter together with the fair market value thereof on the date of death of the decedent, an attested copy of the will, if any, and a copy of the Federal estate tax return, if any, and a computation of the tax due under this chapter. If an election is made to itemize deductions rather than take the standard deduction as provided in section twenty-seven, a list of debts, expenses of administration and federal estate taxes claimed as deductions shall be included in the return. Any unpaid amount of the tax shown to be due on said return, together with a filing fee of ten dollars, shall be paid in full with the return. The commissioner may, in his discretion, waive the filing of an inventory or any other portion of the return required by this section which he obtains from the probate court or any other source.

In the event that a federal estate tax return is required to be filed

by the estate of the decedent, the commissioner may grant an extension for filing the return required by this section to a date no later than three months after the final determination of federal estate tax liability. In any other case where good cause exists, the commissioner may grant a reasonable extension of time, not exceeding six months, for filing said return. Any such extension of time shall be granted only if application therefor is made prior to the date when the tax imposed by this chapter is required to be paid and an amount equal to the tax reasonably estimated to be due is paid on or before said date. Failure to pay eighty per cent of the tax due on or before said date shall void any extension of time and the return shall be subject to penalty as a late return. Any such penalty may be abated by the commission, in whole or in part, for good and sufficient cause.

SECTION 58. Section 25 of said chapter 65, as most recently amended by section 2 of chapter 469 of the acts of 1961, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—The value of property upon which a tax under this chapter is due shall be determined by the commissioner within six months from the date when the return provided for in section twenty-two is filed with him.

SECTION 59. Said chapter 65 is hereby further amended by striking out section 27, as most recently amended by chapter 560 of the acts of 1969, and inserting in place thereof the following two sections:—

Section 27. The tax due upon any estate or part thereof or upon any interest taxable under this chapter shall be deemed to be assessed at the time when the return required by section twenty-two is filed and at the amount shown as the tax due on said return or at the amount properly due under this chapter, whichever is the lesser.

If the commissioner determines from the verification of the return, or otherwise, that the full amount of any tax due under this chapter, or any portion thereof, has not been assessed or is not deemed to be assessed, he may assess the same with interest as provided in section eleven at any time within one year after the date when the return and all supplementary information and documents required by the commissioner, including a copy of the final determination of federal estate tax liability in cases involving a federal estate tax return, are filed or within six months after the date of the final determination of value under sections twenty-five and twenty-six, whichever is later. He shall certify the additional amount so due and payable to the person by whom the tax is payable. Any tax so assessed shall be due and payable thirty days from the date of the certification.

Any assessment and certification may be made upon account of the tax payable upon the estate generally or upon account or in full for any part thereof or any interest therein. Payment of the amount so certified upon account shall be a discharge of the tax pro tanto and upon subsequent assessment and certification of the full amount of the tax payable upon the estate generally or upon any interest therein or part thereof, payment of the full amount of said tax shall, except as hereinafter provided, be a discharge of the tax. If upon final assessment and certification it shall appear that any payments made on account are in excess of the tax in full as so determined, the commission shall refund such excess without further application and without any appropriation therefor by the general court.

In determining the amount of any tax under this chapter, the commissioner shall not be required to consider any payments on account of debts or expenses of administration which have not been allowed by the probate court having jurisdiction of said estate. In lieu of allowing any itemized deductions on account of debts, expenses of administration or federal estate taxes, the commissioner shall allow a standard deduction for aggregate values subject to taxation under this chapter 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 such aggregate property. If an executor, administrator, trustee or any person liable to taxation under this chapter who qualifies for the standard deduction does not elect on the return required under section twenty-two to itemize deductions on account of debts, 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.

If after assessment and certification of the full amount of the tax upon an estate or any interest therein or part thereof the estate shall receive or become entitled to property in addition to that shown in the inventory or disclosed to the commissioner at or before the time of the assessment and certification of the tax in full, the executor, administrator, trustee or other fiduciary shall forthwith notify the commissioner who shall, upon being thus or otherwise informed, assess the amount of additional tax, if any, due and payable thereon and shall certify said amount to the person by whom such tax is payable, which amount shall be due and payable thirty days from the date of the certification; provided, that a fiduciary shall be personally liable to pay only so much of said additional tax as is computed on the additional property actually received by him and that a beneficiary receiving any part of such additional property shall be liable to pay so much of the tax thereon as is not chargeable as aforesaid to a fiduciary.

An executor, administrator, trustee, grantee, donee, survivor or beneficiary aggrieved by any determination of the commissioner or commission, as the case may be, may, within one year after the payment of any such tax, apply by a petition in equity to the probate court having jurisdiction of the estate of the decedent for the abatement of the tax, or any part thereof. If the court adjudges that the tax, or any part thereof, was wrongly exacted it shall order an abatement of such part thereof as was assessed without authority of law. Upon a final decision ordering an abatement of any part of such a tax, the state treasurer shall pay the amount adjudged to have been illegally exacted, with interest at the rate of six per cent per annum, without any further appropriation therefor by the general court.

Section 27A. An executor, administrator, trustee, grantee, donee, survivor or beneficiary aggrieved by the assessment of a tax under this chapter may apply in writing to the commission, upon a form approved by it, for an abatement thereof at any time within one year after the date of the certification of such tax or within one year after the date of payment thereof, whichever is later. The commission shall, if requested thereon, grant the applicant a hearing upon his application. If the commission finds that the tax is excessive in amount or

illegal, it shall abate the tax, in whole or in part, accordingly. If the tax has been paid, the state treasurer, upon certification of the commission, shall repay to the applicant the amount of such abatement without any appropriation therefor by the general court. The decision of the commission shall be final. The commission shall give notice to the applicant of its decision upon the application. This section shall be in addition to and not in modification of any other remedies provided by this chapter.

SECTION 60. Section 32 of said chapter 65, as most recently amended by section 4 of chapter 523 of the acts of 1945, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:—Whenever the circumstances of a case require, the probate court may extend the time for payment of said tax, with interest at eight per cent per annum.

SECTION 61. Section 35A of said chapter 65 is hereby amended by striking out the first sentence, as amended by section 3 of chapter 541 of the acts of 1969, 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 a return under section twenty-two no additional fee shall be charged or collected for copies of any of said documents.

SECTION 62. Chapter 65A of the General Laws is hereby amended by striking out section 2, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 2. The tax imposed by this chapter shall become due and payable at the expiration of twelve months from the date of death, and executors, administrators, trustees, grantees, donees, beneficiaries and surviving joint owners shall be and remain liable for the tax until it is paid. If the tax is not paid when due, interest at the rate of eight per cent per annum shall be charged and collected from the time the same became payable. The commissioner may, for cause shown, extend the time for payment with interest.

SECTION 63. Notwithstanding the provisions of chapter sixty-two B or sixty-three B of the General Laws to the contrary, declarations of estimated tax filed under said chapters with respect to taxable years commencing after December the thirty-first, nineteen hundred and seventy shall include the amount which the taxpayer estimates as the additional tax due by reason of the passage of this act; and such additional tax shall be made as if 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 estimated to be due under the provisions of this act. The amount which a taxpayer reasonably 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 sixty-three of the General Laws, as the case may be 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 64. 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 under sections thirty-eight B and fifty-two A of chapter sixty-three of the General Laws.

SECTION 65. 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 66. 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 67. Sections one to twenty-four, inclusive, shall apply to taxable years commencing after December the thirty-first, nineteen hundred and seventy. Sections twenty-five, twenty-seven, twenty-seven A, twenty-eight, thirty-one, thirty-two to thirty-nine, inclusive, and sixty-four shall apply to taxable years ending on and after December the thirty-first, nineteen hundred and seventy-one. Sections twenty-six, twenty-nine and thirty shall apply to taxable years ending on and after October the thirty-first, nineteen hundred and seventy-one. Sections forty to forty-four, inclusive, and forty-five to forty-seven, inclusive, shall apply to sales at retail made and to the storage, use or other consumption of tangible personal property purchased on and after August the first, nineteen hundred and seventy-one. Sections forty-four A, forty-four B, forty-four C and forty-four D shall take effect on August the first, nineteen hundred and seventy-one. Sections fifty-one, fifty-two, fifty-four, fifty-six and sixty-two shall apply with respect to property or interest therein passing or accruing upon the deaths of persons who die on or after the effective date of this act. Sections fifty-three, fifty-five and fifty-seven to sixty-one, inclusive, shall take effect on January the first, nineteen hundred and seventy-two. The remainder of this act shall take effect upon passage.

Approved July 22, 1971.

Chap. 556. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ELIMINATE THE CURVE ON THE PAWTUCKET STREET BRIDGE OVER THE BOSTON AND MAINE RAILROAD TRACKS IN THE CITY OF LOWELL.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to redesign and reconstruct the Pawtucket Street bridge over the Boston and Maine Railroad in the city of Lowell. Specifications for the reconstruction of said bridge shall include the elimination of the sharp curve in the approaches to said bridge. For such purpose, the department may take land by eminent domain and may expend such sums as may be appropriated therefor. *Approved July 27, 1971.*

Chap. 557. AN ACT ESTABLISHING THE OFFICE OF STATE OFFICE BUILDINGS PHYSICIAN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the establishment of the office of state office buildings physician, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

Chapter 7 of the General Laws is hereby amended by inserting after section 6D the following section: —

Section 6E. The commissioner shall appoint a duly qualified and licensed medical doctor as state office buildings physician who shall not be subject to chapter thirty-one and may be removed for cause. He shall be provided with suitable quarters in the state office building for the purpose of rendering first aid and emergency medical treatment in and about the state office building in accordance with such rules and regulations as the commissioner may from time to time prescribe. He shall receive such salary as may be established by the commissioner and may employ, subject to the approval of the commissioner, such nursing and other assistants as he deems necessary.

Approved July 27, 1971.

Chap. 558. AN ACT VALIDATING THE ACTION OF THE TOWN OF SWANSEA IN GRANTING RETROACTIVE SALARY INCREASES TO ITS PERMANENT HIGHWAY DEPARTMENT EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Swansea may appropriate money for the payment of and pay salary increases with fringe benefits which may be retroactive to March the first, nineteen hundred and seventy-one to all permanent highway department employees in accordance with a collective bargaining agreement between said town and said employees.

SECTION 2. The action taken by the town of Swansea on Article 2 of the warrant for the special town meeting of said town held on the twenty-first of June, nineteen hundred and seventy-one is hereby

validated and confirmed to the same extent 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 July 29, 1971.

Chap. 559. AN ACT VALIDATING THE ACTION OF THE TOWN OF SWANSEA IN GRANTING RETROACTIVE SALARY INCREASES TO CERTAIN MUNICIPAL EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Swansea may appropriate money for the payment of and pay salary increases with fringe benefits which may be retroactive to January the first, nineteen hundred and seventy-one to all permanent town hall employees in accordance with a collective bargaining agreement between said town and said employees.

SECTION 2. The action taken by the town of Swansea on Article 3 of the warrant for the special town meeting of said town held on the twenty-first of June, nineteen hundred and seventy-one is hereby validated and confirmed to the same extent 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 July 29, 1971.

Chap. 560. AN ACT FURTHER REGULATING THE LAW RELATIVE TO THE ISSUANCE OF SPECIAL SERVICE BUS PERMITS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to require that an application for a special service permit from the department of public utilities shall designate the specific point or points of origin and destination proposed to be served and to limit the time for which such a permit may be issued, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The second paragraph of section 11A of chapter 159A of the General Laws is hereby amended by inserting after the second sentence the following sentence: — The application for a special service permit shall designate the specific point or points of origin and destination proposed to be served, and in no case shall any such event or occasion extend beyond a specific twenty-four hour period. *Approved July 29, 1971.*

Chap. 561. AN ACT FURTHER REGULATING THE LAW RELATIVE TO THE GIVING OF NOTICE PRIOR TO THE ISSUANCE OF SPECIAL SERVICE AND SCHOOL SERVICE BUS PERMITS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to require notice to certain holders of permits from the department of public utilities of an application for

special service and school bus permits, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The second paragraph of section 11A of chapter 159A of the General Laws is hereby amended by striking out the fifth sentence, as amended by chapter 335 of the acts of 1970, and inserting in place thereof the following sentence: — The department may grant or refuse to grant a permit for such special service, or school service, upon application, after not less than seven days' notice by mail directed to holders of certificates issued under section seven and of permits issued under this section serving the cities or towns of origin and destination named in such application. *Approved July 29, 1971.*

Chap. 562. AN ACT VALIDATING THE ACTION OF HATHERLY COUNTRY CLUB IN ISSUING CERTAIN SHARES OF CAPITAL STOCK.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to validate the action of Hatherly Country Club in issuing certain shares of common stock, 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 action of Hatherly Country Club in issuing one thousand nine hundred thirty-one shares of its capital stock is hereby validated, notwithstanding that certain of said shares were, or may have been, issued in violation of section seven of chapter five hundred and fifty-nine of the acts of nineteen hundred and forty-seven, so that all of said one thousand nine hundred thirty-one shares, including the two hundred four shares presently standing in the name of said corporation, will be duly authorized, validly issued and legally outstanding.

Approved July 29, 1971.

Chap. 563. AN ACT ALLOWING TOWNS TO CONSIDER CERTAIN TAX PAYMENTS RECEIVED FROM JANUARY THROUGH MARCH IN SETTING THEIR CURRENT YEAR'S TAX RATES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit towns to consider certain tax payments received from January to March the thirty-first, inclusive, in setting their tax rates for the year in which the payments have been received, thereby reducing the tax burden of property owners, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

Section 23 of chapter 59 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 67 of chapter 849 of the acts of 1969, and inserting in place thereof the following paragraph: —

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 the 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 the 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 the thirty-first of said current year; provided that no town shall be allowed to consider tax payments received between said January the first and said March the thirty-first for the purpose of setting its tax rate for the current year unless it has received the prior approval of the director of accounts. *Approved July 29, 1971.*

Chap. 564. AN ACT EXTENDING THE TIME WITHIN WHICH AN ACT MAKING CERTAIN APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-TWO PRIOR TO FINAL ACTION ON THE GENERAL APPROPRIATION BILL FOR SAID YEAR SHALL BE OPERATIVE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 466 of the acts of the current year is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Notwithstanding any provision of law to the contrary, the provisions of House Bill numbered 5525, as amended and passed to be engrossed by the house of representatives, making appropriations for the fiscal year nineteen hundred and seventy-two 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, are hereby incorporated herein by reference and shall be effective on the passage of this act; provided, that expenditures thereunder shall be limited to the amounts made available by allotment by the governor upon the recommendation of the commissioner of administration; and provided further, that said commissioner is hereby directed to limit the amounts so allotted to those appropriation accounts essential for the maintenance of services during the months of July and August.

SECTION 2. Said chapter 466 is hereby further amended by striking out section 2 and inserting in place thereof the following section: —

Section 2. This act shall cease to be operative upon the enactment into law of the general appropriation bill for the fiscal year nineteen hundred and seventy-two or on August the thirty-first, nineteen hundred and seventy-one, whichever is the earlier, and all action taken under this act shall apply against said appropriation act.

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

Approved July 29, 1971.

Chap. 565. AN ACT FURTHER REGULATING THE METHOD OF APPOINTING A REPRESENTATIVE OF ORGANIZED LABOR ON HOUSING AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. The sixth paragraph of section 5 of chapter 121B of the General Laws, inserted by section 1 of chapter 751 of the acts of 1969, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences: — In a city, one of the four members of a housing authority appointed by the mayor shall be a representative of organized labor who shall be appointed by the mayor from a list of five or more names representing different unions submitted by the Central Labor Council, AFL–CIO, of the city or of the district within which the city is included. If no such list of names is submitted within sixty days after a vacancy occurs, the mayor may appoint any representative of organized labor of his own choosing to the authority.

SECTION 2. Any member of a housing authority on the effective date of this act who is a representative of organized labor shall continue to serve until the expiration of the term for which he was appointed.

Approved July 29, 1971.

Chap. 566. AN ACT PROVIDING FOR TWO ADDITIONAL COURT OFFICERS IN THE MUNICIPAL COURT OF THE ROXBURY DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 62 of chapter 218 of the General Laws is hereby amended by striking out, in line 7, as appearing in chapter 841 of the acts of 1969, the word "eight" and inserting in place thereof the word: — ten.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston in the current year, but not otherwise.

Approved July 29, 1971.

Chap. 567. AN ACT RELATIVE TO THE CONSERVATION OF OFF-SHORE MINERAL RESOURCES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 54 of chapter 21 of the General Laws, added by section 2 of chapter 736 of the acts of 1968, is hereby amended by striking out the last sentence and by adding the following seven paragraphs: —

Subsurface exploration for the purposes of design of, and the removal of material necessary for, beach replenishment, navigational improvement projects and piers, and bridges, culverts and other similar structures, approved by the department of public works and the department shall be exempt from the provisions of this section. Explorations for or extraction of minerals necessary for other public purposes may be exempted by the director from the provisions of this section requiring payment of a fee and posting of an indemnity and performance bond.

No lease shall be issued for the extraction of any mineral resource until such time as the department has obtained reliable information as

to the quantities, quality and location of the resource available within the commonwealth, and as to the extent of and risk of harm to marine and other natural resources, which information shall be made public prior to the public hearing on any lease for the extraction of said resource.

The licensee or lessee shall not carry out any authorized operation in such a manner as to interfere unreasonably with navigation or fishing or with the conservation of natural resources.

The licensee or lessee shall permit any official of the commonwealth thereunto authorized by the director to observe operations from time to time, and shall make available to said official any and all records in regard to depths being dredged or drilled, quantities being removed and type of materials found during extraction operations.

The licensee or lessee shall at all times keep the commonwealth effectually indemnified against all actions, proceedings, costs, charges, claims and demands whatsoever which may be made or brought against the commonwealth or its agents by any third party in relation to or in connection with this license or lease or any matter or thing done or purported to be done in pursuance thereof by posting a bond satisfactory to the director.

No licensee or lessee shall proceed to remove any minerals from the seabed and subsoil of the commonwealth until a bond has been posted with the department guaranteeing faithful performance of the contract with the commonwealth, faithful observance of any applicable rules, regulations and statutes, and timely payment as provided in said contract for any materials removed.

The director shall reserve the right to revoke or suspend, with the approval of the commissioner and the public works commission, any license or lease issued hereunder, thereby terminating all rights granted thereunder, upon any breach or nonobservance by the licensee of any of the terms and conditions of the license or lease, or upon any attempt to assign the rights of the licensee to any third party, for any reason, or any evidence of insolvency or other inability to perform the contract. *Approved July 29, 1971.*

Chap. 568. AN ACT VALIDATING THE ACQUISITION BY THE DEPARTMENT OF NATURAL RESOURCES OF LAND FOR PUBLIC ACCESS PURPOSES IN THE TOWN OF WENHAM.

Be it enacted, etc., as follows:

The department of natural resources is hereby authorized to acquire for public access purposes from The Trustees of Reservations a parcel of land of approximately one and one half acres in the vicinity of Pleasant pond located in the town of Wenham, as shown on a plan on file with the public access board entitled "Plan of land in Wenham, Mass. to be taken by the Commonwealth of Mass., Department of Natural Resources". Any transfer of said property from The Trustees of Reservations to the commonwealth, acting through its department of natural resources, prior to the effective date of this act is hereby validated and confirmed. *Approved July 29, 1971.*

Chap. 569. AN ACT PROVIDING FOR NOTICE OF HEARINGS OF APPEALS AND VARIANCES UNDER THE ZONING LAWS TO BE GIVEN CERTAIN ABUTTERS AND OWNERS OF LAND.

Be it enacted, etc., as follows:

Section 17 of chapter 40A of the General Laws is hereby amended by striking out the first sentence, as appearing in section 2 of chapter 201 of the acts of 1962, and inserting in place thereof the following sentence: — The board of appeals shall fix a reasonable time for the hearing of any appeal or other matter referred to it or any petition for a variance, and shall cause the notice of the time and place of such hearing thereof and of the subject matter, sufficient for identification, to be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing and also send notice by mail postage prepaid to the petitioner and to the owners of all property deemed by the board to be affected thereby including the abutters and the owners of land next adjoining the land of the abutters, notwithstanding that the abutting land or the next adjoining land is located in another city or town, as they appear on the most recent tax lists, and to the planning board of the city or town, and, if pertinent, of the adjoining city or town.

Approved July 29, 1971.

Chap. 570. AN ACT FURTHER REGULATING THE INSPECTION OF REFRIGERATION AND AIR CONDITIONING SYSTEMS BY THE DIVISION OF INSPECTION OF THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

Chapter 146 of the General Laws is hereby amended by striking out section 45A, as most recently amended by chapter 655 of the acts of 1963, and inserting in place thereof the following section: —

Section 45A. No person shall operate or cause to be operated a refrigeration or air conditioning system, or any appurtenance thereof, excepting refrigeration or air conditioning systems in railway trains, motor vehicles, private residences, apartment houses of less than five apartments, and refrigeration and air conditioning systems located on property under the jurisdiction of the United States government, refrigeration and air conditioning systems used exclusively for agricultural, horticultural or floricultural purposes, and refrigeration and air conditioning systems having less than twenty tons capacity, unless such system has been inspected by the division and a certificate of inspection issued therefor, or unless such system is insured by and subject to periodical inspection by a company authorized to insure pressure vessels in the commonwealth and a certificate of inspection has been issued therefor. All refrigeration and air conditioning systems requiring a certificate from the division shall be inspected at least once a year. Whoever owns or uses or causes to be used a refrigeration or air conditioning system requiring certification by the division shall, unless such

system is insured as above described, report in writing to the chief the location of such system, and shall so report annually thereafter, but, if such system is so insured, shall report in writing to the chief whenever the insurance company ceases for any reason to make its inspection, or for any reason revokes or removes its certificate of inspection of the refrigeration or air conditioning system. If a refrigeration or air conditioning system is, in the opinion of a district engineering inspector of the division, in a dangerous condition, or does not comply with rules and regulations as hereinafter provided, he may issue an order prohibiting the operation of such system, whether or not it is subject to inspection by an insurance company, until a certificate of inspection has been issued by a district engineering inspector of the division for such system. The minimum fee for each inspection made by the division under this section shall be twenty dollars and an additional fee of one dollar shall be charged for each ton above twenty tons; provided that the maximum fee shall be one hundred dollars.

The board shall adopt such rules and regulations in accordance with nationally recognized standards of engineering practice as are necessary to carry out the provisions of this section.

Whoever violates any provision of this section, or any rule made thereunder, shall be punished by a fine of not less than twenty nor more than three hundred dollars. *Approved July 29, 1971.*

Chap. 571. AN ACT REPEALING THE LAW PROVIDING FOR THE APPOINTMENT OF STATE FIRE PATROLS IN CERTAIN COUNTIES.

Be it enacted, etc., as follows:

Section twenty-eight A of chapter forty-eight of the General Laws is hereby repealed. *Approved July 29, 1971.*

Chap. 572. AN ACT RESTRICTING HEAVY TRUCKS TO THE RIGHT-HAND TRAVEL LANES ON MULTI-LANE HIGHWAYS.

Be it enacted, etc., as follows:

Chapter 89 of the General Laws is hereby amended by inserting after section 4B the following section: —

Section 4C. On any highway with more than one passing lane in the same direction, heavy commercial vehicles, except buses, shall be restricted in ordinary operation to the right-hand travel lane, and in overtaking and passing shall be restricted to the next adjacent passing or travel lane, and shall not use any other lanes except in an emergency. For the purpose of this section, heavy commercial vehicles shall be defined as those in excess of two and one half tons used for transportation of goods, wares and merchandise. *Approved July 29, 1971.*

Chap. 573. AN ACT INCREASING THE TOTAL AMOUNT OF LOANS WHICH MAY BE MADE BY CREDIT UNIONS FOR IMPROVEMENT OF REAL ESTATE.

Be it enacted, etc., as follows:

Subdivision (D) of section 24 of chapter 171 of the General Laws, as appearing in section 6 of chapter 420 of the acts of 1971, is hereby fur-

ther amended by striking out the fifth sentence 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 ten per cent of the deposits and shares of such credit union; provided, however, that the aggregate balance of principal outstanding at any one time on loans of this class for a credit union which is a member of the Massachusetts Credit Union Share Insurance Corporation shall not exceed twenty per cent of the deposits and shares of such corporation.

Approved July 29, 1971.

Chap. 574. AN ACT FURTHER REGULATING THE EXAMINATION AND LICENSING OF OPERATORS OF HOISTING MACHINERY.

Be it enacted, etc., as follows:

Section 65 of chapter 146 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence: — He shall be examined only as to his ability to use the particular machinery, whether internal combustion, compressed air, electric engine or otherwise, which he desires to operate, and the license shall be limited to that particular kind of machinery; but if he so requests in his application the applicant may be examined as to his proficiency in the various kinds of machinery used for hoisting, and the license shall include those kinds of machinery in respect to which he is found competent.

Approved July 29, 1971.

Chap. 575. AN ACT RELATIVE TO THE COMMITMENT TO THE VETERANS ADMINISTRATION OR OTHER AGENCIES OF THE UNITED STATES GOVERNMENT OF CERTAIN WAR VETERANS FOR CARE AND TREATMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 123 of the General Laws, as appearing in section 4 of chapter 888 of the acts of 1970, is hereby amended by adding the following paragraph: —

(*c*) The chief officer of any facility of the Veterans Administration within the commonwealth may admit eligible veterans under the provisions of this chapter and thereupon shall be vested with the same powers as the department has under this chapter with respect to retention or discharge.

SECTION 2. Section 34 of said chapter 123, as so appearing, is hereby amended by adding the following two subsections: —

(*b*) Whenever, in any proceeding under the laws of this commonwealth for the commitment of a person alleged to be of unsound mind or otherwise in need of care and treatment in a facility or other institution for his proper care, it is determined after such adjudication of the status of such person as may be required by law that commitment to a facility for the mentally ill or other institution is necessary for care and treatment and it appears that such person is eligible for care or treatment by said Veterans Administration or other agency of the United States government, the court, upon receipt of a certificate from said Veterans

Administration or such other agency showing that facilities are available and that such person is eligible for care or treatment therein, may commit such person to said Veterans Administration or other agency. The person whose commitment is sought shall be personally served with such notice of the pending commitment proceedings as is required, and in such manner as is provided, by the laws of the commonwealth; and nothing in this section shall affect his right to appear and be heard in the proceedings. Upon commitment, such person, when admitted to any facility operated by any such agency within or without this commonwealth shall be subject to the rules and regulations of said Veterans Administration or other agency. The chief officer of any facility of said Veterans Administration or institution operated by any other agency of the United States to which the person is so committed shall with respect to such person be vested with the same powers as the department with respect to retention of custody, transfer, parole or discharge. Jurisdiction is retained in the committing or other appropriate court of the commonwealth at any time to inquire into the mental condition of the person so committed, and to determine the necessity for continuance of his restraint, and all commitments pursuant to this section are so conditioned.

(*c*) Upon receipt of a certificate of said Veterans Administration or such other agency of the United States that facilities are available for the care or treatment of any person committed to any facility for the mentally ill or other institution for the care or treatment of persons similarly afflicted and that such person is eligible for care or treatment, the department or the committing court may cause the transfer of such person to said Veterans Administration or other agency of the United States for care or treatment. Upon effecting any such transfer, the committing court or proper officer thereof shall be notified thereof by the transferring agency. No person shall be transferred to said Veterans Administration or other agency of the United States if he is confined pursuant to conviction of any felony or misdemeanor or if he has been acquitted of the charge solely on the ground of insanity, unless prior to transfer the court or other authority originally committing such person shall enter an order for such transfer after appropriate motion and hearing. Any person transferred as provided in this subsection shall be deemed to be committed to said Veterans Administration or other agency of the United States pursuant to the original commitment.

Approved July 29, 1971.

Chap. 576. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO PROVIDE A PEDESTRIAN ACCESS TO DEDHAM TOWNS FOREST FROM WASHINGTON STREET IN THE TOWN OF DEDHAM.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to provide a pedestrian access to Dedham town forest from Washington street in the town of Dedham. *Approved July 29, 1971.*

Chap. 577. AN ACT TRANSFERRING JURISDICTION OF THE TOWN OF LUDLOW FROM THE DISTRICT COURT OF SPRINGFIELD TO THE DISTRICT COURT OF EASTERN HAMPDEN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 218 of the General Laws is hereby amended by striking out the first paragraph under the caption *Hampden*, as amended by section 1 of chapter 440 of the acts of 1965, and inserting in place thereof the following paragraph: —

The district court of eastern Hampden held at Palmer; Palmer, Brimfield, Hampden, Monson, Holland, Wales, Wilbraham and Ludlow.

SECTION 2. Said section 1 of said chapter 218 is hereby further amended by striking out the last paragraph under the caption *Hampden*, as amended by section 2 of said chapter 440, and inserting in place thereof the following paragraph: —

The district court of Springfield held at Springfield; Springfield, West Springfield, Agawam, Longmeadow and East Longmeadow.

Approved July 29, 1971.

Chap. 578. AN ACT PROVIDING FOR A SECOND ASSISTANT REGISTER OF DEEDS IN NORFOLK COUNTY.

Be it enacted, etc., as follows:

Chapter 36 of the General Laws is hereby amended by inserting after section 5 the following section: —

Section 5A. The register of deeds for Norfolk county may, by a writing recorded in his registry, designate one of the persons employed therein as second assistant register who shall serve at the pleasure of such register.

Approved July 29, 1971.

Chap. 579. AN ACT ESTABLISHING A BOARD TO BE KNOWN AS THE MANAGEMENT ENGINEERING TASK FORCE.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by adding after section 162 the following section: —

Section 163. There shall be a board to be known as the Management Engineering Task Force to consist of not more than forty-five members, the number of which shall vary from time to time based on the magnitude of the work and number of departments to be surveyed as determined by the governor. Said members shall be representatives of the business and professional community of the commonwealth and shall be appointed annually by the governor for terms of one year. Said board shall make survey reports and recommendations on the operation of those departments, divisions and agencies of the commonwealth as the governor shall designate, shall study the management techniques and procedures used by the commonwealth and recommend any changes which improve the utilization of manpower and eliminate inefficiency and waste and shall make such other studies as it may deem to be in the best interest of the commonwealth.

Said board shall make its reports and recommendations to the secretary of the executive office which includes the departments, divisions and agencies of the commonwealth surveyed by such board, on or before October the thirtieth of each year. The secretary shall report to the governor on the findings of said task force, together with his recommendations on those findings, by the fourth Wednesday in December, and shall file copies thereof with the clerk of the house of representatives and the clerk of the senate. *Approved July 29, 1971.*

Chap. 580. AN ACT INCREASING THE MEMBERSHIP OF THE BOARD OF FIRE PREVENTION REGULATIONS AND PROVIDING FOR THE QUALIFICATIONS OF THE ADDITIONAL MEMBER.

Be it enacted, etc., as follows:

The first paragraph of section 14 of chapter 22 of the General Laws, as amended by chapter 674 of the acts of 1960, is hereby further amended by striking out, in line 8, the word "eight" and inserting in place thereof the word:—nine,—and by striking out the second sentence and inserting in place thereof the following sentence:—One shall be the head of a fire department, as such term is defined in section one of chapter one hundred and forty-eight, or a person having similar powers and duties, one shall be a representative of a national organization of fire underwriters, one shall be a representative of a national organization of professional chemical engineers, one shall be a representative of a national organization of electrical engineers, one shall be a representative of a national organization of mechanical engineers, one shall be a representative of owners of buildings subject to chapter one hundred and forty-three or a representative of real estate management organizations having control of buildings subject to said chapter, one shall be an electrical contractor, who has held a master electrician's license under chapter one hundred and forty-one for a period of not less than ten years, one shall be an inspector of wires, who is the holder of an electrician's license under said chapter one hundred and forty-one and has been an inspector of wires under the provisions of chapter one hundred and sixty-six for a period of not less than ten years and one shall be a representative of a national, regional or state association of members of the blasting industry, who shall have been actively engaged for a period of not less than ten years in the keeping, storage, use, handling or transportation of explosives. *Approved July 29, 1971.*

Chap. 581. AN ACT RELATIVE TO THE CONSTRUCTION OF A CONNECTOR ROAD IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the department of public works is hereby prohibited from extending any connector road from Interstate Route 95 in the city of Lynn beyond Western avenue in said city. *Approved July 29, 1971.*

Chap. 582. AN ACT PROVIDING FOR THE PAYMENT BY CERTAIN BANKS OF INTEREST ON CLUB DEPOSITS, SO-CALLED.

Be it enacted, etc., as follows:

Section 16 of chapter 167 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 265 of the acts of 1968, and inserting in place thereof the following sentence:— Savings banks, trust companies and co-operative banks may contract, on terms to be agreed upon, for club deposits, so-called, which deposits may be made at intervals within any period of twelve months of sums of money in the aggregate not in excess of the statutory limit on deposits in savings banks, on which deposits interest shall be paid; provided, however, that if interest is not paid on deposits made in Christmas Clubs, Vacation Clubs and Tax Clubs, so-called, in the same manner and to the same extent that interest is paid on regular savings deposits, a statement to such effect shall be conspicuously printed on the passbook, application or elsewhere as the commissioner shall by regulation determine. *Approved July 29, 1971.*

Chap. 583. AN ACT AUTHORIZING THE BERKSHIRE HILLS REGIONAL SCHOOL DISTRICT TO REIMBURSE THE CASH ACCOUNT OF SAID DISTRICT FOR A CERTAIN OPERATING AND CONSTRUCTION DEFICIT AND TO BORROW MONEY FOR SAID PURPOSE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 302 of the acts of 1971 is hereby amended by striking out section 1 and inserting in place thereof the following section:—

Section 1. The Berkshire Hills Regional School District is hereby authorized to pay certain unpaid bills incurred by said district during the years nineteen hundred and sixty-seven, nineteen hundred and sixty-eight and nineteen hundred and sixty-nine in the total amount of fifty-six thousand two hundred ninety-two dollars and fifty-four cents in accordance with a list on file with the director of accounts in the department of corporations and taxation, which bills are legally unenforceable against said district by reason of their being incurred in excess of available appropriations and is hereby further authorized to reimburse the cash account of said district for an operating and construction deficit incurred during the years nineteen hundred and sixty-nine and nineteen hundred and seventy in the amount of fifty-one thousand eight hundred twenty-seven dollars and eighty-four cents, expended in excess of available appropriations.

SECTION 2. Section 2 of said chapter 302 is hereby amended by striking out, in lines 2 and 3, the words "fifty-six thousand two hundred ninety-two dollars and fifty-four" and inserting in place thereof the words:—one hundred eight thousand one hundred twenty dollars and thirty-eight. *Approved July 29, 1971.*

Chap. 584. AN ACT PROVIDING THAT THE BOARD TO FACILITATE THE USE OF PUBLIC BUILDINGS BY THE PHYSICALLY HANDICAPPED MAY ADOPT RULES AND REGULATIONS APPLICABLE TO CERTAIN BUILDINGS OF PUBLIC AUTHORITIES AND PUBLIC EDUCATIONAL INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 13A of chapter 22 of the General Laws, inserted by section 1 of chapter 724 of the acts of 1967, is hereby amended by striking out the fifth paragraph and inserting in place thereof the following paragraph:—

As used in this section, the term "public building" shall be construed to mean buildings constructed by the commonwealth or any political subdivision thereof with public funds and open to public use, and including public housing authorities, the Massachusetts Port Authority, the Massachusetts Parking Authority, the Massachusetts Turnpike Authority, or building authorities of any public educational institution, or their successors, and the term "physically handicapped person" shall be construed to mean any of the following:—a person confined to a wheel chair, a person who, because of the use of braces or crutches or because of the loss of a foot or leg or because of an arthritic, spastic, pulmonary or cardiac condition, walks with difficulty or insecurity, a person who, due to a brain, spinal or peripheral nerve injury, suffers from a faulty coordination or palsy, a person who is blind or whose sight is so impaired that, functioning in a public area, he is insecure or exposed to danger, a person whose hearing is so impaired that he is unable to hear warning signals and a person whose mobility, flexibility, coordination and perceptiveness are significantly reduced by aging.

SECTION 2. No rule or regulation made by the board to facilitate the use of public buildings by the physically handicapped established under section thirteen A of chapter twenty-two of the General Laws, as amended by section one of this act, shall apply to any structure or appurtenance thereto constructed, reconstructed, remodelled, altered, improved or added to their property by or for public housing authorities, the Massachusetts Port Authority, the Massachusetts Parking Authority, the Massachusetts Turnpike Authority or building authorities of any public educational institution or their successors prior to the effective date of this act. *Approved July 29, 1971.*

Chap. 585. AN ACT AUTHORIZING THE TOWN OF CARVER TO ESTABLISH A DEPARTMENT 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 a board of public works, hereinafter called the board, to consist of three members. The initial members thereof shall be elected to serve, one for three years, one for two years and one for one year from the date of the annual town election at which said members are elected and thereafter when the term of any member expires his successor shall be elected to serve for

three years. In all cases the members of the board shall serve until their successors are qualified. The members of the board shall forthwith, after each annual town election, elect from its members a chairman and a clerk for the ensuing year. In case of a vacancy, the remaining members of the board shall, jointly with the board of selectmen, within thirty days, fill such vacancy until the next town election, when a new member or members shall be elected to fill the unexpired term. No person shall serve on the board who holds another elective or appointive office in the town.

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 the General Laws or town by-law or special act in the following boards, departments and offices, or in boards, departments and offices having corresponding powers and duties in the town of Carver to wit: park commissioners, cemetery commissioners, tree warden, highway surveyor, gypsy moth superintendent, and such boards, offices and departments shall be abolished. No contracts or liabilities then in force shall be affected by such abolition, but the board of public works shall in all respects be the lawful successor of the boards, departments and offices so abolished.

The board shall have such added powers with respect to public works as the town may from time to time by by-law provide, any other provisions of the law to the contrary notwithstanding.

SECTION 3. The board shall consist of the park division, the cemetery division, the street division and the tree and moth division.

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 section two and as it may from time to time designate. He shall be responsible for the efficient exercise and performance of such powers, rights and duties and shall hold office subject to the will of the board which may remove the superintendent for just cause only by a vote of at least two members of the board. His removal must be preceded by a written notice, given to him, which notice must specify the reasons for which he is to be removed, such a notice to be given at least fourteen days prior to his removal. At his request, he shall be entitled to a public hearing on the charges brought against him. He shall be specially fitted by education, training and experience to perform the duties of said office, and may or may not be a resident of the town during his tenure of office.

He shall hold no other elective or appointive office nor shall he be engaged in any other business or occupation. He shall give to the town a bond with a surety company authorized to transact business in the commonwealth as surety, for the faithful performance of his duties in such sum and upon such conditions as the board may require, and shall, subject to the approval of the board, appoint such assistants, agents and employees as the exercise and performance of his powers, rights and duties may require. He shall 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, he shall make a synopsis of such reports for

publication, he shall keep the board fully advised as to the needs of the town within the scope of his duties and shall annually furnish to the board, no less than sixty days prior to the expiration of the fiscal year of said town, 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. There shall be no reduction in or dismissal of the present permanent employees without due cause due to the establishment of this act.

SECTION 5. This act shall be submitted for acceptance to the legal voters of said town at the annual town election in the year nineteen hundred and seventy-two, 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 seventy-one, entitled 'An Act authorizing the town of Carver to establish a department of public works exercising the powers of certain other departments and town officials', be accepted?" If a majority of votes cast in answer to this question are in the affirmative, this act shall become fully effective beginning with, and for the purposes of, the annual town election in the year nineteen hundred and seventy-two; otherwise it shall be of no effect.

SECTION 6. The town may after the expiration of three years from the date of acceptance of this act vote at an annual meeting to revoke such acceptance, and the question of such revocation shall be submitted to the voters in the form of the following question: "Shall the acceptance by the town of Carver of an act passed by the General Court in the year nineteen hundred and seventy-one, entitled 'An Act authorizing the town of Carver to establish a department 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 to rescind, 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 rescind the acceptance of said sections shall not be taken more often than once in three years. *Approved July 29, 1971.*

Chap. 586. AN ACT PROVIDING FOR THE ISSUANCE OF A GENERAL ON-PREMISE LICENSE TO SELL ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 138 of the General Laws is hereby amended by adding the following paragraph:—

In any city or town wherein the granting of licenses under this section to sell alcoholic beverages or wines and malt beverages is

authorized, a person may be granted a general on-premise license by the local licensing authorities, subject to the prior approval of the commission, authorizing him to sell alcoholic beverages without food to patrons and customers subject to all other relevant provisions of this chapter, provided that such beverages shall be sold and drunk in such rooms as the licensing authorities may approve in writing. The annual license fee for such general on-premise license shall be determined by the local licensing authority and shall not be less than five hundred dollars nor more than twenty-five hundred dollars. For the purposes of section eleven an affirmative vote on subdivision A or B shall be considered an authorization for the granting of general on-premise licenses in a city or town.

SECTION 2. Section 16C of said chapter 138 is hereby amended by adding the following sentence:—This section shall not apply to an extension of licensed premises provided said extension does not exceed fifty feet. *Approved July 29, 1971.*

Chap. 587. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONVEY CERTAIN LAND TO THE TOWN OF DEDHAM.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to convey to the town of Dedham, for a consideration to be determined by agreement between said commission and said town, a one hundred foot right-of-way from land in said town under the control of said commission, abutting lots one through twenty-three on the northeast side of Rosemary road in said town, as shown on a plan by Pilling Engineering Company, Incorporated, 26 Norfolk Street, Dedham, Massachusetts, dated April 2, 1958, as recorded in Norfolk Registry of Deeds, Land Court Case 28832 A, filed with Land Court Certificate 65572, Book 328, Page 172, April 12, 1960. The deed conveying said right-of-way shall reserve a right of access for said commission for the purpose of maintaining the remaining portion of its property.

Approved July 29, 1971.

Chap. 588. AN ACT AUTHORIZING THE CITY OF WORCESTER 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 Worcester is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay International Business Machines Corporation, the amount of twelve thousand two hundred and fifty-six dollars and eighty cents for the rental of a Fourteen Forty Data Processing System used by the Worcester Vocational School Department for the months of November and December in the year nineteen hundred and sixty-nine and January and February in the year nineteen hundred and seventy, 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 July 29, 1971.*

Chap. 589. AN ACT PROVIDING THAT THE CHIEF OF POLICE OF THE TOWN OF METHUEN SHALL BE THE APPOINTING AUTHORITY FOR APPOINTMENT TO THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any law and the acceptance of section ninety-seven A of chapter forty-one of the General Laws by the town of Methuen, the chief of police of said town shall be the appointing authority for all appointments to the police department of the town of Methuen.

SECTION 2. Nothing contained in this act shall be construed so as to affect the civil service status, seniority, rank, retirement and any other rights of any member or incumbents of any office within the police department of the town of Methuen; provided, however, that the board of selectmen shall be the appointing authority for the chief of police of said town.

SECTION 3. This act shall be submitted for acceptance to the voters of the town of Methuen at the annual town meeting to be held in the year nineteen hundred and seventy-two in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting:—"Shall an act passed by the General Court in the year nineteen hundred and seventy-one, entitled 'An Act providing that the chief of police of the town of Methuen shall be the appointing authority for appointment to the police department of said town', be accepted?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take effect, but not otherwise. *Approved July 29, 1971.*

Chap. 590. AN ACT INCREASING THE PENALTY FOR FAILURE TO PAY WEEKLY WAGES TO EMPLOYEES.

Be it enacted, etc., as follows:

Section 148 of chapter 149 of the General Laws is hereby amended by striking out the last paragraph, as appearing in chapter 259 of the acts of 1956, and inserting in place thereof the following paragraph:—

Whoever violates this section shall be punished by a fine of not less than twenty dollars nor more than one hundred dollars, or by imprisonment in the house of correction for not more than two months, or both. *Approved July 29, 1971.*

Chap. 591. AN ACT AMENDING THE UPPER BLACKSTONE WATER POLLUTION ABATEMENT DISTRICT RELATIVE TO MEMBERSHIP ON THE BOARD AND CERTAIN OTHER MATTERS CONCERNING SAID DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 2 of chapter 752 of the acts of 1968 is hereby amended by inserting after the first sentence the following sentence: — Not more than one resident of any member town shall be a representative on the board.

SECTION 2. The third paragraph of said section 2 of said chapter 752 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The representative to the board from a town shall be appointed by the board of sewer commissioners, if such has been duly elected; otherwise, in accordance with provisions of law applicable to each town.

SECTION 3. Said section 2 of said chapter 752 is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph: —

Representatives on the board shall be appointed for terms of three years with the following exceptions: The first two representatives appointed from the city of Worcester shall be appointed for terms of two years, followed by appointments for terms of three years; upon admission of a new member the first representative shall be appointed for a term of one, two or three years, to provide, as nearly as possible, for an equal number expiring each year. Each representative shall serve until the first Wednesday in April of the year in which his term is to expire or until his successor is qualified. Representatives on the board may be reappointed.

SECTION 4. Said chapter 752 is hereby further amended by striking out section 4 and inserting in place thereof the following section: —

Section 4. The district shall have a seal consisting of a circular die bearing the words "Commonwealth of Massachusetts, Upper Blackstone Water Pollution Abatement District, 19 ", which seal may be used whenever deemed advisable by the Board on papers and documents issued or executed by the Board or by any officer or employee designated by the Board.

SECTION 5. Section 8 of said chapter 752 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — In the event there is a general revaluation of the assessed valuation of real property in any city or town of the district, the assessed valuations for the three-year period as determined above shall be increased or decreased in the same proportion that the aggregate value of all assessed real property in the city or town is increased or decreased.

SECTION 6. Section 10 of said chapter 752 is hereby amended by striking out the fifth paragraph.

SECTION 7. Section 11 of said chapter 752 is hereby amended by adding the following paragraph: —

Nothing in the procedure for arbitration authorized in section eleven A shall relieve any treasurer of the city, towns or sewer districts from making timely payments to the treasurer of the district of the full amounts assessed.

SECTION 8. Said chapter 752 is hereby further amended by striking out section 11A and inserting in place thereof the following section: —

Section 11A. In the event that within ninety days of the receipt by the board of assessors of each city, town or sewer district of any assessment as determined and apportioned above, the appropriate legislative body of any city, town or sewer district, by resolution, may question any fact used in the formulae for determination of the total amount to be apportioned or the apportionment thereof to the city, towns or sewer districts and request a review thereof by the board.

The board shall forthwith cause a review of such apportionment and shall publish its findings no later than thirty calendar days from the receipt of such request.

The board or the aggrieved city, town or sewer district may, by resolution adopted no later than ninety calendar days from the receipt of such findings, submit the questions raised to a fact finding arbitration of three persons, not residents of the district, one to be appointed by the aggrieved member, one to be appointed by the board and one to be appointed by the auditor of the commonwealth. The three persons, so appointed, shall consider all pertinent data, make such audits, examinations, inquiries and surveys as they deem necessary, and shall submit a finding, which shall be binding on all parties. The cost of such arbitration, if any, shall be paid by the district as an expense of the then current year and assessed to the district and the aggrieved member in a proportion to be determined by the finding. If such finding shall result in an adjustment of the apportionment of the assessment to the city or any town or sewer district, such adjustment shall be made by the board in the next annual apportionment to be certified to the respective board of assessors.

SECTION 9. Said chapter 752 is hereby further amended by striking out section 12 and inserting in place thereof the following section: —

Section 12. To meet the cost of construction, maintenance and operation of the works authorized by this act, the district may file application for, or accept and use, any federal or state funds or any federal or state assistance, or both, provided therefor under any federal or state law, or accept and use any funds from other sources.

Approved August 2, 1971.

Chap. 592. AN ACT AUTHORIZING THE TRANSFER FROM JAIL OF CERTAIN PERSONS AWAITING TRIAL TO CORRECTIONAL INSTITUTIONS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 52A of chapter 276 of the General Laws, inserted by chapter 131 of the acts of 1943, is hereby amended by striking out the second and third sentences and inserting in place thereof

the following three sentences: — In addition, such persons, if they have been previously incarcerated in a correctional institution of the commonwealth under sentence for a felony, may, with the approval of the district attorney, be removed by the commissioner of correction to a correctional institution of the commonwealth, and said commissioner shall, at the request of the district attorney, cause them to be returned to the jail where they were awaiting trial. The proceedings for such removals shall be the same as for the removal of prisoners from one jail or house of correction to another. The cost of support of a person so removed and of the removals shall be paid by the county whence he is originally removed.

SECTION 2. Section 149 of chapter 127 of the General Laws, as most recently amended by section 1 of chapter 424 of the acts of 1946, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — If at the time or order to return to prison or of the revocation of his permit he is confined in any prison, as the result of a conviction of another crime, service of such order shall not be made until his release therefrom, and the time served by him upon any sentence under which he is so confined shall not be considered as any part of the term of his original sentence.

Approved August 2, 1971.

Chap. 593. 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 THE THIRTY-FIRST, NINETEEN HUNDRED AND SEVENTY-TWO AND FOR CERTAIN OTHER PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 728 of the acts of 1968, as most recently amended by section 1 of chapter 604 of the acts of 1970, is hereby further amended by adding the following paragraph: —

The executive office for administration and finance may also make grants to said authority of not more than five million four hundred thirty-one thousand five hundred dollars for not more than ninety per cent of the cost to said authority of service provided from August the first, nineteen hundred and seventy-one to July the thirty-first, nineteen hundred and seventy-two, both inclusive, under such agreements. Except as otherwise provided in this paragraph, grants under this paragraph shall be subject to the provisions applicable to grants under the first paragraph of this section.

SECTION 2. Section 2 of said chapter 728 is hereby amended by striking out the last paragraph, as most recently amended by section 2 of said chapter 604, and inserting in place thereof the following paragraph: —

The provisions of this section shall be applicable only to service provided prior to August the first, nineteen hundred and seventy-two.

Approved August 3, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 3, 1971

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

DEAR MR. SECRETARY: — I, Donald R. Dwight, 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 593 of the Acts of 1971, 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 THE THIRTY-FIRST, NINETEEN HUNDRED AND SEVENTY-TWO AND FOR CERTAIN OTHER PURPOSES." and the enactment of which received my approval on August 3, 1971, 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 order to provide for the continuation of commuter railroad service to and from the city of Boston without interruption.

Sincerely,
DONALD R. DWIGHT,
Lieutenant Governor,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 3, 1971.

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

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

Chap. 594. AN ACT AUTHORIZING THE TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS TO PURCHASE CERTAIN PROPERTY IN THE TOWN OF AMHERST AND TO SELL THE SAME TO THE UNIVERSITY OF MASSACHUSETTS BUILDING AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate the provision of urgently needed facilities in the town of Amherst for the University of Massachusetts, its students and staff, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The board of trustees of the University of Massachusetts, hereinafter called the board, is hereby authorized and directed, acting in the name and on behalf of the commonwealth, to purchase from the University of Massachusetts Building Association, created by and exist-

ing under chapter three hundred and eighty-eight of the acts of nineteen hundred and thirty-nine, as amended, hereinafter called the Association, and the Association is hereby authorized and directed to sell to said board the student union building located at the campus of the University in the town of Amherst together with all equipment and furnishings therein and the rights appurtenant thereto owned by the Association and leased by the Association to the commonwealth by a certain building lease dated May the first, nineteen hundred and fifty-five, and recorded July the sixth, nineteen hundred and fifty-five, in Hampshire Deeds, Book 1199, Page 215. To meet the cost of such purchase the board may expend, subject to the provisions of law regulating the disbursement of public funds and the approval thereof, the sum of one million, fifty thousand dollars or so much as may be required for the purpose.

SECTION 2. To meet the expenditure authorized by section one, the board may expend, without appropriation, funds received by the commonwealth as provided by section five from the University of Massachusetts Building Authority, created by and existing under chapter seven hundred and seventy-three of the acts of nineteen hundred and sixty, as amended, hereinafter called the Authority.

SECTION 3. Payment of the purchase price authorized by section one shall be made on the condition that the Association will, or will cause the trustee under the trust indenture protecting the Serial Bonds, Ninth Series, of the Association to, apply such purchase price and the proceeds thereof to and only to the payment of the interest on and principal of said serial bonds as the same may become due and payable or to be earlier redeemable at not more than the principal amount thereof and of such other amounts as may be payable by the Association under and pursuant to the provisions of said serial bonds and of said trust indenture and that upon payment in full of such interest, principal and amounts, it will, or will cause said trustee to, remit any balance of such price and proceeds then remaining to the commonwealth or to the Authority, as assignee of the commonwealth. Until required for disbursement as aforesaid, such price and proceeds shall be invested and reinvested in obligations of, or guaranteed by, the government of the United States of America.

SECTION 4. The board is hereby authorized to agree with the Association that in consideration of the sale by the Association to the commonwealth of the student union building referred to in section one, the Association may retain any balance of funds heretofore paid by the commonwealth as rent under the building lease referred to in section one and held by the Association or by the trustee referred to in section three as a reserve for the payment of insurance premiums required to be paid by the Association under said building lease. Such agreement shall oblige the Association to apply such balance only to the payment of insurance premiums payable under other building leases between the Association and the commonwealth to the extent that funds available from rentals payable by the commonwealth under such Building Leases are insufficient therefor and on December the first, nineteen hundred and eighty-two to remit the portion of such balance then remaining to the commonwealth.

SECTION 5. The board is hereby authorized and directed, acting in the name and on behalf of the commonwealth, to sell to the Authority

the student union building mentioned in section one and to assign to the Authority the right to receive the balance mentioned in section three in consideration of the payment by the Authority to the commonwealth of an amount equal to the amount to be paid by the commonwealth to the Association pursuant to section one.

Approved August 5, 1971.

Chap. 595. AN ACT AUTHORIZING MASSACHUSETTS CHARITABLE ORGANIZATIONS TO BECOME MEMBERS OF THE COMMON FUND FOR NONPROFIT ORGANIZATIONS, A NEW YORK NONPROFIT MEMBERSHIP CORPORATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit eligible Massachusetts charitable organizations to obtain the benefits of investing in certain common funds without delay, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 68 of the General Laws is hereby amended by adding the following section: —

Section 32. Any organization organized under the laws of the commonwealth, if eligible for membership, may become a member of The Common Fund for Nonprofit Organizations, a New York nonprofit membership corporation authorized under section eight E of chapter twelve to operate in the commonwealth and organized to aid and strengthen such corporations, community chests, funds and foundations as are organized and operated exclusively for nonproprietary and nonprofit-making purposes and otherwise eligible for membership by providing means for the investment of their funds in shares or interests in one or more common funds. Any such organization may, either as a fiduciary or otherwise, and in addition to any other lawful investment, invest any part or all of the funds which it holds for investment in shares or interests in a common fund or funds established by The Common Fund for Nonprofit Organizations; provided, that in the case of funds held as fiduciary, such investment is not prohibited by the language of the will, deed or other instrument creating the fiduciary relationship.

Approved August 5, 1971.

Chap. 596. AN ACT AUTHORIZING THE CITY OF LAWRENCE TO BORROW MONEY FOR REMODELING, RECONSTRUCTING, ENLARGING, MAKING EXTRAORDINARY REPAIRS TO, REEQUIPPING AND REFURNISHING THE BESSIE M. BURKE MEMORIAL HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of remodeling, reconstructing, enlarging, making extraordinary repairs to, reequipping and refurnishing the Bessie M. Burke Memorial Hospital, the city of Lawrence may borrow, within a period of two years from the passage of this act, such sums as may be necessary, not exceeding, in the aggregate, one and one half million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Lawrence Hospital Remodeling Loan, Act of

1971. 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 the limitations contained in the first paragraph of section seven thereof.

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

Approved August 5, 1971.

Chap. 597. AN ACT AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN LAND IN THE CITY OF BOSTON FOR THE PARKING OF MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the acquisition by the department of public works of certain land in the city of Boston for the parking of vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The department of public works is hereby authorized and directed to acquire by eminent domain, purchase or otherwise, for the storage and parking of motor vehicles as authorized by said department, the land in the city of Boston bounded northeasterly by the southwesterly sideline of Nashua street, southeasterly and southerly by land of the commonwealth, southwesterly by the northeasterly sideline of Billerica street, and northwesterly by the southeasterly sideline of Minot street, containing about forty-seven hundred and twelve square feet.

SECTION 2. The department of public works may acquire, in whole or in part, by eminent domain, purchase or otherwise for the purpose specified in section one, the following parcels of land in the city of Boston: (A) the land bounded northeasterly by the southwesterly sideline of Nashua street; southeasterly and again northeasterly by the land described in section one; southerly, again southeasterly, and again southerly, by the existing state highway location line; and northwesterly by land of the commonwealth, by land now or formerly of the Boston Garden Arena Corporation and by land now or formerly of the Boston Edison Company; containing about eighty-five hundred square feet and constituting parts of Billerica and Minot streets in said city; and (B) the land described as follows: Beginning at a point on the northwesterly sideline of Minot street, which point is one hundred thirty-nine and 10/100 feet distant S 47° 50′ 21″ W from the southwesterly sideline of Nashua street; thence following said sideline of Minot street S 47° 50′ 21″ W thirty-one and 34/100 feet; thence turning and running N 42° 11′ 06″ W ninety and 21/100 feet; thence turning and running N 47° 48′ 22″ E thirty-one and 40/100 feet; and thence turning and running S 42° 08′ 43″ E ninety and 23/100 feet to the point of beginning; containing about twenty-eight hundred and thirty square feet.

Approved August 5, 1971.

Chap. 598. AN ACT ABOLISHING THE BOARD OF APPEAL OF THE CITY OF MELROSE AND PROVIDING THAT A BOARD OF APPEALS FOR SAID CITY BE ESTABLISHED UNDER THE PROVISIONS OF THE GENERAL LAWS.

Be it enacted, etc., as follows:

SECTION 1. The board of appeal of the city of Melrose is hereby abolished, and the terms of the members of said board shall terminate as hereinafter provided.

SECTION 2. Chapter twenty-two of the acts of nineteen hundred and twenty-four is hereby repealed.

SECTION 3. On and after the effective date of this act there shall be a board of appeals of the city of Melrose subject to and governed by the provisions of chapter forty A of the General Laws; provided that the members of the board of appeal of said city in office on said date shall continue to serve and to exercise the duties and obligations imposed upon them under the provisions of chapter twenty-two of the acts of nineteen hundred and twenty-four until the appointment, qualification and organization of the board of appeals under said chapter forty A.

SECTION 4. No suits, prosecutions or other legal proceedings in which said city is a party, pending on the effective date of this act, and no rights already accrued or penalties or forfeitures incurred under any such proceedings, shall be affected or impaired by the taking effect of this act.

SECTION 5. This act shall take effect upon its passage.

Approved August 5, 1971.

Chap. 599. AN ACT RELATING TO THE ESTABLISHMENT OF A PITTSFIELD-RICHMOND REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 714 of the acts of 1969 is hereby amended by inserting after the second paragraph the following paragraph:—

Said agreement may further provide that members of the regional district school committee shall be elected at large by the district at a biennial district election held in the city of Pittsfield in conjunction with the biennial city election generally as provided in chapter two hundred and eighty-two of the acts of nineteen hundred and thirty-two, as amended, and in the town of Richmond generally as provided for town elections and may further provide for a preliminary district election for nomination of candidates for election to said committee generally as provided in sections eight to fourteen of said chapter two hundred and eighty-two, as amended. Said agreement may further provide for the duties to be performed by the clerks and other officials of the city of Pittsfield and town of Richmond with respect to the biennial district election and preliminary election, which duties may be the same as, or similar to, the duties performed for municipal elections.

SECTION 1A. Said section 3 of said chapter 714 is hereby further amended by striking out the second paragraph, as amended by section

1 of said chapter 892, and inserting in place thereof the following paragraph:—

Copies of such agreement shall be submitted to the city of Pittsfield and the town of Richmond for their acceptance.

SECTION 2. Said chapter 714 is hereby further amended by inserting after section 14A the following section:—

Section 14B. Any employee of the Pittsfield or Richmond school departments who is a veteran as defined in section one of chapter thirty-two of the General Laws and who shall become an employee of the regional school district shall continue to be subject to the provisions of said chapter thirty-two, including sections fifty-six to fifty-nine, inclusive, thereof to the same extent as though such veteran continued in the employ of the Pittsfield or Richmond school department, notwithstanding that the district does not accept the provisions of said sections fifty-six to fifty-nine, inclusive. This section shall not apply to veterans in the employ of the regional school district unless such veterans are, at the time of establishment of the district, subject to the provisions of said sections fifty-six to fifty-nine, inclusive, as provided in section sixty of said chapter thirty-two.

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

Approved August 5, 1971.

Chap. 600. AN ACT RELATING TO THE CONSTRUCTION OF A NEW CITY HALL BY THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 121 of the acts of 1969 is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:—The city of Fall River may 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, and to acquire any land that may be necessary as a site therefor, which project may include other related municipal buildings and facilities related thereto and may also 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 may 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 the tenth, nineteen hundred and sixty-four and approved by the governor and council on September the third, nineteen hundred and sixty-four.

SECTION 2. Said city may incur indebtedness under and for purposes stated in section one of chapter one hundred and twenty-one of the acts of nineteen hundred and sixty-nine, as hereinbefore amended, pursuant to the loan order adopted by its city council on August the twelfth, nineteen hundred and sixty-nine and approved by its mayor on August the thirteenth, nineteen hundred and sixty-nine,

without the necessity of further proceedings by its city council, notwithstanding that this act was not in effect when said order was introduced and adopted.

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

Approved August 5, 1971.

Chap. 601. AN ACT INCREASING THE AMOUNT OF REAL AND PERSONAL ESTATE WHICH MAY BE HELD BY SPRINGFIELD HOSPITAL MEDICAL CENTER.

Be it enacted, etc., as follows:

Springfield Hospital Medical Center, formerly Springfield Hospital, a charitable corporation incorporated under the laws of the commonwealth on December the twenty-fourth, eighteen hundred and eighty-three, is hereby authorized to hold real and personal estate to an amount not exceeding seventy-five million dollars, and no gift, devise, bequest or conveyance of real or personal estate heretofore made to said corporation shall be invalid by reason of the limit heretofore imposed by law upon the amount of said estate allowed to be held by it.

Approved August 5, 1971.

Chap. 602. AN ACT REQUIRING ALL BOARDS, COMMISSIONS AND PUBLIC AUTHORITIES TO INFORM CERTAIN OFFICIALS OF CITIES AND TOWNS OF STUDIES WHICH AFFECT OR RELATE TO THEIR AREAS.

Be it enacted, etc., as follows:

Chapter 30A of the General Laws is hereby amended by inserting after section 11A the following section:—

Section 11B. All state boards and commissions and the governing boards or bodies of all such authorities which conduct a study affecting or relating to the use of an area of a city or town shall notify the mayor or city manager, if any, of the city and the presiding officer of the city council, or the chairman of the board of selectmen of the town, of the study and shall invite their participation therein. No determination shall be made and no results of the study shall be released to the public until such notification has been given with a reasonable opportunity to participate in it.

Approved August 5, 1971.

Chap. 603. AN ACT PROVIDING FOR THE USE OF CERTAIN FACSIMILE SIGNATURES OF CERTAIN DEPUTY COMMISSIONERS OF COMMUNITY AFFAIRS AND AUTHORIZING SUCH DEPUTY COMMISSIONERS TO EXECUTE THE GUARANTEE OF THE COMMONWEALTH ON NOTES AND BONDS OF HOUSING AUTHORITIES.

Be it enacted, etc., as follows:

Section 34 of chapter 121B of the General Laws, as amended by section 2 of chapter 359 of the acts of 1970, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

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 the notes and bonds of a housing authority shall be executed on each note and bond by the commissioner or by the deputy commissioner designated by the commissioner. It shall be sufficient if the signature of said commissioner or said deputy 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 or said deputy commissioner so engraved, printed or stamped thereon shall have the same validity and effect as his written signature. If any such commissioner or deputy 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 August 5, 1971.

Chap. 604. AN ACT EXTENDING THE AUTHORITY OF THE UNIFORM STATE PLUMBING CODE TO ALL CITIES AND TOWNS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 142 of the General Laws is hereby amended by striking out section 2, as most recently amended by chapter 228 of the acts of 1963, and inserting in place thereof the following section:—

Section 2. Sections one through twenty-two, except section twenty-one, shall apply to all cities and towns.

SECTION 2. Said chapter 142 is hereby further amended by striking out section 13, as most recently amended by section 2 of chapter 358 of the acts of 1965, and inserting in place thereof the following section:—

Section 13. In all cities and towns, the examiners, subject to the approval of the department of public health, shall make and from time to time in like manner alter, amend and repeal rules and regulations relative to the construction, alteration, repair and inspection of plumbing in such cities and towns, which rules and regulations shall be reasonable, uniform and based on generally accepted standards of plumbing practice; provided, however, that the application of such rules and regulations may be varied by the examiners in a particular city or town upon petition of the board of health or health department thereof.

SECTION 3. Any ordinance, by-law or regulation adopted under section thirteen of chapter one hundred and forty-two of the General Laws or adopted under any previous act of the legislature or any statute prior to the effective date of this act, and in effect on said date, shall continue in effect until superseded by the rules and

regulations of the board of state examiners of plumbers, as authorized by section thirteen of chapter one hundred and forty-two of the General Laws, as amended by section two of this act.

SECTION 4. Notwithstanding the provisions of section four of chapter one hundred and forty-two of the General Laws, in any town having a population of less than two thousand, the board of health of said town may certify to the board of state examiners of plumbers, under penalties of perjury, the names of those persons who, for four or more years prior to the effective date of this act, have engaged in or worked at the business of plumbing. The examiners shall, within six months, give an oral and practical examination to persons so certified and, if satisfied of their competence, shall issue a master or journeyman license. The names of those persons so certified to the examiners by the board of health of a town of less than two thousand population must be submitted to the examiners within one year of the effective date of this act, after which time the provisions of this section shall be null and void.

Approved August 5, 1971.

Chap. 605. AN ACT RELATIVE TO THE ELIGIBILITY OF APPLICANTS TO TAKE CERTAIN NUCLEAR STEAM POWER PLANT OPERATORS' AND ENGINEERS' EXAMINATIONS PROVIDING FOR SUCH EXAMINATIONS, AND ESTABLISHING THE FEES THEREFOR.

Be it enacted, etc., as follows:

Chapter 146 of the General Laws is hereby amended by inserting after section 50 the following section:—

Section 50A. To be eligible for examination for a license as an assistant nuclear power plant operator, a person shall have been employed in a steam power plant as a fireman, water tender, control room assistant or as a designated assistant to the engineer in charge of an eight hour working day shift for not less than one year. He must furnish written evidence as to his previous training and experience signed by a person holding a steam power plant operating engineer's license or a nuclear power plant engineer's license issued by the commonwealth.

To be eligible for an examination as a nuclear power plant operating engineer, a person shall have been employed in a steam power plant or a nuclear steam power plant and have and used a Massachusetts second class engineer's license or an assistant nuclear steam power plant operator's license for not less than one and one half years. He shall furnish proof of his United States citizenship and furnish written evidence as to his previous training and experience. A person who has attended a recognized full time school of nuclear power plant engineering for one year or more shall be permitted to substitute the time in such school for an equivalent year of required experience as an assistant nuclear steam power plant operator, provided, however, that he completes a minimum of six months of operating experience as an assistant nuclear steam power plant operator. A person who has a bachelor of science degree in engineering from any duly recognized school of engineering, who has been

employed for one year in connection with the operation of a steam plant, shall be eligible for examination as a nuclear power plant operating engineer's license.

To be eligible for examination as a nuclear power plant senior supervising engineer, a person shall have been employed in a steam power plant and have held and used a Massachusetts first class engineer's license or a nuclear power plant operating engineer's license for not less than two years. He shall furnish proof of his United States citizenship and furnish written evidence as to his previous training and experience. A person that has attended a recognized full time school of nuclear power plant engineering for one year or more shall be permitted to substitute the time in school for an equivalent year of experience as a nuclear power plant operating engineer, provided, however, that the time in school shall be allowed as credit for experience for the license examination immediately following the time spent in school.

The examination for all nuclear power plant licenses shall consist of two parts. The first part of twenty questions shall be written. Four hours shall be allotted for the examination. The second part of the examination shall be oral and will consist of the full range of power plant auxiliaries, prime movers and nuclear generating equipment and will be given, within thirty calendar days from the date of the first part, only if the applicant attains a passing mark in the first part of the examintion.

The examination shall be uniform throughout the commonwealth and shall be given only once each quarter of the year by a special board of district engineering inspectors appointed by the chief of inspections or by the supervising district engineering inspector for the purpose of examining the applicants. The regular examining days shall be on the second Wednesday of September, December, March and June. In the event a holiday or severe storm prevents the examination from being held, the examination will be held on the next regular business day of the engineering section of the department of public safety. The fee for each applicant for an examination included in this nuclear section shall be twenty-five dollars. The application shall be made on forms furnished by the department and recorded in the department at least three weeks previous to the examination.

In the event a special examination for any grade of nuclear license is required, it shall be limited to not more than five applicants, and the total fee for such special examination shall be one hundred and sixty dollars which shall be divided equally among all the applicants.

Approved August 5, 1971.

Chap. 606. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO TRANSFER LAND ADJACENT TO LIMITED ACCESS HIGHWAYS TO OTHER STATE DEPARTMENTS FROM WHICH SUCH LAND WAS ACQUIRED.

Be it enacted, etc., as follows:

Section 7E of chapter 81 of the General Laws is hereby amended by adding the following paragraph:—

In addition to the foregoing, the department may also transfer to another state department land acquired from said state department for highway construction or reconstruction, which is no longer needed for said purposes. Said land shall be subject to such restrictions as may be imposed by the department for the use thereof.

Approved August 5, 1971.

Chap. 607. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PROVIDE CERTAIN ROADSIDE SERVICE FACILITIES ON LIMITED ACCESS WAYS.

Be it enacted, etc., as follows:

The last sentence of section 7C of chapter 81 of the General Laws, as most recently amended by section 1 of chapter 700 of the acts of 1957, is hereby further amended by inserting after the word "acquired", in line 6, the words:—and may provide for abutting motorist information service facilities and comfort stations.

Approved August 5, 1971.

Chap. 608. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF BELLINGHAM FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

In the town of Bellingham, approximately five hundredths of an acre adjacent to route 126 along the front lawn area of the premises occupied by the town hall, as shown on said map, now owned by said town and dedicated to town hall purposes, to be used for the reconstruction of said route 126.

Approved August 5, 1971.

Chap. 609. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE CITY OF PEABODY FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the depart-

ment of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

1. In the city of Peabody approximately six and five tenths acres northerly of the Boston and Maine Railroad spur track to the existing Industrial Park owned by the city of Peabody and dedicated to the industrial development to be used for the construction of Interstate Route 95 and Route 128 interchange.

2. In the city of Peabody approximately one and six tenths acres northerly of Route 128 and easterly of Farm Road owned by the city of Peabody, dedicated to industrial development to be used for the construction of Interstate Route 95.

3. In the city of Peabody approximately one and two tenths acres southerly of Route 128 owned by the city of Peabody dedicated to industrial development to be used for the construction of the relocated Route 128.

4. In the city of Peabody approximately nine acres of that portion of the city dump lying northerly of Route 128 and westerly of Farm Avenue as shown on said map, now owned by said city and used for refuse disposal purposes, to be used for the construction of Route I-95.

Approved August 5, 1971.

Chap. 610. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF SOUTH HADLEY FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

For the reconstruction of Route 33 and Route 202.

1. In the town of South Hadley, approximately three hundredths of an acre of Town Forest owned by the town of South Hadley, (Lyman Street).

2. In the town of South Hadley, approximately three hundredths of an acre of Plains School land owned by the town of South Hadley, (Lyman Street).

3. In the town of South Hadley, approximately eight hundredths of an acre of Plains School land, owned by the town of South Hadley, (Granby Road). *Approved August 5, 1971.*

Chap. 611. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWNS OF OXFORD AND AUBURN FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

For the construction of Route 52.

1. In the town of Oxford, approximately twenty-six acres of the Oxford Forest easterly of Main Street in the vicinity of Cudworth Road as shown on said map, now owned by said town and dedicated to forestry and conservation purposes.

2. In the town of Auburn, approximately twenty-five acres of the westerly portion of Eddy Pond and of the land lying between said pond and Oxford Street as shown on said map, now owned by said town and dedicated to recreation purposes.

Approved August 5, 1971.

Chap. 612. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF BRIMFIELD FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the common-

wealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

1. Town of Brimfield Fire Department property 0.01 acres required for highway purposes at the northwest corner of intersection of proposed route twenty and Wales Road for the relocation of Route U.S. 20.

2. Town of Brimfield cemetery property used for cemetery purposes 2.5 Acres required for highway purposes at easterly and northeasterly intersection of proposed Route twenty and Wales Road for the relocation of Route U.S. 20. *Approved August 5, 1971.*

Chap. 613. AN ACT DIRECTING THE TRANSFER OF CERTAIN LANDS OF THE COMMONWEALTH TO THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES AND AUTHORIZING SAID DEPARTMENT TO ACQUIRE CERTAIN PUBLIC LANDS IN THE CITY OF GARDNER FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the boards, officers and agencies having control of the lands of the commonwealth hereinafter described are hereby authorized and directed to transfer said lands, or such portions thereof as the department of public works may determine, to the control of said department, and said department is hereby authorized to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

Approximately three acres of open fields along the line of intersection of the easterly sideline of Route 140 with the premises occupied by the Wachusett Community College in the city of Gardner, as shown on said map, now under the control of the Massachusetts Board of regional community colleges and dedicated to educational purposes, to be used for the reconstruction of said Route 140.

SECTION 2. Subject to the provisions of chapter six hundred and

ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so acquired and diverted are shown on plans contained in the map referred to in section one, and are identified as follows: In the city of Gardner to be used for the reconstruction of Route 140 —

1. Approximately one and two tenths acres along the easterly sideline of said Route 140 and southerly of Park Street, as shown on said maps, now owned by said city and dedicated to recreation and conservation purposes.

2. Approximately one and three tenths acres along the easterly boundary of the Gardner Municipal Golf Course, as shown on said map now owned by said city and dedicated to recreation purposes.

3. Approximately one tenth acre along the easterly boundary of the parking area of the Heywood Memorial Hospital, as shown on said map, now owned by said city and dedicated to parking purposes.

Approved August 5, 1971.

Chap. 614. AN ACT DIRECTING THE TRANSFER OF CERTAIN LANDS OF THE COMMONWEALTH TO THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES AND AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF BOXFORD FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the boards, officers and agencies having control of the lands of the commonwealth hereinafter described are hereby authorized and directed to transfer said lands, or such portions thereof as the department of public works may determine, to the control of said department, and said department is hereby authorized to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

1. Approximately twenty-one acres contained in three parcels along the line of intersection of Route I-95 with the Georgetown-Rowley State Forest in the town of Boxford, Rowley and Georgetown, as shown on said map, now under the control of the Department of

Natural Resources and dedicated to forestry and recreation purposes, to be used for the widening of said Route I–95.

As a condition for the conveyance of this parcel of land, the department of public works is hereby authorized and directed to construct an underpass under Route I–95 for the accommodation of equestrians in an area of the Georgetown-Rowley state forest in the town of Rowley.

Approximately seven acres along the line of intersection of the easterly sideline of Route I–95 with a certain wildlife game preserve southerly of Scotland Road in the town of Newbury, as shown on said map, now under the control of the Division of Fisheries and Game in the Department of Natural Resources and dedicated to wildlife game management purposes, to be used for the widening of Route I–95.

SECTION 2. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so acquired and diverted are shown on the map referred to in section one, and are identified as follows:

In the town of Boxford, to be used for the widening of Route I–95. Approximately one tenth acre at the intersection of Topsfield Road and said Route I–95, as shown on said map, now owned by said town but not dedicated to any public use.

Approximately one and three tenths acres of woodland contained in two parcels along the easterly sideline of said Route I–95 on the premises occupied by the Masconomet Regional High School, now owned by the Masconomet Regional School District and dedicated to educational purposes. *Approved August 5, 1971.*

Chap. 615. AN ACT DIRECTING THE TRANSFER OF CERTAIN LANDS OF THE COMMONWEALTH TO THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES, AND AUTHORIZING SAID DEPARTMENT TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF MEDFIELD FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the boards, officers and agencies having control of the lands of the commonwealth hereinafter described are hereby authorized and directed to transfer said lands, or such portions thereof as the department of public works may determine, to the control of said department, and said department is hereby authorized to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

Approximately seven and four tenths acres of woodland, open fields and swampland contained in five parcels along the southwesterly boundary of the premises occupied by the Medfield State Hospital, as shown on map, now under the control of the department of mental health and dedicated to hospital purposes, to be used for the relocation of route 27.

SECTION 2. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so acquired and diverted are shown on plans contained in the map referred to in section one, and are identified as follows:

1. Approximately seven tenths acre of an unused portion of the Town of Medfield Cemetery located near the entrance thereof, as shown on Plate four of said atlas, now owned by said town and dedicated to cemetery purposes.

2. Approximately three acres of that portion of the town dump lying westerly of the intersection of Dale Street and Friary Street, as shown on said map, now owned by said town and dedicated to refuse-disposal purposes.

3. Approximately two tenths of an acre of that portion of a gravel pit owned by the town of Medfield.

4. Approximately six tenths of an acre of swampland owned by the Trustees of Reservations in the town of Medfield.

Approved August 5, 1971.

Chap. 616. AN ACT DIRECTING THE TRANSFER OF CERTAIN LANDS OF THE COMMONWEALTH TO THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES, AND AUTHORIZING SAID DEPARTMENT TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF WESTMINSTER AND THE CITIES OF FITCHBURG AND LEOMINSTER FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the boards, officers and agencies having control of the lands of the commonwealth hereinafter described are hereby authorized and

directed to transfer said lands, or such portions thereof as the department of public works may determine, to the control of said department, and said department is hereby authorized to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

In the city of Fitchburg, approximately eighteen and one tenth acres on the south side of existing Route 2 and easterly of Narrows Road owned by the Commonwealth of Massachusetts, Department of Conservation and dedicated for recreational purposes to be used for the construction of route 2, Leominster State Forest.

SECTION 2. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so acquired and diverted are shown on plans contained in the map referred to in section one, and are identified as follows:

1. In the town of Westminster, approximately four tenths of an acre on the south side of Narrows Road and east of Route 140 owned by the town of Westminster and dedicated for burying purposes, to be used for the relocation of Narrows Road in conjunction with the construction of Route 2.

2. In the town of Westminster, approximately two tenths of an acre on the south side of Narrows Road and east of Route 140 owned by the town of Westminster and used for access to Hager Park to be used for the relocation of Narrows Road and ramps in conjunction with the construction of Route 2.

3. In the city of Fitchburg, approximately fifteen and nine tenths acres on the south side of Fifth Massachusetts Turnpike and east of Palmer Road owned by the city of Leominster and used for water resources in conjunction with the construction of Route 2.

4. In the city of Fitchburg, approximately three and five tenths acres on the south side of the Fifth Massachusetts Turnpike and west of Mount Elam Road owned by the city of Leominster and used for the protection of water resources to be used for the relocation of Mount Elam Road and the construction of Route 2 in conjunction with the construction of Route 2.

5. In the city of Fitchburg, approximately three and one tenth acres on the north side of the existing Route 2 and east of Mount Elam Road owned by the city of Leominster and used for the

protection of Water Resources to be used for the construction of Route 2, in conjunction with the construction of Route 2.

6. In the city of Fitchburg, approximately four tenths of an acre on the north side of the Fifth Massachusetts Turnpike and east of Rollstone Road owned by the city of Leominster and used for the protection of Water Resources to be used for the relocation of the Fifth Massachusetts Turnpike in conjunction with the construction of Route 2.

7. In the city of Leominster approximately nine tenths of an acre on the west side of Granite Street and south of the existing Route 2 owned by the city of Leominster and used for water reservoir purposes and the protection of water resources to be used for the relocation of Granite Street in conjunction with the construction of Route 2.

8. In the city of Leominster, approximately one tenth of an acre on the east side of Granite Street and south of the existing Route 2 owned by the city of Leominster and used for the protection of water resources to be used for the construction of an access road in conjunction with the construction of Route 2.

Approved August 5, 1971.

Chap. 617. AN ACT AUTHORIZING THE TRANSFER OF CERTAIN LANDS OF THE COMMONWEALTH LOCATED IN THE TOWN OF WAREHAM TO THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the boards, officers and agencies having control of the lands of the commonwealth hereinafter described are hereby authorized and directed to transfer said lands, or such portions thereof as the department of public works may determine, to the control of said department, and said department is hereby authorized to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

For the construction of Route 25 in the town of Wareham.

1. In the town of Wareham, approximately two and five tenths acres of land owned by the Commonwealth of Massachusetts, Department of Education, used for agricultural experimental purposes.

2. In the town of Wareham, approximately six and five tenths acres of Union Pond, a great pond.

3. In the town of Wareham, approximately five and five tenths acres of Cedar Pond, a great pond. *Approved August 5, 1971.*

Chap. 618. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC HEALTH TO SELL AND CONVEY CERTAIN LAND IN THE TOWN OF LAKEVILLE.

Be it enacted, etc., as follows:

The department of public health, in the name and on behalf of the commonwealth, is hereby authorized to sell and convey to the owners of record of certain land in the town of Lakeville five parcels of land forty feet in width running through the land of such owners, which parcels were taken by eminent domain on April 13, 1926, and are no longer needed for the purpose of supplying water to the Lakeville Hospital, said parcels being bounded and described as follows: —

Parcel #1. Beginning at a point on northeasterly side of Vaughan St., so-called, located about 770′ southeasterly from intersection of northeasterly side of Vaughan St. and southeasterly side of former location of Rhode Island Road, thence North 87° 31′ East 380′, more or less, to a point on property line now or late of Sarah I. and Grace I. Paun; thence South 29° 30′ East 44.9′, more or less, along said property line of Sarah I. and Grace I. Paun to a point; thence South 87° 31′ West 680′ more or less, to a point on northeasterly side of Vaughan Street, thence northwesterly 44.9′, more or less, to a point of beginning. Containing 0.6 of an acre more or less, being a strip of land 40′ in width and a part of the property conveyed by Albert Chase to John Paun, as recorded Book 268 Page 50 Plymouth Deeds. Being same land and rights appurtenant thereto taken by Dept. of Public Health by an order of taking dated April 13, 1926, and recorded in Book 1520, page 297 of said deeds.

Parcel #2. Beginning at a point in the property line now or late of John G. Paun and Sarah I. and Grace I. Paun located about 1050′ southeasterly from Rhode Island Road, so-called; thence North 87° 31′ East 309′, more or less, to a point in the property line now or late of heirs or devisees of Ezra Fillmore; thence South 29° 30′ East 44.9′, more or less, along the property line formerly of heirs of Ezra Fillmore, thence South 87° 31′ West 309′ more or less, to property line now or late of John G. Paun, thence North 29° 30′ West 44.9′, more or less, along the property line formerly of John G. Paun to point of beginning. Containing 0.28 of an acre, more or less, being a strip 40′ in width and a part of property conveyed by Lydia Haskins to John Paun as recorded Book 298, Page 111 of Plymouth Deeds. Being same land and rights appurtenant thereto taken by Dept. of Public Health by an order of taking dated April 13, 1926, and recorded in Book 1520, page 297 of said deeds.

Parcel #3. Beginning at a point on property line of the Commonwealth of Massachusetts located about 1310′ southeasterly from the southerly side of Rhode Island Road, thence south 87° 31′ West 640′, more or less, to a point in property line now or late of heirs or devisees of Ezra Fillmore, thence South 29° 30′ East 44.9′ more or less by property line late of heirs or devisees of Ezra Fillmore; thence North 87° 31′ East 640′ more or less to property line of Commonwealth of Massachusetts; thence North 29° 33′ West 44.92′, more or less along the property line of Commonwealth of Massachusetts to point of beginning, containing 0.6 of an acre, more or less, being a strip 40′ in width and a

portion of property conveyed by Octavia Shockley to Abraham L. Shockley as recorded Book 796 Page 228 of Plymouth County Registry of Deeds. Being same land and rights appurtenant thereto taken by Dept. of Public Health by an order of taking dated April 13, 1926, and recorded in Book 1525, Page 403 of said deeds.

Parcel #4. Beginning at a point on westerly side of former location of Rhode Island Road located 360′, more or less, southerly from intersection of southerly side of Rhode Island Road and Westerly side of former location of Rhode Island Road, thence running North 29° 01′ East 937′, more or less, by land late of George W. Stetson and Frank A. Hackett to a point; thence North 59° 46′ East 226′, more or less, to a point, thence North 29° 01′ west 700′, more or less, to southerly side of former location of Rhode Island Road, thence Northwesterly 320′, more or less, by southwesterly side of former location of Rhode Island Road to point of beginning, containing 3.1 acres, more or less, and being a portion of the property conveyed by Enoch Robinson & William S. Briggs to L. Lincoln and Co., and recorded in Book 1520, Page 124 of said Deeds.

Parcel #5. Beginning at a point located 168′, more or less, from southerly side of former location of Rhode Island Road on easterly boundary of parcel 1 herein described, thence North 74° 59′ East 950.7′, more or less, to westerly side of Vaughan St., thence South 29° 30′ East 44.9′, more or less, by southerly side of said Vaughan St., thence South 87° 31′ West 25′ more or less, thence South 74° 59′ West 936.3′ more or less, to easterly line of parcel 1, thence North 29° 01′ West 41.22′, more or less, by easterly line of parcel 1 to point of beginning. Containing 0.9 of an acre, more or less, and being a parcel 40′ in width and a portion of the property conveyed by Enoch Robinson et al to L. Lincoln & Co. described in Book 446 Page 35, Plymouth Deeds, and recorded in Book 1520, Page 124 of said deeds.

Approved August 5, 1971.

Chap. 619. AN ACT AUTHORIZING THE TRAFFIC DIRECTOR OF THE TOWN OF BROOKLINE TO ADOPT REGULATIONS FOR THE REMOVAL AND STORAGE OF VEHICLES ILLEGALLY PARKED AND TO AUTHORIZE THE HOLDING OF CERTAIN MOTOR VEHICLES TOWED FOR ILLEGAL PARKING IN THE TOWN OF BROOKLINE UNTIL FINES HAVE BEEN PAID OR SECURITY FOR THEIR PAYMENT DEPOSITED.

Be it enacted, etc., as follows:

Clause (*a*) of section 3 of chapter 375 of the acts of 1968 is hereby amended by inserting after the first paragraph the following paragraph: —

The traffic director shall have exclusive authority to adopt, amend, alter or repeal such rules and regulations as are provided for in section twenty-two D of chapter forty of the General Laws. If a vehicle is removed pursuant to such a rule or regulation, such vehicle shall be held until all charges lawfully imposed for such removal and storage following the same have been paid and, if in the calendar year in which such vehicle is so removed and in the preceding calendar year five or

more notices in the aggregate have been affixed to said vehicle as provided in section twenty C of chapter ninety of the General Laws, until due notice has been received that either the fines provided in such notices have been paid or security for the payment thereof has been deposited. *Approved August 5, 1971.*

Chap. 620. AN ACT PROVIDING FOR THE LICENSURE OF CERTAIN DENTAL STUDENTS AS DENTAL HYGIENISTS.

Be it enacted, etc., as follows:

Section 51 of chapter 112 of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 576 of the acts of 1949, and inserting in place thereof the following paragraph: —

Any person of good moral character, nineteen years old or over, who is a graduate of a training school for dental hygienists requiring a course of not less than one academic year and approved by the board, or who is a full time dental student who has satisfactorily completed at least four full semesters in an accredited dental college but who has not graduated from any dental college, may, upon the payment of twenty dollars, be examined by the board in subjects considered essential by it for a dental hygienist, and, if his examination is satisfactory, shall be registered as a dental hygienist and be given a certificate allowing him to practice dental hygiene. *Approved August 5, 1971.*

Chap. 621. AN ACT AUTHORIZING THE BOARD OF SELECTMEN OF THE TOWN OF AGAWAM TO ENTER INTO CONTRACTS TO PROVIDE PUBLIC TRANSPORTATION IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The board of selectmen of the town of Agawam may, for the purpose of providing public transportation facilities or avoiding a reduction or discontinuance of such facilities and for the purpose of the securing of grants from appropriate federal agencies, enter into agreements to contribute to the cost of such services with any person lawfully authorized as a carrier of persons for hire in said town. Said board of selectmen is hereby authorized to enter into agreements with the federal government or any agency thereof for the purposes of securing grants of money for the purposes of this act.

SECTION 2. For the purpose of section one the town of Agawam may expend from any available funds or may raise and appropriate such sums as may be necessary; or said town may borrow from time to time such sums as may be necessary not exceeding in the aggregate sixty thousand dollars and may issue bonds or notes therefor which shall bear on their face the words, Town of Agawam Transportation Loan, Act of 1971. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit but shall, except as provided herein, be subject to chapter forty-four of the General Laws. *Approved August 5, 1971.*

Chap. 622. AN ACT TO PROHIBIT DISCRIMINATION IN PUBLIC SCHOOLS,

Be it enacted, etc., as follows:

SECTION 1. Chapter 76 of the General Laws is hereby amended by striking out section 5, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 5. Every child shall have a right to attend the public schools of the town where he actually resides, subject to the following section. No child shall be excluded from or discriminated against in admission to a public school of any town, or in obtaining the advantages, privileges and courses of study of such public school on account of race, color, sex, religion or national origin.

SECTION 2. Section 16 of said chapter 76, as so appearing, is hereby amended by inserting after the word "schools", in line 2, the words: — or from the advantages, privileges and courses of study of such public schools.

Approved August 5, 1971.

Chap. 623. 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, as most recently amended by section 14 of chapter 888 of the acts of 1970, 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. The superintendent shall be the administrative head of the home. He shall, subject to the approval of the trustees, appoint and may remove a medical director, a treasurer and assistant treasurer; such treasurer and assistant treasurer shall give bond for the faithful performance of their 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. The medical director shall have responsibility for the medical, surgical and outpatient facilities and shall make recommendations to the superintendent on the appointments of all physicians, nurses and other medical staff. The superintendent may be removed by said board of trustees for inefficiency, failure to perform duties properly or other good cause. A superintendent 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 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 fourteen A and fourteen C of chapter nineteen, 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 fourteen C of chapter nineteen 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 fourteen C of chapter nineteen 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 fourteen C of chapter nineteen 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 August 5, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 5, 1971

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 623 of the Acts of 1971, entitled "AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE BOARD OF TRUSTEES OF THE SOLDIERS' HOME IN HOLYOKE." and the enactment of which received my approval on August 5, 1971, 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 order that the administrative changes mandated by this Act may be implemented immediately.

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

OFFICE OF THE SECRETARY, BOSTON, August 5, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at one o'clock and forty-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 six hundred and twenty-three of the acts of nineteen hundred and seventy-one.

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

Chap. 624. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONVEY CERTAIN LAND TO THE CITY OF PITTSFIELD AND TO ACCEPT A CONVEYANCE OF CERTAIN LAND FROM SAID CITY IN EXCHANGE THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the conveyance to the department of mental health by the city of Pittsfield of certain land as provided in section two, 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 convey to the city of Pittsfield, 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 city of Pittsfield, Berkshire county, and bounded and described as follows:

Beginning at a point in the northerly sideline of Lakeway Drive, approximately 862 feet west of the westerly line of Eighth street;

Thence running N 32° 41′ 28″ E a distance of 46.80 feet;

Thence running northeasterly along a curve to the right with a radius of 1260 feet a distance of 329.87 feet to a point;

Thence running N 47° 41′ 27″ E a distance of 367.57 feet to a point;

Thence running northwesterly along a curve to the left with a radius of 1140 feet a distance of 571.68 feet to a point in the southerly line of Burbank Park, land of the city of Pittsfield;

Thence in a southeasterly direction along the southerly line of Burbank Park and land of the commonwealth of Massachusetts (National Guard) a distance of approximately 120 feet to a point, said point being 4.75 feet southeast of an iron pipe marking the southwest corner of the land of the commonwealth of Massachusetts (National Guard);

Thence running southwesterly along a curve to the right with a radius of 1260 feet a distance of 642.51 feet to a point;

Thence running S 47° 41′ 27″ W a distance of 367.57 feet to a point;

Thence running southeasterly along a curve to the left with a radius of 1140 feet a distance of 298.45 feet to a point;

Thence running S 32° 39′ 37″ W a distance of 1.74 feet to the northerly sideline of Lakeway Drive;

Thence running N 77° 47′ 14″ W along said sideline of Lakeway Drive a distance of 128 feet to the point of beginning.

All as shown on a plan entitled "Proposed Conveyances of Land City of Pittsfield and Commonwealth of Massachusetts Department of Mental Health" scale 1″ = 100′ dated March 9, 1971. The above described parcel contains 3.62 acres more or less:

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.

SECTION 2. In consideration of the conveyance to the city of Pittsfield by the department of mental health of certain land as provided in section one, said city is hereby authorized to convey to said department the following parcel of land located in the city of Pittsfield, Berkshire county, bounded and described as follows:

Beginning at a point in the northerly sideline of Lakeway Drive, said point being the southwest corner of land of the commonwealth of Massachusetts, department of mental health as shown on a plan filed in the B.M.D.R.D., Book 879 page 479, being parcels G & I on said plan;

Thence running N 77° 47′ 14″ W along the northerly sideline of Lakeway Drive a distance of 133.47 feet to a point;

Thence running N 12° 26′ 00″ E a distance of 1181.44 feet to a point;

Thence running S 77° 47′ 14″ E a distance of 133.47 feet to a point, said point also being the northwest corner of the above mentioned Parcels G & I;

Thence running S 12° 26′ 00″ W along the west line of Parcels G & I a distance of 1181.44 feet to the northerly line of Lakeway Drive and the place of beginning.

All as shown in a plan entitled "Proposed Conveyances of Land City of Pittsfield and Commonwealth of Massachusetts, Department of Mental Health" Scale 1″ = 100′ dated March 9, 1971. The above described parcel contains 3.62 acres more or less.

Approved August 5, 1971.

Chap. 625. AN ACT PROVIDING FOR THE RECOGNITION OF CERTAIN TEACHING SERVICE IN THE BOSTON PUBLIC SCHOOLS AS CREDITABLE SERVICE UNDER CERTAIN RETIREMENT SYSTEMS.

Be it enacted, etc., as follows:

Any person who, on the effective date of this act, is a member of the State-Boston retirement system, and who, at any time between September the first, nineteen hundred and thirty-three and August the thirty-

first, nineteen hundred and forty-seven, rendered service as a teaching assistant or candidate in training in a public school of the city of Boston for which he either received no compensation or was paid at the rate of fifty cents a day may, within one year from said effective date or such further time as the Boston retirement board, in the event of obvious hardship, may in its discretion allow, pay into the annuity savings fund of said retirement system in one sum, or in instalments upon such terms and conditions as said retirement board may prescribe, make-up payments in a sum equal to five per cent of his compensation for services so rendered during said period, together with regular interest thereon. Upon the completion of such make-up payments, such member shall receive, for the purposes of retirement under the Boston retirement system or the State-Boston retirement system, as the case may be, or under section fifty-seven or fifty-eight of chapter thirty-two of the General Laws, the same credit for services so rendered as would have been allowed had such services been rendered by him for regular compensation. In the event any retirement allowance becomes effective prior to the completion of such make-up payments, such member shall, in addition to credit for his actual membership service, be entitled to credit for that proportion of service rendered by him as aforesaid which the total amount of his make-up payments actually made, together with regular interest thereon to the date his retirement allowance becomes effective, bears to the total amount of what his make-up payments, together with regular interest thereon to such latter date, would have been had he made payment thereof in one sum on such latter date.

Approved August 5, 1971.

Chap. 626. AN ACT PROVIDING PERMANENT APPOINTMENT OF CHARLES LEHTO, INCUMBENT OF THE POSITION OF ASSISTANT TOWN ENGINEER IN THE ENGINEERING DEPARTMENT OF THE TOWN OF RANDOLPH.

Be it enacted, etc., as follows:

Charles Lehto, incumbent of the position of assistant town engineer in the engineering department of the town of Randolph, shall be required by the division of civil service to take a qualifying examination, and if he passes said examination, he shall be deemed to be permanently appointed to said position, and he shall not be removed therefrom or lowered in compensation except after a hearing in the manner provided in section forty-three of chapter thirty-one of the General Laws.

Approved August 5, 1971.

Chap. 627. AN ACT PROVIDING PERMANENT APPOINTMENT OF EDWARD M. COLBETH, INCUMBENT OF THE POSITION OF SEWER FOREMAN IN THE SEWER DEPARTMENT OF THE TOWN OF RANDOLPH.

Be it enacted, etc., as follows:

Edward M. Colbeth, incumbent of the position of sewer foreman in the sewer department of the town of Randolph, shall be required by the division of civil service to take a qualifying examination, and if he

passes said examination, he shall be deemed to be permanently appointed to said position, and he shall not be removed therefrom or lowered in compensation except after a hearing in the manner provided in section forty-three of chapter thirty-one of the General Laws.

Approved August 5, 1971.

Chap. 628. AN ACT PROVIDING PERMAMENT APPOINTMENT OF GEORGE CORMEY, INCUMBENT OF THE POSITION OF OFFICE ENGINEER IN THE ENGINEERING DEPARTMENT OF THE TOWN OF RANDOLPH.

Be it enacted, etc., as follows:

George Cormey, incumbent of the position of office engineer in the engineering department of the town of Randolph, shall be required by the division of civil service to take a qualifying examination, and if he passes said examination, he shall be deemed to be permanently appointed to said position, and he shall not be removed therefrom or lowered in compensation except after a hearing in the manner provided in section forty-three of chapter thirty-one of the General Laws.

Approved August 5, 1971.

Chap. 629. AN ACT PROVIDING PERMANENT APPOINTMENT OF ROGER CEVOLANI, INCUMBENT OF THE POSITION OF FIELD ENGINEER IN THE ENGINEERING DEPARTMENT OF THE TOWN OF RANDOLPH.

Be it enacted, etc., as follows:

Roger Cevolani, incumbent of the position of field engineer in the engineering department of the town of Randolph, shall be required by the division of civil service to take a qualifying examination, and if he passes said examination, he shall be deemed to be permanently appointed to said position, and he shall not be removed therefrom or lowered in compensation except after a hearing in the manner provided in section forty-three of chapter thirty-one of the General Laws.

Approved August 5, 1971.

Chap. 630. AN ACT RELATIVE TO THE PROTECTION OF CERTAIN CHILDREN WHO HAVE BEEN INJURED, MALTREATED OR ABUSED.

Be it enacted, etc., as follows:

SECTION 1. Section 39A of chapter 119 of the General Laws is hereby amended by adding the following paragraph: —

Any physician treating such a child under sixteen years shall have the right to keep such child in his custody until such time as the custody of the child has been transferred to the custody of the division of child guardianship.

SECTION 2. Said chapter 119 is hereby further amended by inserting after section 39B the following section: —

Section 39C. Any social services worker or school official having reasonable cause to suspect that a child under the age of sixteen years has had serious physical injury inflicted upon him by other than acci-

dental means or whose condition gives indication of other serious abuse or maltreatment shall report or cause reports to be made to the district or juvenile court for the judicial district in the county in which such child is a resident and to the department of public welfare if his report was made in good faith. Such social services worker or school official shall not be liable in an action for slander or libel or guilty of criminal libel. Said report shall not be admissible in evidence in any criminal proceeding. *Approved August 5, 1971.*

Chap. 631. AN ACT PROVIDING THAT THE BOARD OF HEALTH IN THE TOWN OF GEORGETOWN SHALL BE APPOINTED BY THE BOARD OF SELECTMEN.

Be it enacted, etc., as follows:

There shall be in the town of Georgetown a board of health, consisting of three members appointed for a three year term by the selectmen of said town, which shall have all the powers and duties now or from time to time vested by general law in boards of health. Of the members first appointed, one shall serve for one year, one shall serve for two years and one shall serve for three years. The term of any such member shall commence on the second Monday of April of the year in which he is appointed, provided that the term of the member first appointed shall terminate on the second Monday in April, nineteen hundred and seventy-two. Any vacancy in such board shall be filled in like manner for the unexpired portion of the term. Upon the initial organization of the board of health pursuant to the authority contained in this act, the board of health of said town then in existence shall cease to exercise the powers and duties of a board of health.

Approved August 5, 1971.

Chap. 632. AN ACT AUTHORIZING THE CITY OF MEDFORD TO CONTINUE TO EMPLOY ANNA PERRIELLO AS AN INSTITUTIONAL MEDICAL WORKER AT THE SHEPHERD BROOKS MANOR IN 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 Medford is hereby authorized to continue to employ Anna Perriello as an institutional medical worker at the Shepherd Brooks Manor, a public medical institution in said city, until such time as the position can be filled by a person qualified to replace her; provided that there shall be deducted from the compensation for her services in such position an amount equal to any retirement allowance received by her; and provided, further, that there is no person on the eligible list willing to accept appointment as an institutional medical worker at the Shepherd Brooks Manor on the effective date of this act.

SECTION 2. This act shall take effect as of May the fifteenth, nineteen hundred and seventy-one. *Approved August 6, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 6, 1971

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

DEAR MR. SECRETARY: — I, Donald R. Dwight, 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 632 of the Acts of 1971, entitled "AN ACT AUTHORIZING THE CITY OF MEDFORD TO CONTINUE TO EMPLOY ANNA PERRIELLO AS AN INSTITUTIONAL MEDICAL WORKER AT THE SHEPHERD BROOKS MANOR IN SAID CITY NOTWITHSTANDING THAT SHE IS BEYOND THE MAXIMUM RETIREMENT AGE." and the enactment of which received my approval on August 6, 1971, 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 order to immediately provide for the continued employment of the individual by the city of Medford.

Sincerely,
DONALD R. DWIGHT,
Lieutenant Governor,
Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, August 6, 1971.

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

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

Chap. 633. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE LAND FOR PUBLIC PARKS, RECREATION AREAS, WILDLIFE PRESERVES AND HISTORIC SITES TO REPLACE LAND REQUIRED FOR USE IN FEDERAL HIGHWAY PROGRAMS.

Be it enacted, etc., as follows:

Chapter 81 of the General Laws is hereby amended by inserting after section 7L the following section: —

Section 7M. Whenever a federal-aid highway program or project requires the use of any land which is part of a public park, recreation area or wildlife and waterfowl refuge of national, state or local significance as determined by the federal, state or local officials having jurisdiction thereof, or any land which is part of an historic site of national, state or local significance, as so determined by such officials, and there is no feasible and prudent alternative to the use of such land, the de-

partment, in order to minimize harm to such park, recreational area, wildlife and waterfowl refuge or historic site, may acquire by eminent domain under chapter seventy-nine, purchase or otherwise on behalf of the commonwealth or on behalf of any department, public body, agency or instrumentality of the commonwealth or on behalf of any political subdivision thereof, land to replace that which was required for use in the highway program. The department shall convey such replacement land or transfer the custody, care and control of such replacement land to the owner of the public park, recreational area, wildlife and waterfowl refuge or historic site required for highway use, including private owners or any department, public body, agency of the commonwealth or to any political subdivision thereof and such conveyance or transfer may be partially or entirely in lieu of damages for the land acquired from such owners; provided, however, that in the case of private owners such conveyance may be made only with the consent of such owner. *Approved August 9, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON August 9, 1971

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 633 of the Acts of 1971, entitled "AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE LAND FOR PUBLIC PARKS, RECREATION AREAS, WILDLIFE PRESERVES AND HISTORIC SITES TO REPLACE LAND REQUIRED FOR USE IN FEDERAL HIGHWAY PROGRAMS." and the enactment of which received my approval on August 9, 1971, 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 order that the present plans of the Department of Public Works for the acquisition of replacement lands as authorized in this act may be immediately implemented.

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

OFFICE OF THE SECRETARY, BOSTON, August 9, 1971.

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

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

Chap. 634. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ACCEPT THE TRANSFER OF ALL VEHICULAR BRIDGES CARRYING PUBLIC WAYS OVER THE TRACKS OR RIGHTS-OF-WAY OF RAILROADS WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, hereinafter called the department, acting on behalf of the commonwealth, is hereby authorized and directed to accept the transfer of title to all vehicular bridges carrying public ways over the tracks or rights-of-way of railroads within the commonwealth title to which is now vested in cities, towns or railroads, or both, and after such transfer the department shall assume all responsibility for the maintenance, repair, reconstruction, replacement or removal of any such bridges as may be necessary for the public safety and convenience.

The department is further authorized to take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, such land or rights therein, and such public ways or public lands as it may deem necessary for carrying out the provisions of this act, or necessary for the construction of any necessary drainage outlets.

SECTION 2. Any transfers to the department under this act shall be made at the expense of the present owner or owners of any such bridge or bridges, and all existing plans and other appropriate documents showing existing rail clearances as well as a layout plan conforming to department standards of the bridge to be transferred shall be furnished to the department by the grantor without cost to the department.

Following acquisition of said bridges by the department the railroads shall furnish, without cost to the department, the necessary flag protection on the railroad rights-of-way which may be required when the department is performing inspection, maintenance and repair, reconstruction or replacement of any such bridge.

The department in carrying out the provisions of this act is authorized to replace or reconstruct any of said bridges at the present vertical and side clearances from the railroad tracks. In addition to the authorization contained in section seven F of chapter eighty-one of the General Laws, the department is further authorized to enter upon private property adjacent to such bridges for the purpose of maintaining or making alterations or repairs. *Approved August 9, 1971.*

Chap. 635. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO BORROW MONEY FOR ACQUIRING LAND FOR AND CONSTRUCTING AND EQUIPPING PUBLIC OFF-STREET PARKING FACILITIES IN THE NORTH TERMINAL URBAN RENEWAL AREA IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of constructing and equipping public off-street parking facilities in the North Terminal Urban Renewal Area, to be owned by the city, including the acquisition of real property or any interest therein, the city of New Bedford may borrow from time to time an amount not exceeding, in the aggregate, three million dollars;

and may issue bonds or notes therefor which bonds shall bear on their face the words, City of New Bedford, Public Off-street Parking Facilities Loan, Act of 1971. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates of issue. Indebtedness incurred under this act shall be outside the statutory limit and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of any limitations contained in the first paragraph of section seven thereof.

SECTION 2. The mayor of the city of New Bedford may delegate power to the New Bedford Redevelopment Authority to plan, construct and equip for the city said public off-street parking facilities in said city.

SECTION 3. The powers granted by this act to said city shall be in addition to and not in substitution of any other powers granted to said city by law.

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

Approved August 12, 1971.

Chap. 636. 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 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 seventy-one.

MIDDLESEX COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$1,499,238 32
2.	For reduction of county debt		2,267,528 65
3.	For county commissioners, salaries and expenses		333,507 51
	1. Personal services	$323,897 51	
	2. Contractual services	3,900 00	
	3. Supplies and materials	5,000 00	
	4. Current charges and obligations	710 00	
4.	For transportation and expenses of county and acting commissioners		1,465 00
5.	For clerk of courts, salaries and expenses		727,197 59
	1. Personal services	676,797 59	
	2. Contractual services	13,400 00	
	3. Supplies and materials	28,000 00	
	4. Current charges and obligations	9,000 00	

Item		Subtotal	Total
6.	For county treasurer, salaries and expenses		$157,964 30
	1. Personal services	$138,875 30	
	2. Contractual services	6,589 00	
	3. Supplies and materials	7,000 00	
	4. Current charges and obligations	5,500 00	
7.	For sheriff, salary and expenses		16,563 40
	1. Personal services	16,338 40	
	4. Current charges and obligations	225 00	
8.	For registry of deeds, salaries and expenses Northern District		298,586 55
	1. Personal services	276,686 55	
	2. Contractual services	15,000 00	
	3. Supplies and materials	2,200 00	
	4. Current charges and obligations	4,700 00	
	Southern District		1,320,961 81
	1. Personal services	1,229,758 81	
	2. Contractual services	20,000 00	
	3. Supplies and materials	33,000 00	
	4. Current charges and obligations	37,308 00	
	5. Equipment	895 00	
8a.	For registry of probate, salaries and expenses		29,510 00
	2. Contractual services	6,000 00	
	3. Supplies and materials	19,075 00	
	4. Current charges and obligations	3,400 00	
	5. Equipment	1,035 00	
9.	For law library, salaries and expenses Cambridge		65,698 83
	1. Personal services	35,446 83	
	2. Contractual services	120 00	
	3. Supplies and materials	825 00	
	4. Current charges and obligations	28,157 00	
	5. Equipment	1,150 00	
	For law library, salaries and expenses Lowell		41,510 80
	1. Personal services	19,980 80	
	2. Contractual services	310 00	
	3. Supplies and materials	240 00	
	4. Current charges and obligations	20,980 00	
10.	For highways, including state highways, bridges and land damages		2,035,312 73
	1. Personal services	1,103,952 73	
	2. Contractual services	30,000 00	
	3. Supplies and materials	20,000 00	
	4. Current charges and obligations	750 00	
	5. Equipment	560 00	
	6. All other	880,050 00	
12.	For criminal costs in superior court		1,185,558 22
	1. Personal services	499,070 72	
	2. Contractual services	660,850 00	
	3. Supplies and materials	13,400 00	
	4. Current charges and obligations	6,375 00	
	5. Equipment	5,862 50	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		929,867 80
	1. Personal services	460,502 80	
	2. Contractual services	467,575 00	
	3. Supplies and materials	1,200 00	
	4. Current charges and obligations	590 00	

Item		Subtotal	Total
14.	For district courts, salaries and expenses		
	District Court of Lowell		$529,214 87
	1. Personal services	$480,993 37	
	2. Contractual services	19,615 00	
	3. Supplies and materials	25,153 00	
	4. Current charges and obligations	2,400 00	
	5. Equipment	1,053 50	
	District Court of Somerville		545,200 18
	1. Personal services	504,320 18	
	2. Contractual services	17,900 00	
	3. Supplies and materials	19,900 00	
	4. Current charges and obligations	3,080 00	
	District court of Newton		295,844 46
	1. Personal services	264,934 46	
	2. Contractual services	14,375 00	
	3. Supplies and materials	9,725 00	
	4. Current charges and obligations	4,300 00	
	5. Equipment	2,510 00	
	District Court of Marlborough		133,477 71
	1. Personal services	120,793 21	
	2. Contractual services	5,400 00	
	3. Supplies and materials	5,500 00	
	4. Current charges and obligations	1,784 50	
	District Court of Natick		110,249 68
	1. Personal services	94,825 43	
	2. Contractual services	4,425 00	
	3. Supplies and materials	2,180 00	
	4. Current charges and obligations	8,474 25	
	5. Equipment	345 00	
	First District Court of Eastern Middlesex		478,695 04
	1. Personal services	436,398 56	
	2. Contractual services	25,015 00	
	3. Supplies and materials	13,291 00	
	4. Current charges and obligations	2,575 00	
	5. Equipment	1,415 48	
	Second District Court of Eastern Middlesex		308,961 54
	1. Personal services	279,662 99	
	2. Contractual services	18,000 00	
	3. Supplies and materials	7,458 30	
	4. Current charges and obligations	3,840 25	
	Third District Court of Eastern Middlesex		962,441 04
	1. Personal services	892,505 04	
	2. Contractual services	17,250 00	
	3. Supplies and materials	49,310 00	
	4. Current charges and obligations	2,795 00	
	5. Equipment	581 00	
	Fourth District Court of Eastern Middlesex		425,548 62
	1. Personal services	391,756 12	
	2. Contractual services	18,845 00	
	3. Supplies and materials	10,200 00	
	4. Current charges and obligations	4,400 00	
	5. Equipment	347 50	
	First District Court of Northern Middlesex		222,859 84
	1. Personal services	204,876 24	
	2. Contractual services	12,250 00	
	3. Supplies and materials	4,300 00	
	4. Current charges and obligations	1,433 60	

Item		Subtotal	Total
	First District Court of Southern Middlesex		$396,219 64
	1. Personal services	$358,049 64	
	2. Contractual services	24,200 00	
	3. Supplies and materials	10,350 00	
	4. Current charges and obligations	3,385 00	
	5. Equipment	235 00	
	District Court of Central Middlesex		250,653 42
	1. Personal services	225,460 42	
	2. Contractual services	13,000 00	
	3. Supplies and materials	5,500 00	
	4. Current charges and obligations	6,133 00	
	5. Equipment	560 00	
	District Court — Juvenile Division		166,696 67
	1. Personal services	157,296 67	
	2. Contractual services	8,000 00	
	3. Supplies and materials	1,000 00	
	4. Current charges and obligations	400 00	
	District Court — Appellate Division		5,563 32
	1. Personal services	5,113 32	
	2. Contractual services	200 00	
	3. Supplies and materials	100 00	
	4. Current charges and obligations	150 00	
15.	For medical examiners and commitments of insane		140,900 00
16.	For jail and house of correction, maintenance and operation — Billerica		1,446,584 27
	1. Personal services	959,459 27	
	2. Contractual services	65,000 00	
	3. Supplies and materials	312,000 00	
	4. Current charges and obligations	15,000 00	
	5. Equipment	38,375 00	
	6. All other	56,750 00	
	For jail and house of correction, maintenance and operation — Cambridge		686,073 09
	1. Personal services	686,073 09	
16a.	For Manufacturing Department — Billerica		17,792 20
	1. Personal services	14,942 20	
	2. Contractual services	150 00	
	3. Supplies and materials	2,700 00	
17.	For training school		1,023,789 33
	1. Personal services	775,504 98	
	2. Contractual services	40,000 00	
	3. Supplies and materials	171,000 00	
	4. Current charges and obligations	18,000 00	
	5. Equipment	4,284 35	
	6. All other	15,000 00	
18.	For court houses and registry buildings, maintenance and operation		1,770,400 69
	1. Personal services	1,487,150 65	
	2. Contractual services	184,800 00	
	3. Supplies and materials	54,625 00	
	4. Current charges and obligations	38,309 04	
	5. Equipment	5,516 00	

Item		Subtotal	Total
20.	For agricultural school or county aid to agriculture, maintenance and operation		$201,794 92
	1. Personal services	$184,853 92	
	2. Contractual services	12,500 00	
	3. Supplies and materials	3,900 00	
	4. Current charges and obligations	500 00	
	5. Equipment	41 00	
21.	For state reservation, maintenance and operation (Walden Pond)		128,647 08
	1. Personal services	119,229 08	
	2. Contractual services	2,700 00	
	3. Supplies and materials	6,000 00	
	4. Current charges and obligations	313 00	
	5. Equipment	405 00	
24.	For noncontributory pensions		310,000 00
25.	For contributory retirement system and supervisory expenses		793,645 96
26.	For miscellaneous and contingent expenses		90,157 02
27.	For unpaid bills of previous years		90,677 09
28.	For reserve fund		70,000 00
30.	For forest fire patrol		7,165 00
39.	For group insurance		480,000 00
	Total amount of appropriations		$22,999,724 19
	Less estimated amount available for reduction of county tax		3,234,718 21
	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		$19,765,005 98

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

Approved August 12, 1971.

Chap. 637. AN ACT CHANGING THE DESIGNATION OF "METROPOLITAN DISTRICT TRANSIT BONDS" TO "BOSTON METROPOLITAN DISTRICT BONDS" AND ELIMINATING THE REQUIREMENT FOR APPROVAL BY THE DEPARTMENT OF PUBLIC UTILITIES OF THE MATURITIES AND INTEREST RATES OF SAID BONDS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 383 of the acts of 1929 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Such bonds shall be designated on their face "Boston Metropolitan District Bonds", and shall be for such terms not exceeding sixty years, and shall bear interest at such rates as said trustees shall from time to time determine.

SECTION 2. Notwithstanding any provisions of law to the contrary, the terms and interest rates of all bonds or notes issued by the Boston Metropolitan District shall be determined by the trustees of said district, within such limitations as may be provided in the act or acts authorizing their issuance and sale, and shall not require approval of the department of public utilities.

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

Approved August 12, 1971.

Chap. 638. AN ACT AUTHORIZING THE TOWN OF SHREWSBURY TO INSTALL STREET SIGNS ON PRIVATE WAYS OPEN TO PUBLIC USE.

Be it enacted, etc., as follows:

SECTION 1. The town of Shrewsbury is hereby authorized to appropriate funds to install street signs on such private ways as are opened to public use as may be designated by the selectmen.

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

Approved August 12, 1971.

Chap. 639. AN ACT AUTHORIZING THE CITY OF CHELSEA TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Chelsea is hereby authorized to appropriate and after such appropriation the treasurer of said city is authorized to pay to Monarch Institutional Foods, a division of Consolidated Foods Corporation, incorporated under the laws of the state of Maryland, the sum of two thousand three hundred and ninety-one dollars and twenty-five cents for merchandise purchased from said Monarch Institutional Foods during the year nineteen hundred and seventy, 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 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 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 12, 1971.

Chap. 640. AN ACT PROVIDING FOR COST OF LIVING INCREASES IN PENSIONS, RETIREMENT ALLOWANCES AND ANNUITIES PAYABLE TO RETIRED EMPLOYEES OF THE MASSACHUSETTS TURNPIKE AUTHORITY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for increases in the amount of certain pensions, retirement allowances and annuities, resulting from increases in the cost of living of retired employees of the Massachusetts Turnpike 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 2 of chapter 661 of the acts of 1966, as amended by section 1 of chapter 408 of the acts of 1967, is hereby amended by inserting after the word "authority", in line 17, the words: — or the Massachusetts Turnpike Authority.

SECTION 2. Section 102 of chapter 32 of the General Laws, as amended by section 2 of chapter 408 of the acts of 1967, is hereby amended by inserting after the word "authority", in line 20, the words: — or the Massachusetts Turnpike Authority.

SECTION 3. This act shall take effect as of July the first, nineteen hundred and sixty-eight. *Approved August 12, 1971.*

Chap. 641. AN ACT MAKING APPROPRIATIONS FOR THE CARE, MAINTENANCE AND REPAIR OF THE WORCESTER COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester county are hereby authorized to expend for the year nineteen hundred and seventy-one 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.

WORCESTER COUNTY.

Item		
1.	For personal services	$1,506,820 69
2.	For contractual services	67,000 00
3.	For supplies and materials	265,000 00
4.	For current charges and obligations	148,242 10
5.	For equipment	18,180 00
8.	For debt and interest	28,000 00
10.	For unpaid bills of previous years	27,264 93
11.	For reserve fund	25,000 00
12.	For group insurance	55,000 00
	For total expenditures	$2,140,507 72

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

Approved August 12, 1971.

Chap. 642. AN ACT PROHIBITING THE TAKING OF LAND OF THE SAVIN HILL YACHT CLUB FOR THE CAMPUS OF THE UNIVERSITY OF MASSACHUSETTS AT COLUMBIA POINT IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the board of trustees of the University of Massachusetts shall not acquire by the exercise of the power of eminent domain any land owned by the Savin Hill Yacht Club for the establishment of a campus of the University of Massachusetts in the area known as Columbia Point in the city of Boston.

Approved August 12, 1971.

Chap. 643. AN ACT AUTHORIZING THE MASSACHUSETTS HISTORICAL COMMISSION TO APPOINT A STATE ARCHAEOLOGIST.

Be it enacted, etc., as follows:

Section 26 of chapter 9 of the General Laws, inserted by section 1 of chapter 697 of the acts of 1963, is hereby amended by inserting after the fourth sentence the following sentence:—The chairman may appoint a state archaeologist who shall be responsible for applied archaeological research and shall conduct such research surveys and studies as the commission may direct and who shall not be subject to chapter thirty-one or section nine A of chapter thirty.

Approved August 12, 1971.

Chap. 644. AN ACT RELATIVE TO THE APPOINTMENT OF ALTERNATE DELEGATES TO DISTRICT PLANNING COMMISSIONS.

Be it enacted, etc., as follows:

Section 4 of chapter 40B of the General Laws is hereby amended by striking out the first two sentences and inserting in place thereof the following five sentences:—In each planning district so established there shall be a district planning commission consisting of one member of the planning board of each city and town voting to join such district, elected annually by said planning board and certified in writing to the district planning commission, and the commissioner of community affairs or his designee who shall be a member ex officio without the right to vote. Said member may be replaced by a two thirds vote of his planning board before the termination of his annual appointment. In the case of the planning board's failure to elect a delegate in any year the previously named delegate shall continue to serve until his successor is qualified, as long as he shall remain a member of his local planning board. There may be an alternate designee, who may or may not be a planning board member, who shall be a resident of the city or town he represents, appointed annually and certified in writing to the district planning commission by the mayor in a city, confirmed by the council, or in the case of a city with a plan E form of government appointed annually by the city manager, or in a town by the selectmen or in towns with a manager form of government by the town manager, who may attend meetings

of the district planning commission and who shall assume the rights and duties of the planning board member in his absence. The alternate designee shall be named in writing to the district planning commission annually in order that he may perform the duties and exercise the powers authorized in this section.

Approved August 12, 1971.

Chap. 645. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO REPLACE A CERTAIN BRIDGE OVER THE MALDEN RIVER IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to replace the bridge on Medford street over the Malden river in the city of Malden. For the purposes of this act the commission may expend such sums as may be necessary from the amounts provided in section one of chapter seven hundred and eighty-two of the acts of nineteen hundred and sixty-two.

Approved August 12, 1971.

Chap. 646. AN ACT AUTHORIZING THE COUNTY OF BARNSTABLE TO BORROW FOR THE PURPOSES OF MAKING CONTRIBUTIONS FOR THE CONSTRUCTION OF SEA WALLS AND OTHER FORMS OF SHORE PROTECTION FOR TOWNS IN SAID COUNTY.

Be it enacted, etc., as follows:

The county of Barnstable is hereby authorized to contribute to the cost of constructing sea walls or other works, to be built by the state department of public works during the years nineteen hundred and seventy-one, nineteen hundred and seventy-two, nineteen hundred and seventy-three and nineteen hundred and seventy-four, under authority of section eleven of chapter ninety-one of the General Laws, for the protection of the shores of the towns in said county from erosion by the sea, and the county treasurer, with the approval of the county commissioners, may pay the county's proportion of such cost from the highway appropriation for the year during which the agreement to make such payment is entered into or, for the purpose of so contributing, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Barnstable County Shore Protection Loan, Act of 1971. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than five years from their dates. Such bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell such securities at public or private sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred under this act shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved August 12, 1971.

Chap. 647. AN ACT AUTHORIZING THE PAYMENT OF A RETIREMENT BENEFIT BY THE METROPOLITAN DISTRICT POLICE RELIEF ASSOCIATION, INCORPORATED.

Be it enacted, etc., as follows:

Chapter 96 of the acts of 1925, as most recently amended by section 1 of chapter 117 of the acts of 1963, is hereby further amended by inserting after the word "weekly", in line 5, the words:—and is hereby authorized, upon the retirement of any member in good standing from the police department of the Metropolitan District Commission, to pay such member such sum, not to exceed twenty-five hundred dollars, as may be determined by vote of the board of directors of said corporation; provided, however, that upon payment to such person of such retirement benefit, he shall cease to be a member of the association. *Approved August 12, 1971.*

Chap. 648. AN ACT RELATIVE TO THE ALLOCATION OF PROCEEDS RECEIVED BY THE CITY OF CHICOPEE FROM THE SALE OF MUNICIPAL PROPERTY TO THE CHICOPEE REDEVELOPMENT AUTHORITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the city of Chicopee is hereby authorized, upon recommendation of the mayor and approval of a two thirds vote of the board of aldermen, to expend an amount not exceeding six hundred thousand dollars from the proceeds of the sale of municipally owned properties to the Chicopee Redevelopment Authority.

Approved August 12, 1971.

EMERGENCY LETTER — August 31, 1971 at 4:39 P.M.

Chap. 649. AN ACT AUTHORIZING THE CITY OF LAWRENCE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN SUMS TO CERTAIN EMPLOYEES AT THE BESSIE M. BURKE MEMORIAL HOSPITAL.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the city council of the city of Lawrence is hereby authorized to appropriate the sum of five thousand seven hundred dollars and forty-six cents and after such appropriation the treasurer of said city is authorized to pay certain employees of the Bessie M. Burke Memorial Hospital the sum to which each is entitled for overtime wages for the years nineteen hundred and sixty-eight, nineteen hundred and sixty-nine and nineteen hundred and seventy in accordance with certain findings of the United States Department of Labor. *Approved August 12, 1971.*

Chap. 650. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A FOREIGN TRADE SECTION IN THE DIVISION OF MARKETS IN THE DEPARTMENT OF AGRICULTURE.

Be it enacted, etc., as follows:

Section 2 of chapter 128 of the General Laws is hereby amended by striking out paragraph (c), as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—

(c) Establish a foreign trade section in the division of markets and investigate the cost of production and marketing in all its phases, and the sources of supply, of agricultural products, and the production, transportation, storage, marketing and distribution of agricultural products sold, offered for sale, stored or held within the commonwealth.

Approved August 12, 1971.

Chap. 651. AN ACT PROVIDING THAT THE AGRICULTURAL AND INDUSTRIAL BUILDING ON THE GROUNDS OF THE BROCKTON AGRICULTURAL SOCIETY IN THE CITY OF BROCKTON MAY BE USED FOR EDUCATIONAL PURPOSES.

Be it enacted, etc., as follows:

Chapter 413 of the acts of 1931 is hereby amended by striking out section 2 and inserting in place thereof the following section:—

Section 2. Said building may be used for educational purposes and the exhibiting of both agricultural and industrial products of the commonwealth but shall be under the supervision and control of the state department of agriculture and shall be maintained by said department at the expense of the commonwealth.

Approved August 12, 1971.

Chap. 652. AN ACT INCREASING THE AMOUNT OF THE BOND REQUIRED TO BE FILED BY COLLECTION AGENCIES.

Be it enacted, etc., as follows:

Section 25 of chapter 93 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:—It shall be in the sum of ten thousand dollars and shall provide that the person, partnership, association or corporation giving the same shall, upon written demand, pay and turn over to or for the person, partnership, association or corporation from whom any account, bill or other indebtedness is taken for collection the proceeds of such collection in accordance with the terms of the agreement upon which it was received for collection. *Approved August 12, 1971.*

Chap. 653. AN ACT AUTHORIZING THE DONATION AND ACCEPTANCE OF THE WHOLE OR PART OF A HUMAN BODY.

Be it enacted, etc., as follows:

Chapter 113 of the General Laws is hereby amended by striking out sections 7 to 10, inclusive, and inserting in place thereof the following sections:—

Section 7. In sections eight to thirteen, inclusive, unless the context otherwise requires, the following words shall have the following meanings:—

(*a*) "Bank or storage facility" means a facility licensed, accredited or approved under the laws of any state for storage of human bodies or parts thereof.

(*b*) "Decedent" means a deceased individual and includes a still-born infant or fetus.

(*c*) "Donor" means an individual who makes a gift of all or part of his body.

(*d*) "Hospital" means a hospital licensed, accredited or approved under the laws of any state and includes a hospital operated by the United States government, a state or a subdivision thereof, although not required to be licensed under state laws.

(*e*) "Part" includes organs, tissues, eyes, bones, arteries, blood, other fluids and other portions of a human body and "part" includes "parts".

(*f*) "Person" means an individual, corporation, government or governmental subdivision or agency, business trust, estate, trust, partnership or association or any other legal entity.

(*g*) "Physician" or "surgeon" means a physician or surgeon licensed or authorized to practice under the laws of any state.

(*h*) "State" includes any state, district, commonwealth, territory, insular possession and any other area subject to the legislative authority of the United States of America.

Section 8. (*a*) A person of sound mind and who is eighteen years of age or older may make a gift of all or any part of his body for any purposes specified in section nine, said gift to take effect upon his death.

(*b*) Any of the following persons, in order of priority stated, when persons in prior classes are not available at the time of death, and in the absence of actual notice of contrary indications by the decedent, or actual notice of opposition by a member of the same or a prior class, may give all or any part of the decedent's body for any purposes specified in said section nine.

(1) the spouse,

(2) an adult son or daughter,

(3) either parent,

(4) an adult brother or sister,

(5) a guardian of the person of the decedent at the time of his death and

(6) any other person authorized or under obligation to dispose of the body.

(*c*) If the donee has actual notice of contrary indications by the decedent, or that a gift by a member of a class is opposed by a member of the same or a prior class, the donee shall not accept the gift. The persons authorized by subsection (*b*) may make the gift after death or immediately before death. Upon admission of a person to any hospital at his request, the hospital shall record in a book kept for the purpose the expression of intent of such person with regard to the disposition of his body and such expression shall be deemed to be sufficient notice under this section.

(*d*) A gift of all or part of a body authorizes any examination necessary to assure medical acceptability of the gift for the purposes intended.

(*e*) The rights of the donee created by the gift are paramount to the rights of others except as provided by subsection (*d*) of section thirteen.

Section 9. The following persons may become donees of gifts of bodies or parts thereof for the purposes stated:

(1) any hospital, surgeon, or physician, for medical or dental education, research, advancement of medical or dental science, therapy or transplantation; or

(2) any accredited medical or dental school, college, or university for education, research, advancement of medical or dental science or therapy; or

(3) any bank or storage facility for medical or dental education, research, advancement of medical or dental science, therapy or transplantation; or

(4) any specified individual for therapy or transplantation needed by him.

Section 10. (*a*) A gift of all or part of the body under subsection (*a*) of section eight may be made by will. Such gift shall become effective upon the death of the testator. If the will is not probated, or if it is declared invalid for testamentary purposes, such gift, to the extent that it has been acted upon in good faith, shall be nevertheless valid and effective.

(*b*) A gift of all or part of the body under subsection (*a*) of section eight may also be made by a document other than a will. Such gift shall become effective upon the death of the donor. The document, which may be a card designed to be carried on the person and signed by the donor in the presence of two witnesses who shall sign the document in his presence. If the donor cannot sign, the document may be signed for him at his direction and in his presence, and in the presence of two witnesses who must sign the document in his presence. Delivery of such document during the donor's lifetime is not necessary to make the gift valid.

(*c*) The gift may be made to a specified donee or without specifying a donee. If no donee is specified, the gift may be accepted by the attending physician as donee upon the death of the donor. If the gift is made to a specified donee who is not available at the time and place of death, the attending physician upon the death of the donor, in the absence of any expressed indication that the donor desired otherwise, may accept the gift as donee. The physician who becomes a donee under this subsection shall not participate in the procedures for removing or transplanting a part.

(*d*) Notwithstanding subsection (*b*) of section thirteen, the donor may designate in his will, card or other document of gift the surgeon or physician to carry out the appropriate procedures. In the absence of a designation, or if the designee is not available, the donee or other person authorized to accept the gift may employ or authorize any surgeon or physician for said purpose.

(*e*) Any gift by a person designated in subsection (*b*) of section eight shall be made by a document signed by him, or made by his telegraphic, recorded telephonic or other recorded message.

Section 11. If the gift is made by the donor to a specified donee, the will, card or other document, or an executed copy thereof, may be delivered to the donee to expedite the appropriate procedures immediately after death, but delivery is not necessary to the validity of the gift. The will, card or other document, or an executed copy thereof, may be deposited in any hospital, bank or storage facility or registry office that accepts them for safekeeping or for facilitation of procedures after death. On request of any interested party upon or after the donor's death, the person in possession shall produce the document for examination.

Section 12. (*a*) If the will, card or other document or executed copy thereof has been delivered to a specified donee, the donor may amend or revoke the gift by:

(1) the execution and delivery to the donee of a signed statement, or

(2) an oral statement made in the presence of two persons and communicated to the donee, or

(3) a statement during a terminal illness or injury addressed to an attending physician and communicated to the donee, or

(4) a signed card or document found on his person or in his effects.

(*b*) Any document of gift which has not been delivered to the donee may be revoked by the donor in the manner set out in subsection (a) or by destruction, cancellation, or mutilation of the document and all executed copies thereof.

(*c*) Any gift made by a will may also be amended or revoked in the manner provided for amendment or revocation of wills, or as provided in subsection (a).

Section 13. (*a*) The donee may accept or reject the gift. If the donee accepts a gift of the entire body, he may, subject to the terms of the gift, authorize embalming and the use of the body in funeral services. If the gift is of a part of the body, the donee, upon the death of the donor and prior to embalming, shall cause the part to be removed without unnecessary mutilation. After removal of the part, custody of the remainder of the body vests in the surviving spouse, next of kin or other persons under obligation to dispose of the body.

(*b*) The time of death shall be determined by a physician who attends the donor at his death or, if none, the physician who certifies the death. This physician shall not participate in the procedures for removing or transplanting a part.

(*c*) A person who acts in good faith in accordance with the terms of sections seven to thirteen, inclusive, or under the anatomical gift laws of another state or a foreign country shall not be liable for damages in any civil action or be subject to prosecution in any criminal proceeding for his act.

(*d*) The provisions of sections seven to thirteen, inclusive, shall be subject to the laws of the commonwealth relative to autopsies.

Approved August 12, 1971.

Chap. 654. AN ACT DIRECTING THE COMMISSIONER OF NATURAL RESOURCES TO CONVEY A CERTAIN PARCEL OF LAND LOCATED IN THE CITY OF SALEM TO SOUTH ESSEX SEWERAGE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of natural resources, acting in the name and on behalf of the commonwealth, is hereby authorized and directed to convey for a nominal consideration, by deed approved as to form by the attorney general, to the South Essex Sewerage District, a certain parcel of land in the city of Salem, bounded and described as follows: —

Beginning at a point on the southerly side of Fort Avenue in said Salem; said point being on the property line of the South Essex Sewerage District and being 25.94 feet from a stone bound at the northeast corner of said property; thence running by the southerly line of Fort Avenue, N 70°-36′-00″E, 15.16 feet; thence northeasterly on a curve with a radius of 790.66 feet a distance of 151.95 feet; thence N 59°-35′-20″E 32.89 feet; thence turning and running by other land of the department of natural resources S 34°-52′-40″E, 350.00 feet; thence S 4°-44′-15″E, 189.70 feet to mean high water; thence turning and running northwesterly and westerly by the mean high water line about 235 feet to the land of the South Essex Sewerage District; thence turning and running by said land N 34°-52′-40″W, 410.43 feet to the point of beginning; together with the easements to enter upon, excavate, construct, lay, maintain, operate, remove, replace and patrol sewer pipes across other adjoining land of the commonwealth, and subject to the proposed utility easement all as shown on a plan entitled "Plan of 1.913 acre parcel of land and proposed outfall sewer easement in property belonging to the Commonwealth of Massachusetts, Department of Natural Resources, Salem, Massachusetts, March 1971, Raymond C. Pressey, Inc., Registered Land Surveyor.

In the event said parcel of land containing 1.913 acres hereby conveyed is not required by the South Essex Sewerage District to meet the requirements of the federal government for construction of secondary or tertiary sewerage facilities, the title to said land shall revert to the commonwealth, burdened however, with a permanent easement permitting the District to enter upon, excavate, construct, lay, maintain, operate, remove, replace and patrol the sewer lines then existing on said parcel.

SECTION 2. The department of natural resources may use and occupy for its purposes the land hereby conveyed to said South Essex Sewerage District, but upon notice shall quit and deliver up possession of said land within sixty days of the commencement of construction of said secondary or tertiary treatment facilities.

SECTION 3. The district shall be responsible for and bear the entire cost of restoration of all department facilities, utilities and equipment in any way damaged by any of the actions of the South Essex Sewerage District or its agents, and shall provide for an access road and landscaping in a location and of a nature suitable to the department.

Approved August 12, 1971.

Chap. 655. AN ACT DEFINING THE TERM "FLAG OF THE UNITED STATES" IN THE LAW RELATIVE TO THE MISUSE OF SAID FLAG.

Be it enacted, etc., as follows:

Section 5 of chapter 264 of the General Laws is hereby amended by adding the following sentence: — For the purposes of this section the term "flag of the United States" shall mean any flag which has been designated by Act or Resolution of the Congress of the United States as the national emblem, whether or not such designation is currently in force. *Approved August 12, 1971.*

Chap. 656. AN ACT PROVIDING PENALTIES FOR CERTAIN VIOLATIONS BY INSURERS, AGENTS OR BROKERS OF THE MOTOR VEHICLE INSURANCE ASSIGNED RISK PLAN.

Be it enacted, etc., as follows:

The first paragraph of section 113H of chapter 175 of the General Laws, as appearing in section 4 of chapter 643 of the acts of 1968, is hereby amended by inserting after the fifth sentence the following two sentences: — Any insurance agent or broker who places an insured in such an assigned risk plan because of age, sex, race, creed, color, occupation or principal place of garaging shall be punishable by a fine of not less than five hundred dollars. Any insurance company or officer thereof who places an insured in such an assigned risk plan because of age, sex, race, creed, color, occupation or principal place of garaging shall be punishable by a fine of not less than one thousand dollars.

Approved August 12, 1971.

Chap. 657. AN ACT FURTHER DEFINING THE MEANING OF THE TERMS "COMPETITIVE PROMOTIONAL EXAMINATION" AND "DEPARTMENTAL PROMOTIONAL EXAMINATION" AS USED IN THE CIVIL SERVICE LAW.

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 "Competitive promotional examination", as appearing in section 1 of chapter 703 of the acts of 1945, and inserting in place thereof the following definition: —

"Competitive promotional examination", a competitive examination for promotion to be conducted as provided in section fifteen.

SECTION 2. The definition of "Departmental promotional examination" in said section 1, inserted by section 1 of chapter 652 of the acts of 1968, is hereby amended by striking out, in line 3, the words "section fifteen" and inserting in place thereof the words: — sections fifteen, fifteen B and twenty. *Approved August 12, 1971.*

Chap. 658. AN ACT REQUIRING A LESSOR TO EXECUTE AND DELIVER A COPY OF A LEASE EXECUTED AND DELIVERED BY HIS LESSEE WITHIN A SPECIFIED PERIOD OF TIME.

Be it enacted, etc., as follows:

Chapter 186 of the General Laws is hereby amended by inserting after section 15C, inserted by section 1 of chapter 445 of the acts of 1971, the following section: —

Section 15D. A lessor who has agreed orally to execute a lease and obtains the signature of the lessee shall, within thirty days thereafter, deliver a copy of said lease to the lessee, duly signed and executed by said lessor. Whoever violates any provision of this section shall be punished by a fine of not more than three hundred dollars.

Approved August 12, 1971.

Chap. 659. AN ACT PROVIDING FOR THE SPEEDY TRIAL OF A MISDEMEANOR BY A JURY OF SIX IN THE FIRST DISTRICT COURT OF SOUTHERN MIDDLESEX.

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, and except the district court of Marlborough, the district court of Natick, the first district court of southern Middlesex, the district court of central Middlesex and the second district court of eastern Middlesex, 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, and a defendant in the district court of Marlborough, the district court of Natick, the first district court of southern Middlesex, the district court of central Middlesex and the second district court of eastern Middlesex may appeal and claim a jury of six in the district court of southern Middlesex. Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by a jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any district court of Middlesex county of a violation of any of the offenses set forth in the first paragraph who has appealed to the superior court may, at any time before trial on such appeal, claim a trial by a jury of six in the third district court of eastern Middlesex, the district court of Lowell, or the first district court of southern Middlesex 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, in the district court of Lowell, or in the first district court of southern Middlesex 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, in said district court of Lowell, or in the first district court of southern Middlesex, shall have and exercise all the powers and duties which a justice of the superior court has and may exercise in the trial and disposition of such cases.

No justice so sitting shall act in a case in which he has either sat or held an inquest in the district court or otherwise has taken part in any proceeding therein.

Trials by such juries of six in said third district court of eastern Middlesex shall be held in the courthouse of said court, or, if not practicable there, then in the courthouse of the superior court in the city of Cambridge, 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 trial by such jury of six in the first district court of southern Middlesex shall be held in the courthouse of said court and shall proceed in accordance with the provisions of law applicable to trials by jury in the superior court, except that the number of peremptory challenges shall be limited to two to each defendant. The commonwealth shall be entitled to as many such challenges as equal the whole number to which all of the defendants in the case are entitled. Jurors shall be drawn from the pool of jurors available for the jury sessions in either civil or criminal sessions in the superior court for 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, the district court of Lowell, and the district court of southern Middlesex and shall assign justices and special justices thereto, to the end that speedy trials may be provided for such appeals. In the event of a trial by a jury of six in 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 two hundred and fifty-three of the acts of nineteen hundred and sixty-nine is hereby repealed.

SECTION 3. This act shall take effect on October the fourth, nineteen hundred and seventy-one. *Approved August 12, 1971.*

Chap. 660. AN ACT REQUIRING THE MASSACHUSETTS TURNPIKE AUTHORITY TO AWARD CONTRACTS TO THE LOWEST RESPONSIBLE AND ELIGIBLE BIDDER.

Be it enacted, etc., as follows:

SECTION 1. Clause (*m*) of section 5 of chapter 354 of the acts of 1952 is hereby amended by inserting after the word "act", in line 3, the words: — , provided that sections twenty-six to twenty-nine, inclusive, and sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws and sections thirty-nine F to thirty-nine M, inclusive, of chapter thirty of the General Laws shall apply to contracts of the authority to the same extent and in the same manner as they are applicable to the commonwealth. All general or special laws, or parts thereof, inconsistent herewith, are hereby declared to be inapplicable to the provisions of this act.

SECTION 2. Said section 5 of said chapter 354 is hereby further amended by adding the following clause: —

(*q*) Any sale of real property shall be awarded, after advertisement for bids, to the bidder who is the highest responsible bidder. The authority shall have the right to reject all bids and to readvertise for bids. Before any real property shall be so sold or conveyed notice that such real property is for sale shall be publicly advertised in two daily newspapers published in the city of Boston, and, if such real property is located in any other city or town, in a newspaper published in such other city or town, once a week for three successive weeks. Such advertisements shall state the time and place where all pertinent information relative to the real property to be sold or conveyed may be obtained, and the time and place of opening the bids in answer to said advertisements, and that the authority reserves the right to reject any or all such bids. All bids in response to advertisements shall be sealed and shall be publicly opened by the authority. The authority may require, as evidence of good faith, that a deposit of a reasonable sum, to be fixed by the authority, accompany the proposals.

Approved August 12, 1971.

Chap. 661. AN ACT FURTHER REGULATING THE LAW RELATIVE TO THE PROTECTION OF CERTAIN PERSONS FROM UNLAWFUL DISCRIMINATION.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsections 6, 7 and 8 and inserting in place thereof the following three subsections:—

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, color, religious creed, national origin, sex, age or ancestry 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, color, religious creed, national origin, sex, age or ancestry 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, color, religious creed, national origin, sex, age or ancestry 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. The word "age" as used in this subsection shall not apply to persons who are minors nor to residency in state-aided or federally-aided housing developments for the elderly.

7. For the owner, lessee, sublessee, real estate broker, assignee or managing agent of other covered housing accommodations or of land intended for the erection of any housing accommodation included under subsections 10, 11, 12 or 13 of section one, or other person having the right of ownership or possession or right to rent or lease or sell or negotiate for the sale or lease of such land or accommodations or any agent or employee of such a person:—(*a*) to refuse to rent or lease or sell or negotiate for sale or lease or otherwise to deny to or withhold from any person or group of persons such accommodations or land because of the race, color, religious creed, national origin, sex, age or ancestry of such person or persons; (*b*) to discriminate against any person because of his race, color, religious creed, national origin, sex, age or ancestry in the terms, conditions or privileges of such accommodations or land or the acquisition thereof, or in the furnishing of facilities and services in connection therewith; or (*c*) to cause to be made any written or oral inquiry or record concerning the race, color, religious creed, national origin, sex, age or ancestry of the person seeking to rent or lease or buy any such accommodation or land; provided, however, that this subsection shall not apply to the leasing of a single apartment or flat in a two family dwelling, the other occupancy unit of which is occupied by the owner as his residence. The word "age" as used in this subsection shall not apply to persons who are minors nor to residency in state-aided or federally-aided housing developments for the elderly.

8. For the owner, lessee, sublessee, or managing agent of, or other person having the right of ownership or possession of or the right to sell, rent or lease commercial space: (1) To refuse to sell, rent, lease or otherwise deny to or withhold from any person or group of persons such commercial space because of the race, color, religious creed, national origin, sex, age or ancestry of such person or persons. (2) To

discriminate against any person because of his race, color, religious creed, national origin, sex, age or ancestry in the terms, conditions or privileges of the sale, rental or lease of any such commercial space or in the furnishing of facilities or services in connection therewith. (3) To cause to be made any written or oral inquiry or record concerning the race, color, religious creed, national origin, sex, age or ancestry of a person seeking to rent or lease or buy any such commercial space. The word "age" as used in this subsection shall not apply to persons who are minors nor to residency in state-aided or federally-aided housing developments for the elderly. *Approved August 12, 1971.*

Chap. 662. AN ACT ABOLISHING THE APPROVING AUTHORITY FOR COLLEGES AND MEDICAL SCHOOLS AND ABOLISHING THE REQUIREMENT OF PHYSICS, CHEMISTRY AND BIOLOGY ON A COLLEGE LEVEL.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 2 of chapter 540 of the acts of 1970, and inserting in place thereof the following section:—

Section 2. Applications for registration as qualified physicians, signed and sworn to by the applicants, shall be made upon blanks furnished by the board of registration in medicine, herein and in sections three to nine A, inclusive, called the board. Each applicant who shall furnish the board with satisfactory proof that he is twenty-one or over and of good moral character, that he has completed two years of premedical studies in a college or university, that he has attended courses of instruction for four years of not less than thirty-two school weeks in each year, or courses which in the opinion of the board are equivalent thereto, in one or more legally chartered medical schools, and that he has received the degree of doctor of medicine, or its equivalent, from a legally chartered medical school in the United States or commonwealth of Puerto Rico or Canada having the power to confer degrees in medicine, shall, upon payment of one hundred and twenty-five dollars, be examined, and, if found qualified by the board, be registered as a qualified physician and entitled to a certificate in testimony thereof, signed by the chairman and secretary. An applicant who has received from a medical school, legally chartered in a sovereign state other than the United States, the commonwealth of Puerto Rico or Canada, a degree of doctor of medicine or its equivalent shall be required to furnish to the board such documentary evidence as the board may require that his education is substantially the equivalent of that of graduates of medical schools in the United States and such other evidence as the board may require as to his qualifications to practice medicine, and shall, except as hereinafter provided, be required to present a Standard Certificate granted after examination by the Educational Council for Foreign Medical Graduates; provided, however, that if he is a diplomate of a specialty board recognized by the American Medical Association he shall be admitted to examination for licensure without being required to present such a certificate. If the board shall

be satisfied as to his education and his qualifications, the board shall, upon payment of one hundred and twenty-five dollars by the applicant, admit him to the examination for licensure.

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. The board, after due notice and hearing may revoke any certificate issued by it to, and cancel the registration of, any physician convicted of a felony, or any physician who has been shown at any such hearing to have been guilty of the use of narcotic drugs in any way other than for therapeutic purposes, and may, at any time after the expiration of one year thereafter, reissue any certificate so revoked, and register anew any physician whose registration was so cancelled. The board, after due notice and hearing, may suspend, for a period not exceeding one year, any certificate issued by it to, and cancel the registration of, any physician who has been shown at such hearing to have been guilty of gross and confirmed use of alcohol in any of its forms while engaged in the practice of his profession; or of abuse of the authority granted in section two hundred and nine A of chapter ninety-four; or of publishing or causing to be published, or of distributing or causing to be distributed, any literature contrary to section twenty-nine of chapter two hundred and seventy-two; or of acting as principal or assistant in the carrying on of the practice of medicine by an unregistered person or by any person convicted of the illegal practice of medicine or by any physician whose registration has been cancelled, and whose certificate has been revoked or suspended, by the board; or of aiding and abetting in any attempt to secure registration, either for himself or for another, by fraud; or, in connection with his practice, of defrauding or attempting to defraud any person. Except as otherwise provided herein, the board may, at any time, reissue any certificate so revoked and register anew any physician whose registration was cancelled.

The board shall examine an applicant who is an alien only if he presents to it a certificate from the court in which he shall have filed his declaration of intention to become a citizen of the United States, or from the Immigration and Naturalization Service of the United States, showing that he has declared his intention to become such a citizen, or a copy of such declaration of intention, certified by the clerk of such court. In case the applicant is subsequently registered, unless he shall present to the board, within five years following the filing of the certificate or certified copy hereinbefore referred to, his completed naturalization papers showing that he is a citizen of the United States, his certificate of registration shall be revoked and his registration cancelled. The foregoing provisions of this paragraph shall not apply to limited registration under section nine or section nine A or to any alien physician of distinguished merit and ability, duly licensed to practice his profession in any foreign country wherein the requirements for the issuance of such a license are not substantially lower than those of this commonwealth, while he is temporarily teaching in this commonwealth, in a medical school.

The board may, without examination grant certificates of registration as qualified physicians to such graduates of medical schools in the United States and Canada as shall furnish with their applications satisfactory proof that they have the qualifications required in the commonwealth to entitle them to be examined and have been licensed or registered upon a written examination in another state whose standards, in the opinion of the board, are equivalent to those in the commonwealth; provided, that no person shall be so registered without an examination if he has attempted unsuccessfully to secure registration in the commonwealth. The fee for such registration without examination shall be seventy-five dollars.

Notwithstanding other provisions of this chapter the board may without examination grant a certificate of registration as a qualified physician to such person as shall furnish with his application satisfactory evidence that he is: (1) a medical officer with ten or more years of medical service assignments in the armed forces of the United States or in the United States Public Health Service who, though not licensed in another state of the United States, has engaged in medical service work while in such capacity and is a diplomate of any of the American specialty boards approved by the American Medical Association or the American Osteopathic Association; or (2) a physician who is a graduate of a medical school outside of the United States and who has been in the active practice of medicine under limited, temporary or full licensure in a foreign country or in other states of the United States for a total of five or more years and who is a diplomate of any of the American specialty boards approved by the American Medical Association or the American Osteopathic Association; or (3) a physician who is a graduate of a medical school outside of the United States and who has been licensed to practice medicine in another state or states of the United States and has practiced medicine in such other state or states for five or more years; or (4) a physician who is a graduate of a medical school outside the United States and who has been licensed in another state of the United States under an examination substantially comparable to that administered in the commonwealth and with a passing grade on such examination substantially comparable to the grade required in Massachusetts. Any person granted a certificate of registration under the provisions of this paragraph shall pay a fee of seventy-five dollars.

Approved August 12, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 26, 1971

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 662 of the Acts of 1971, entitled "AN ACT ABOLISHING THE APPROVING AUTHORITY FOR COLLEGES AND MEDICAL SCHOOLS AND ABOLISHING THE REQUIREMENT OF PHYSICS, CHEMISTRY AND BIOLOGY

ON A COLLEGE LEVEL." and the enactment of which received my approval on August 12, 1971, 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 provide forthwith for the registration of Puerto Rican medical school graduates who heretofore were ineligible and to institute the other changes provided by this act.

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

OFFICE OF THE SECRETARY, BOSTON, August 26, 1971.

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

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

Chap. 663. AN ACT AUTHORIZING THE CITY OF CAMBRIDGE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Cambridge 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 the City Demonstration Agency of Cambridge with Trimount Automatic Sales Co. of Dedham for recreation equipment in the amount of two thousand five hundred and ten dollars and with Mass. Typewriter Service of Brookline for equipment in the amount of one thousand four hundred and two dollars and fifty cents, said bills being legally unenforceable against said city, having been incurred in excess of available appropriations; provided, that the money shall be made available from unappropriated surplus funds of said City Demonstration Agency.

SECTION 2. No bill shall be approved by the auditor of said city for payment or paid by the treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the goods, materials or services for which said bill has been submitted were ordered by an official or an employee of said City Demonstration Agency of Cambridge, known as Model Cities of Cambridge 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 Cambridge. *Approved August 12, 1971.*

Chap. 664. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF FEBRUARY THE TWENTY-EIGHTH AS KALEVALA DAY, IN TRIBUTE TO PEOPLE OF FINLAND AND AMERICANS OF FINNISH HERITAGE.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15S, inserted by chapter 69 of the acts of 1971, the following section: —

Section 15T. The governor shall annually issue a proclamation setting apart the twenty-eighth day of February as Kalevala Day in commemoration of the Knights and Ladies of Kalevala, an organization dedicated to spreading an awareness of the cultural achievement of the Finnish people and Americans of Finnish heritage, and of their contribution to the development of the commonwealth and the nation and recommending that said day be observed by the people in an appropriate manner. *Approved August 12, 1971.*

Chap. 665. AN ACT PROVIDING FOR TOWING AND STORING IN THE CITY OF BOSTON MOTOR VEHICLES TO WHICH TEN OR MORE UNDISPOSED OF TAGS HAVE BEEN AFFIXED.

Be it enacted, etc., as follows:

The fifth paragraph of section 2 of chapter 263 of the acts of 1929, as most recently amended by chapter 494 of the acts of 1968, is hereby further amended by adding the following sentence: — In addition, a motor vehicle may in any calendar year, if in such year and the calendar year immediately preceding ten or more notices in the aggregate have been affixed to said vehicle as provided in said section twenty C and have not been disposed of, be removed to, and stored in, a convenient place in the city until all charges lawfully imposed for such removal and storage have been paid and due notice has been received that either the fines provided in such notices have been paid or security for the payment thereof has been deposited. *Approved August 12, 1971.*

Chap. 666. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO GRANT SALARY INCREASES TO DETECTIVES AND INSPECTORS OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Watertown is hereby authorized to appropriate and pay the total sum of twelve hundred dollars to the detectives and inspectors of the police department of said town for the year nineteen hundred and seventy pursuant to a collective bargaining agreement, said sum to be paid to each detective and inspector in the amount provided in said agreement.

SECTION 2. Any action taken by the town of Watertown at the annual town meeting on March the fifteenth, nineteen hundred and seventy-one 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 12, 1971.*

Chap. 667. AN ACT RELATIVE TO FEES AND CHARGES FOR CERTAIN SERVICES RENDERED BY THE DEPARTMENT OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 146 of the General Laws is hereby amended by striking out section 22, as amended by section 1 of chapter 541 of the acts of 1952, and inserting in place thereof the following section: —

Section 22. The owner or user of a boiler inspected by the division shall pay to the commissioner twenty dollars for each boiler internally and externally inspected and ten dollars for each visit for external inspection under steam and ten dollars for each cast iron sectional boiler inspected. The owner of tanks containing fluids other than water, which are in excess of ten thousand gallons capacity, shall pay to the commissioner a fee for the inspection of the plans, the construction and the making of required tests of such tanks a fee based on the capacity of such tanks at the rate of one dollar for each thousand gallons of storage capacity; provided that the minimum fee shall be one hundred dollars and shall not exceed one thousand dollars. When repairs to such tanks are required, the same schedule of fees shall apply as for the original inspection. Such fees shall be payable in advance of any such inspection.

SECTION 2. Section 40 of said chapter 146, as amended by section 2 of said chapter 541, is hereby further amended by inserting after the first sentence the following sentence: — Said fee shall be payable in advance of any such inspection. *Approved August 12, 1971.*

Chap. 668. AN ACT INCREASING THE SALARIES OF THE CLERKS OF THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 79, as most recently amended by sections 2 and 3 of chapter 142 of the acts of 1971, and inserting in place thereof the following section: —

Section 79. (1) The clerks of the following courts shall be paid in accordance with the salary schedule as set forth in paragraph (2): —

Class I. The first district court of Barnstable,
second district court of Barnstable,
Worcester juvenile court,
Springfield juvenile court,
first district court of Bristol,
second district court of Bristol,
third district court of Bristol,
fourth district court of Bristol,
municipal court of Brookline,
district court of Brockton,
district court of Chelsea,
first district court of Essex,
district court of southern Essex,
central district court of northern Essex,

district court of Fitchburg,
district court of Franklin,
district court of western Hampden,
district court of Hampshire,
district court of Holyoke,
district court of Lawrence,
district court of Lowell,
district court of central Berkshire,
district court of Marlborough,
district court of central Middlesex,
first district court of eastern Middlesex,
second district court of eastern Middlesex,
third district court of eastern Middlesex,
fourth district court of eastern Middlesex,
first district court of northern Middlesex,
first district court of southern Middlesex,
district court of Newton,
district court of East Norfolk,
district court of northern Norfolk,
district court of southern Norfolk,
district court of western Norfolk,
district court of Peabody,
second district court of Plymouth,
fourth district court of Plymouth,
first district court of northern Worcester,
first district court of southern Worcester,
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.

Class II. The third district court of Plymouth and
third district court of southern Worcester.

Class III. The district court of eastern Hampden and
second district court of eastern Worcester.

Class IV. The district court of northern Berkshire,
district court of southern Berkshire,
fourth district court of Berkshire,
third district court of Essex,
district court of eastern Franklin,
district court of eastern Hampshire,
district court of Lee,
district court of Leominster,

district court of Williamstown,
district court of Winchendon,
district court of western Worcester,
district court of Chicopee,
district court of Dukes county,
district court of eastern Essex,
second district court of Essex,
district court of Nantucket,
district court of Natick and
district court of Newburyport.

(2) The clerk of a *Class I* court shall receive as salary a sum equivalent to seventy per cent of the salary of a full time justice of a district court, shall devote his entire time during ordinary business hours to his duties and shall not, directly or indirectly, engage in the practice of law; the clerk of a *Class II* court shall receive as salary a sum equivalent to fifty per cent of the salary of a full time justice of a district court; the clerk of a *Class III* court shall receive as salary a sum equivalent to forty per cent of the salary of a full time justice of a district court; and the clerk of a *Class IV* court shall receive as salary a sum equivalent to thirty-five per cent of the salary of a full time justice of a district court.

SECTION 2. Said chapter 218 is hereby further amended by striking out section 80 and inserting in place thereof the following section: —

Section 80. In courts in which the salaries of clerks are established by section seventy-nine, the salaries of first assistant clerks shall be equal to eighty-seven and one half per cent, and the salaries of all other assistant clerks shall be equal to seventy-five per cent of the salary of the clerks of their respective courts.

SECTION 3. Notwithstanding the provisions of section seventy-nine of chapter two hundred and eighteen of the General Laws, as amended by section one of this act, any clerk in a *Class I* court who was not required to devote full time to his duties as clerk of said court prior to the effective date of this act shall have a period of one year from said effective date to close out his law practice before complying with the provisions of said section seventy-nine of said chapter two hundred and eighteen, but no increase in compensation authorized by said section seventy-nine shall be paid to any such clerk until he files with the chief justice of the district courts a sworn statement that he no longer engages, directly or indirectly, in the practice of law.

SECTION 4. Notwithstanding any provisions of this act to the contrary, the provisions of sections seventy-nine and eighty of chapter two hundred and eighteen of the General Laws in effect immediately prior to the effective date of this act shall remain in effect and apply to persons appointed between the effective date of this act and January the third, nineteen hundred and seventy-three, both dates inclusive, to the offices referred to therein.

SECTION 5. Nothing in this act shall be construed so as to effect a reduction on the effective date of this act in the regular compensation of a clerk or assistant clerk of a district, municipal or juvenile court.

Approved August 13, 1971.

Chap. 669. AN ACT PROVIDING THAT CERTAIN SERVICE IN THE DIVISION OR BUREAU OF HOSPITAL COSTS AND FINANCES AND IN THE RATE SETTING COMMISSION BE COUNTED AS CREDITABLE SERVICE FOR RETIREMENT PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions and limitations of sections one to twenty-eight, inclusive, of chapter thirty-two of the General Laws, any member in service of the state retirement system on or after the effective date of this act shall be credited with all service rendered by him in the division or bureau of hospital costs and finances and in the rate setting commission; provided that before any retirement allowance becomes effective for him he pays into the annuity savings fund of said system, with regular interest as defined in said sections, in one sum, or in instalments, upon such terms and conditions as the state retirement board may prescribe, an amount equal to that which would have been withheld as regular deductions from the salary paid to him by Massachusetts Hospital Service, Inc., if said salary had been paid to him, during such service, by the commonwealth.

Approved August 17, 1971.

Chap. 670. AN ACT PROVIDING THAT LACK OF PRIVITY OF CONTRACT SHALL NOT BE A DEFENSE IN AN ACTION FOR BREACH OF WARRANTY OR NEGLIGENCE BROUGHT AGAINST A MANUFACTURER OR SELLER OF GOODS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 106 of the General Laws is hereby amended by striking out section 2-318, as appearing in section 1 of chapter 765 of the acts of 1957, and inserting in place thereof the following section: —

Section 2-318. Lack of Privity in Actions Against a Manufacturer, Seller or Supplier of Goods.

Lack of privity between plaintiff and defendant shall be no defense in any action brought against the manufacturer, seller or supplier of goods to recover damages for breach of warranty, express or implied, or for negligence, although the plaintiff did not purchase the goods from the defendant, if the plaintiff was a person whom the manufacturer, seller or supplier might reasonably have expected to use, consume or be affected by the goods. A manufacturer, seller or supplier may not exclude or limit the operation of this section.

SECTION 2. Section 2-318 of chapter 106 of the General Laws, as amended by section one of this act, shall apply to sales made on or after the effective date of this act. *Approved August 18, 1971.*

Chap. 671. AN ACT INCREASING THE NUMBER OF SUPERVISORY POSITIONS IN THE DEPARTMENT OF CORPORATIONS AND TAXATION WHICH MAY BE EXEMPT FROM THE CIVIL SERVICE LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith the number of supervisory positions in the department of corporations and taxation, therefore it is

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

Be it enacted, etc., as follows:

Section 106 of chapter 654 of the acts of 1953 is hereby amended by striking out the word "seventeen", inserted by chapter 448 of the acts of 1966, and inserting in place thereof the word: — nineteen.

Approved August 19, 1971.

Chap. 672. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN CLUBS AND VETERANS' ORGANIZATIONS IN THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

SECTION 1. The state secretary shall cause to be placed on the official ballot used in the town of Arlington 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 Arlington 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 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 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. There shall be placed on the official ballot to be used for the election of town officers at the annual town meeting to be held in the year nineteen hundred and seventy-two in the town of Arlington the following question: —

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

YES.	
NO.	

If a majority of the votes cast in answer to said question is in the affirmative, said town shall be taken to have authorized, for the balance of calendar year nineteen hundred and seventy-two, 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 3. This act shall take effect upon its passage.

Approved August 19, 1971.

Chap. 673. AN ACT FURTHER REGULATING THE STANDARDS FOR ADJUSTING RENTS BY THE RENT BOARD OF THE TOWN OF BROOKLINE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 843 of the acts of 1970 is hereby amended by striking out section 3 and inserting in place thereof the following section: —

Section 3. Standards for Adjusting Rents. (*a*) The rent board shall make such individual or general adjustments, either upward or downward, of the maximum rent for any controlled rental unit or any class of controlled rental units as may be necessary to assure that rents for controlled rental units are established at levels which yield to landlords a fair net operating income for such units. For the purposes of this section, the word "class" shall include all the controlled rental units within a municipality or any categories of such rental units based on size, age, construction, rent, geographic area or other common characteristics, providing the board has by regulation defined any such categories.

(*b*) The following factors, among other relevant factors, which the board by regulation may define, shall be considered in determining whether a controlled rental unit yields a fair net operating income:

(1) increases or decreases in property taxes;

(2) unavoidable increases or any decreases in operating and maintenance expenses;

(3) capital improvement of the housing unit as distinguished from ordinary repair, replacement and maintenance;

(4) increases or decreases in living space, services, furniture, furnishings or equipment;

(5) substantial deterioration of the housing units other than as a result of ordinary wear and tear; and

(6) failure to perform ordinary repair, replacement and maintenance.

(*c*) For the purpose of adjusting rents under the provisions of this section, the rent board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.

(*d*) The rent board may refuse to grant a rent increase under this section, if it determines that the affected rental unit does not comply with the state sanitary code and any applicable municipal codes, ordinances or by-laws, and if it determines that such lack of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. The rent board may refuse to grant a rent decrease under this section, if it determines that a tenant is more than sixty days in arrears in payment of rent unless such arrearage is due to a withholding of rent under the provisions of section eight A of chapter two hundred and thirty-nine of the General Laws.

(*e*) On its own initiative, the rent board may make a general adjustment, by percentage, of the rental levels for any class of controlled rental units within a municipality. Prior to making such adjustment, a public hearing shall be held before at least a majority of the rent board. Notice that an adjustment is under consideration, a description of the class of rental units which would be affected by the adjustment, and the time and place of said public hearing shall be published three

times in at least one newspaper having a general circulation within the town.

SECTION 2. The notice provided in the warrant for the annual town meeting of the town of Brookline in the current year relating to amending Article thirty of the by-laws of the town of Brookline by striking out section six (a) thereof and substituting, in substance, the provisions of section one of this act and relettering the subsequent subparagraphs is hereby validated and any action taken by said town at its annual town meeting pursuant to such notice of amendment in the current year shall be as valid and effective as if this act were in effect at the time when the warrant for such annual town meeting was issued.

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

Approved August 19, 1971.

Chap. 674. AN ACT PROVIDING LIFE TENURE FOR THE CHIEF AND CERTAIN FULL-TIME MEMBERS OF THE FIRE DEPARTMENT OF THE TOWN OF SANDWICH.

Be it enacted, etc., as follows:

SECTION 1. The fire chief and every full-time fire fighter who has, or shall have, now or in the future, completed three consecutive years of service in his respective office or position shall hold said office or position during good behavior until he reaches age sixty-five, unless incapacitated by physical or mental disability from performing the duties thereof.

SECTION 2. This act shall be submitted to the voters of the town of Sandwich at its next annual town meeting in the form of the following question, which shall be placed upon the official ballot to be used for the election of town officers at said meeting: — Shall an act passed by the General Court in the year nineteen hundred and seventy-one, entitled "An act providing life tenure for the chief and certain full-time members of the fire department of the town of Sandwich", be accepted? If a majority of the votes in answer to said question is in the affirmative, this act shall take full effect, but not otherwise.

Approved August 19, 1971.

Chap. 675. AN ACT AUTHORIZING THE COUNTY TREASURER OF ESSEX COUNTY TO REIMBURSE A CERTAIN SUM OF MONEY TO THE SALEM FIVE CENTS SAVINGS BANK.

Be it enacted, etc., as follows:

The county treasurer of Essex county is hereby authorized to reimburse to the Salem Five Cents Savings Bank the sum of one hundred and eighty-nine dollars and seventy-six cents from the reserve fund, which sum was erroneously paid to the clerk of the courts for Essex county by said bank. *Approved August 19, 1971.*

Chap. 676. AN ACT PROVIDING A CERTAIN PENSION FOR THE WIDOW OF THE LATE JUDGE WILLIAM J. O'NEILL, SPECIAL JUSTICE OF THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the widow of the late Judge William J. O'Neill, special justice

of the third district court of eastern Middlesex, shall be paid such pension as she would have been eligible to receive, under the provisions of section sixty-five C of chapter thirty-two of the General Laws, had said Judge William J. O'Neill been eligible for retirement under the provisions of section sixty-five B of said chapter thirty-two as of the date of his death, and such pension payable to said widow shall be effective retroactively to the date of death of said judge.

Approved August 19, 1971.

Chap. 677. AN ACT RELATIVE TO THE APPLICATION OF THE CIVIL SERVICE LAW WHEN A POSITION BECOMES SUBJECT TO SAID LAW BY VIRTUE OF A CHANGE IN LAW OR RULE.

Be it enacted, etc., as follows:

SECTION 1. Whenever an office or position becomes subject to the civil service law and rules by virtue of a change in law or rule and the director of civil service determines that an injustice would exist if the provisions of section forty-seven A of chapter thirty-one of the General Laws were applied, the status of the incumbent of such office or position shall be determined in accordance with the provisions of this act and the provisions of said section forty-seven A shall not apply, except as hereinafter provided. The words "by virtue of a change in law or rule" shall, as determined by said director, include those cases where an office or position is brought under civil service indirectly by a change in law or rule or by a change in the classification of a position, but shall not include cases where the change in law or rule clearly and directly brings under civil service positions previously exempt from said law. This act shall apply to incumbents of offices or positions employed on a permanent or temporary basis.

If the office or position is in the official service the incumbent may be retained subject to a qualifying examination prescribed by said director, and if he passes shall be certified for permanent or temporary appointment, as the case may be. If the position is in the labor service he shall be certified for permanent or temporary appointment, as the case may be. If certified for permanent appointment, he shall be required to serve a probationary period if he has been employed for less than two years. If he has been employed for more than two years, he shall not be required to serve a probationary period.

If he fails to pass the qualifying examination, he may be continued by the appointing authority in the office or position for the remainder of the term, if any, for which he was appointed, but shall not otherwise be subject to the provisions of said chapter thirty-one.

All officers and employees affected by any provision of this act who have tenure in their positions by reason of section nine A, nine B or nine D of chapter thirty of the General Laws shall continue to be employed without interruption of service within the meaning of said sections and without reduction in compensation and salary grade; all such officers and employees who do not have tenure by reason of said sections shall continue to be employed without interruption of service within the meaning of said sections and without reduction in compensation and salary grade. Any person who had such tenure or acquires such tenure and who does not pass the qualifying examination shall

continue to be employed subject to the provisions of section nine A, nine B or nine D, as the case may be, but shall not be subject to any provision of chapter thirty-one of the General Laws, except as provided in said sections.

If certified for a temporary appointment, and the office or position is subsequently made permanent during the period in which this act is in effect, he may at the request of the appointing authority attain permanent civil service status in said office or position without further examination, if applicable, and shall be required to serve a probationary period from the date of such permanent appointment.

SECTION 2. The provisions of this act shall apply to the incumbents of offices and positions brought under civil service by chapter eight hundred and thirty-eight of the acts of nineteen hundred and sixty-nine.

SECTION 3. The provisions of this act shall apply to incumbents of positions affected by the change in civil service rule three which became effective on February the seventh, nineteen hundred and sixty-six, provided that the director of civil service shall have discretionary powers to determine the most practicable date when said rule became or shall become effective in each agency of the commonwealth, city or town which is subject to the operation of said rule. In making such determination the director shall consider the individual needs of each such agency and the length of time elapsing between the effective date of the change in said rule and the date when the application of the provisions of said rule became or shall become possible.

SECTION 4. This act shall cease to be operative on July the first, nineteen hundred and seventy-five. *Approved August 19, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 26, 1971

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 677 of the Acts of 1971, entitled "AN ACT RELATIVE TO THE APPLICATION OF THE CIVIL SERVICE LAW WHEN A POSITION BECOMES SUBJECT TO SAID LAW BY VIRTUE OF A CHANGE IN LAW OR RULE." and the enactment of which received my approval on August 19, 1971, 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 provide forthwith for the protection of the rights of the employees of the Commonwealth whose positions are covered by this act.

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

OFFICE OF THE SECRETARY, BOSTON, August, 26 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at

twelve o'clock and fifty-two minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and seventy-seven of the acts of nineteen hundred and seventy-one.

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

Chap. 678. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A CERTAIN BY-PASS ROADWAY IN THE TOWN OF NEWBURY.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to relocate the easterly end of Elm street and reconstruct Middle road from its new point of intersection with Elm street to route U.S. 1 in the town of Newbury.

For the purposes of this act the department may expend funds authorized in section one of chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine.

Approved August 19, 1971.

Chap. 679. AN ACT CHANGING THE NAME OF THE NEW YORK BUREAU IN THE DIVISION OF ECONOMIC DEVELOPMENT IN THE DEPARTMENT OF COMMERCE AND DEVELOPMENT TO THE BUREAU OF ECONOMIC DEVELOPMENT FOR WESTERN MASSACHUSETTS.

Be it enacted, etc., as follows:

Section 4 of chapter 23A of the General Laws is hereby amended by striking out, in line 2, as appearing in section 1 of chapter 636 of the acts of 1964, the words "New York bureau" and inserting in place thereof the words: — bureau of economic development for western Massachusetts.

Approved August 19, 1971.

Chap. 680. AN ACT PROVIDING THAT THE JUDGE OF PROBATE FOR NANTUCKET COUNTY SHALL DEVOTE HIS FULL TIME TO JUDICIAL DUTIES AND ESTABLISHING HIS SALARY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 217 of the General Laws is hereby amended by striking out section 6, as most recently amended by section 1A of chapter 756 of the acts of 1963, and inserting in place thereof the following section: —

Section 6. No judge of probate shall be interested in, or benefited by, the fees or emoluments which may arise in any matter pending before any probate court or court of insolvency of this commonwealth, or which may arise in any suit or action pending in any court of this commonwealth where the subject matter or cause of action is founded upon or derived from proceedings begun in any of the probate courts or courts of insolvency nor shall he, except as otherwise provided, be appointed or act as executor, administrator, guardian, conservator, trustee under a will, commissioner, appraiser or assignee of or upon an estate within

the jurisdiction of any probate court; nor shall he be interested in the fees or emoluments arising from any of said trusts. Judges of probate, except the judge for Dukes county, shall devote their entire time during ordinary business hours to their duties and shall not, directly or indirectly, engage in the practice of law. The judge of probate of Dukes county shall not be retained or employed or act as counsel or attorney, either in or out of court, in any suit or matter which may depend on or in any way relate to a decision, warrant, order or decree made or passed by any probate court or court of insolvency; nor for or against an executor, administrator, guardian, conservator or trustee under a will appointed within the jurisdiction of any probate court, in any action or suit brought by or against the executor, administrator, guardian, conservator or trustee under a will as such; nor in any action or suit relating to the official conduct of such a party; nor for or against a creditor, or debtor or assignee, in a cause or matter arising out of or connected with any proceedings before any probate court or court of insolvency; nor in an appeal in such cause or matter; provided, that nothing in this section shall otherwise prohibit the practice of law by the judge of probate of Dukes county. The judge of probate for Nantucket county shall sit in the probate court of any other county if he is assigned thereto by the chief judge of probate and when so assigned shall receive from the commonwealth the expense incurred by him.

SECTION 2. Said chapter 217 is hereby further amended by striking out section 34, as most recently amended by chapter 845 of the acts of 1969, 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
Nantucket	26,300
Dukes	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 3. Said chapter 217 is hereby amended by striking out section 40, as most recently amended by chapter 644 of the acts of 1967, and inserting in place thereof the following section: —

Section 40. The judge of probate and insolvency of Dukes county shall, in addition to the amount otherwise allowed him by law, be compensated by the commonwealth for each day he performs any services in another county under the provisions of section eight at the rate by the day of the salary of the judge of probate and insolvency in the county in which he performs such duties, and he shall be reimbursed by the commonwealth for his travelling expenses necessarily incurred in the performance of such duties. In computing such rate by the day Saturdays, Sundays and legal holidays shall be excluded.

Approved August 19, 1971.

Chap. 681. AN ACT PROVIDING THAT THE FIRST OFFENSE OF THE CRIME OF RECEIVING STOLEN PROPERTY VALUED AT LESS THAN ONE HUNDRED DOLLARS SHALL BE A MISDEMEANOR.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by striking out section 60, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 60. Whoever buys, receives or aids in the concealment of stolen or embezzled property, knowing it to have been stolen or embezzled, or whoever with intent to defraud buys, receives or aids in the concealment of property, knowing it to have been obtained from a person by a false pretense of carrying on business and dealing in the ordinary course of trade, shall, if the value of such property does not exceed one hundred dollars, be punished for a first offense by imprisonment in jail or house of correction for not more than two and one half years, or by a fine of not more than two hundred and fifty dollars; or, if for a second or subsequent offense, or if the value of such property exceeds one hundred dollars, be punished by imprisonment in the state prison for not more than five years or by a fine of not more than five hundred dollars.

Approved August 19, 1971.

Chap. 682. AN ACT FURTHER REGULATING CREDITABLE SERVICE TOWARDS RETIREMENT FROM ANY GOVERNMENT UNIT FOR CERTAIN SERVICE IN THE ARMED FORCES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 58A of chapter 32 of the General Laws, as appearing in section 3 of chapter 671 of the acts of 1966, is hereby amended by inserting after the word "position", in line 7, 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. The provisions of section fifty-eight A of chapter thirty-two of the General Laws, as amended by section one of this act, shall apply to any member of a retirement system who had been a member of a retirement system established under the provisions of said chapter thirty-two, prior to entering military service and who on the termina-

tion 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 19, 1971.*

Chap. 683. AN ACT FURTHER REGULATING PROMOTIONS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Promotion in section 1 of chapter 31 of the General Laws, as appearing in section 1 of chapter 703 of the acts of 1945, is hereby amended by inserting after the word "director", in line 3, the words:—, or a change from the duties of one grade to a grade which is not higher, where there are substantially dissimilar requirements which prevent a transfer under section sixteen A, and the provisions of this chapter providing for promotions are followed in filling a vacancy.

SECTION 2. Section 8 of said chapter 31 is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs:—

(*a*) Official Service. The director shall prepare notices of all open competitive examinations and send them to the clerks of the several cities and towns having persons domiciled therein who may be eligible to apply for said examinations, who shall cause all notices sent them to be posted in the city and town halls and in other conspicuous places at least three weeks prior to the final date for filing applications therefor. There shall be so posted not less than five of such notices in every such town, except in towns of less than twenty-five hundred population, where two such notices shall be posted, and not less than twenty-five in every such city, including one in each ward. The clerks of said cities and towns shall make an annual report to the director, at such time as he may determine, certifying that all such announcements have been so posted and setting forth such detail relative to the time and place of posting as the director shall require. The director may require additional posting or may modify the preceding requirements as he determines local conditions warrant. Such modification may include provisions for making the announcements available to the public, during the required periods of posting, in loose-leaf notebook or other form in lieu of actual posting on bulletin boards, as the director determines necessary and advisable. The director shall cause copies of such notices to be posted at similar times in a conspicuous place at the office of the division.

The director shall also prepare notices of all promotional examinations to be held on a competitive basis, and shall send copies of such notices to the appointing authority in the department in which the promotion is to be made and also to the appointing authority in any department in which persons eligible to take said examination may be employed. Said appointing authority shall cause such notices to be posted in conspicuous places in his department including one in each branch office of such department. A copy of said notice shall be mailed to any employee on sick or military leave; on vacation; or off the

payroll during the entire period of the posting of such notice. Each appointing authority shall make provisions for keeping all persons in his department fully informed as to the places where such notices will be posted.

SECTION 3. The fourth paragraph of said section 8 of said chapter 31 is hereby amended by striking out the first two sentences, as appearing in chapter 571 of the acts of 1964, and inserting in place thereof the following two sentences:—(*b*) Labor Service. Prior to any request to the director for promotion of a permanent employee in the classified labor service to a position of higher grade in the classified labor service, or for a change within said service from the duties of a position of one grade to a position of a grade which is not higher, where there are substantially dissimilar requirements which prevent a transfer under section sixteen A, which may be either a temporary or permanent position, the appointing authority shall cause a promotional bulletin to be posted in locations where it can be seen by all employees eligible under the civil service law and rules for at least five working days. Such promotional bulletin shall state the title of the position to be filled, the salary and location of the position, any pertinent information as to any special qualifications, or licenses required by law to fill the position, and whether such position is permanent or temporary, and, if temporary, the probable duration of the vacancy.

SECTION 4. Section 15B of said chapter 31 is hereby amended by adding the following three paragraphs:—

Notwithstanding the provisions of this section extending eligibility for such an examination to the classified civil service, the director may restrict such eligibility to any group or groups of positions in the labor service if there are sufficient number of employees in such a group or groups to take a competitive examination, as determined by the director. The director may also include in such an examination incumbents of those positions in the official service in said department whom the director determines proper for admission to the examination.

An employee may be promoted to a position in the lowest grade of the official service of the department with the approval of the director, provided such employee passes a qualifying examination, has been employed in the department for at least one year and is the oldest employee, the second oldest employee or the third oldest employee in length of service who is willing to accept such position. The determination as to which employees are willing to accept shall be made only after the posting of a promotional bulletin in accordance with the provisions of section eight, providing that for the purposes of making said determination persons in the official service in said department shall be eligible to respond to the bulletin and those who do respond shall be considered in making the determination.

The provisions of this section may, upon the request of the appointing authority and at the discretion of the director, be applied to a department where the official service is subject to the provisions of this chapter but wherein the labor service is not so subject, in which case the words "classified civil service" shall include persons who have been employed for at least one year in the department in

said labor service notwithstanding that they are employed in positions which are not subject to the provisions of this chapter. The seniority date of any person who acquires civil service status under this section shall be computed from the date of permanent appointment after certification by the director for promotion, following his passing such examination. *Approved August 19, 1971.*

Chap. 684. AN ACT FURTHER REGULATING THE CONSTRUCTION OF INSTRUMENTS PASSING TITLE TO REAL ESTATE BOUNDED ON A WAY, WATERCOURSE OR MONUMENT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 183 of the General Laws is hereby amended by adding after section 57 the following section:—

Section 58. Every instrument passing title to real estate abutting a way, whether public or private, watercourse, wall, fence, or other monument, shall be construed to include any interest of the grantor in such way, watercourse or monument, unless (*a*) the grantor retains other real estate abutting such way, watercourse and monument, in which case, (*i*) if the retained real estate is on the same side, the division line between the land granted and the land retained shall be continued into such way, watercourse or monument as far as the grantor owns, or (*ii*) if the retained real estate is on the other side of such way, watercourse or monument between the division lines extended, the title conveyed shall be to the center line of such way, watercourse or monument as far as the grantor owns, or (*b*) the instrument evidences a different intent by an express exception or reservation and not alone by bounding by a side line.

SECTION 2. Section fifty-eight of chapter one hundred and eighty-three of the General Laws, added by section one of this act, shall take effect on January the first, nineteen hundred and seventy-two and shall apply to instruments executed on and after said effective date and to instruments executed prior thereto, except that as to such prior executed instruments this act shall not apply to land registered and confirmed under the provisions of chapter one hundred and eighty-five before said effective date or to the extent that any person or his predecessor in title has changed his position as a result of a decision of a court of competent jurisdiction. *Approved August 19, 1971.*

Chap. 685. AN ACT PROVIDING FOR THE ENCOURAGEMENT OF COMPETITION IN DEPARTMENTAL PROMOTIONAL EXAMINATIONS.

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 of "Eligible list", as appearing in section 1 of chapter 703 of the acts of 1945, the following definition:—

"Executive office promotional examination", a competitive examination within an executive office established under the provisions of chapter six A, for promotion within said office, to be conducted as provided in section fifteen.

SECTION 2. Paragraph B of section 15 of said chapter 31 is hereby amended by striking out the first sentence, as amended by chapter 65 of the acts of 1970, and inserting in place thereof the following clause:—

(1) Except as otherwise provided in section twenty, all promotions in the official service in a department shall be made (a) in accordance with paragraph A, (b) after a departmental promotional examination subject to this clause or after a departmental promotional examination subject to clause (2) of this paragraph, (c) after an executive office promotional examination, (d) after a competitive promotional examination, or (e) the position shall be filled as the result of an open competitive examination, whichever method shall be selected by the appointing authority, with the approval of the director.

SECTION 3. Said section 15 of said chapter 31 is hereby further amended by striking out the paragraph inserted by chapter 896 of the acts of 1969 and inserting in place thereof the following clause:—

(2) Departmental promotional examinations which are not made in accordance with clause (1) of this paragraph shall be open to permanent employees in the department (a) 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 (b) 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 department, and shall be creditable only upon presentation of evidence satisfactory to the director that such experience or training 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 department 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. All promotions in the official service of the division of employment security in the department of labor and industries shall be made in accordance with paragraph A or the provisions of this clause. The provisions of this clause at the discretion of the director may be applied to any position in the official service in any other department, and, so far as practicable, to executive office promotional examinations, with the approval of the secretary thereof, and to competitive promotional examinations. *Approved August 19, 1971.*

Chap. 686. AN ACT RELATIVE TO FILES IN THE OFFICE OF THE COMMISSIONER OF PROBATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 276 of the General Laws is hereby amended by inserting after section 100 the following section:—

Section 100A. Any person having a record of criminal court appearances and dispositions in the commonwealth on file with the office of the commissioner of probation may, on a form furnished by the commissioner and signed under the penalties of perjury, request that the commissioner seal such file. The commissioner shall comply with such request provided (1) that said person's court appearance and court disposition records, including termination of court supervision, probation or sentence occurred not less than ten years prior to said request; (2) that said person had not been found guilty of any criminal offense within the commonwealth in the ten years preceding such request, except motor vehicle offenses in which the penalty does not exceed a fine of fifty dollars; (3) said form includes a statement by the petitioner that he has not been convicted of any criminal offense in any other state, United States possession or in a court of federal jurisdiction, except such motor vehicle offenses, as aforesaid, and has not been imprisoned in any state or county within the preceding ten years; and (4) said person's record does not include convictions of offenses other than those to which this section applies. This section shall apply to convictions of all offenses punishable only by a fine or by imprisonment in a jail or house of correction; provided, however, that this section shall not apply in the case of convictions for violations of chapter two hundred and sixty-eight, chapter two hundred and sixty-eight A, sections one hundred and twenty-one to one hundred and thirty-one H, inclusive, of chapter one hundred and forty, or section eight or section twenty-four of chapter two hundred and seventy-two; and to convictions of sections two hundred and five and two hundred and thirteen A of chapter ninety-four.

When records of criminal appearances and criminal dispositions are sealed by the commissioner in his files, he shall notify forthwith the clerk and the probation officer of the courts in which the convictions or dispositions have occurred, or other entries have been made, of such sealing, and said clerks and probation officers likewise shall seal records of the same proceedings in their files.

Such sealed records shall not operate to disqualify a person in any examination, appointment or application for public service in the service of the commonwealth or of any political subdivision thereof; nor shall such sealed records be admissible in evidence or used in any way in any court proceedings or hearings before any boards or commissions, except in imposing sentence in subsequent criminal proceedings.

An application for employment used by an employer which seeks information concerning prior arrests or convictions of the applicant shall include the following statement: "An applicant for employment with a sealed record of entries ten years old or over on file with the commissioner of probation may answer 'no record' with respect to an inquiry herein relative to prior arrests, criminal court appearances or convictions." The attorney general may enforce the provisions of this paragraph by a suit in equity commenced in the superior court.

The commissioner, in response to inquiries by authorized persons other than any law enforcement agency, any court, or any appointing authority, shall in the case of a sealed record report that no record exists.

SECTION 2. The provisions of section one hundred A of chapter two hundred and seventy-six of the General Laws, inserted by section one of this act, shall take effect on July the first, nineteen hundred and seventy-two. *Approved August 19, 1971.*

Chap. 687. AN ACT FURTHER DEFINING THE LAW REGULATING THE VOIDING OF CERTAIN MOTOR VEHICLE CONTRACTS OF SALE BY THE BUYER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 90 of the General Laws is hereby amended by striking out section 7N, added by section 1 of chapter 635 of the acts of 1970, and inserting in place thereof the following section:—

Section 7N. Notwithstanding any disclaimer of warranty a motor vehicle contract of sale may be voided by the buyer if the motor vehicle fails to pass the inspection sticker test within seven days from the date of sale at an inspection station approved pursuant to section seven A provided that the defects which are the reasons for the failure to issue an inspection sticker were not caused by the abusive or negligent operation of the motor vehicle or by damage resulting from an accident or collision occurring after the date of the sale and provided, further, that the cost of repairs necessary to permit the issuance of an inspection sticker exceed ten per cent of the purchase price of the motor vehicle.

In order to void a motor vehicle sale under this section the buyer shall, within ten days from the date of sale, notify the seller of his intention to do so, deliver the motor vehicle to the seller, provide the seller with a written statement signed by an authorized agent of such inspection station stating the reasons why the motor vehicle failed to pass the inspection sticker test and an estimate of the cost of necessary repairs; the buyer shall be entitled to a refund of his purchase price unless the buyer and seller agree in writing that the seller may make the necessary repairs at his own cost and expense within a reasonable period of time thereafter. This section shall apply only to motor vehicles purchased for the immediate personal or family use of the buyer.

SECTION 2. This act shall apply to motor vehicle contracts of sale entered into on and after its effective date.

Approved August 19, 1971.

Chap. 688. AN ACT RELATIVE TO THE SICK LEAVE ACCUMULATION OF THE JUSTICES OF THE DISTRICT COURTS.

Be it enacted, etc., as follows:

Section 6 of chapter 218 of the General Laws is hereby amended by striking out the fourth paragraph, as appearing in section 1 of chapter 810 of the acts of 1963, and inserting in place thereof the following paragraph:—

Special justices of the district courts, other than the municipal court of the city of Boston, and special justices of the Boston juvenile court shall be paid by the county twenty-five dollars for each day's

services, or at the rate by the day of the salary of the justices of the same court, whichever is the greater amount. For each day's service so paid for in excess of thirty days in any court in any one year, there shall be deducted by the county treasurer from the salary of the justice who absents himself from said court one day's compensation at the rate by the day of the salary of said justice, except for services of the special justice in holding simultaneous sessions; provided, however, that if a justice is absent, due to his illness or physical disability, for a period not exceeding thirty days in any year, in addition to said thirty days, he shall be deemed to be on sick leave and no such deduction shall be made; such thirty-day sick leave or any portion thereof not used in any year may be accumulated but shall, in any event, not exceed one hundred and eighty days in any consecutive six year period; and provided, further, that if a justice is absent on Saturday or absent due to an assignment on the administrative committee or an assignment by the chief justice of the district courts, no such deduction shall be made therefor.

Approved August 19, 1971.

Chap. 689. AN ACT AUTHORIZING THE CITY OF WALTHAM AND THE TOWNS OF WATERTOWN, BELMONT AND WESTON TO ENTER INTO AGREEMENTS TO PROVIDE JOINT PSYCHIATRIC SERVICES FOR THE YOUTH OF SAID MUNICIPALITIES.

Be it enacted, etc., as follows:

SECTION 1. The municipalities of Waltham, Watertown, Belmont and Weston, or any two of them, are authorized to join together for the establishment of a youth services bureau for the purposes of counseling, advising and providing psychiatric services to and aiding the youth of member municipalities. To accomplish those purposes, said municipalities may appropriate and expend money, enter into agreements with each other and with persons, corporations and charitable organizations, or any department or agency of the commonwealth or the federal government, as well as apply for and receive commonwealth and federal grants available to them for such purposes, and receive gifts and donations.

SECTION 2. The agreement between the member municipalities shall designate one city or town which is party thereto as the operating agent. Funds appropriated by the member municipalities to and received by such operating agent from itself and other member cities or towns, together with any grants, gifts or donations received, shall be deposited with and held as a separate account by the treasurer of the operating agent and shall be paid out by the treasurer, without the necessity of further appropriation, in payment for the services, costs, equipment, supplies and expenses required and contracted for by the member municipalities. Payments from such account shall be made by such treasurer according to warrants approved by the officers or committees of the member municipalities designated by the town meeting or city council of the member municipalities so to act on behalf of the member municipality.

SECTION 3. All bills and payrolls submitted for services rendered, or for equipment or supplies delivered, or for costs and expenses sustained in connection with any such agreement shall be plainly

marked to indicate that such services were rendered, or such equipment or supplies delivered, or such costs and expenses sustained, under authority hereof. Reimbursement from the member municipalities for, or payment from the same on account of, such services, equipment, supplies, expenses or costs shall be made at such intervals and in such proportions as such agreement provides.

SECTION 4. Agreements made under the authority hereof shall be made for the fiscal year, or at inception for part thereof, and may be terminated at the end of any fiscal year by written notice of termination given by any municipality which has entered into such agreement to every other member municipality at least sixty days before the end of such year. Such agreements shall also provide for the naming of officers from the member municipalities for the organization formed by such agreements; preparation and distribution of annual budgets setting out for the member municipalities the expenditure anticipated to be made during the forthcoming fiscal year under the authority hereof; the preparation and distribution of annual reports on funds expended for activities conducted and services performed for the member municipalities; and shall also provide for disposition, upon termination by any or all member municipalities, of all unencumbered funds and all equipment and supplies held pursuant to such agreements. Equipment and supplies, if any, while held under the authority hereof shall be considered the joint property of the member municipalities.

Approved August 19, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 19, 1971

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 689 of the Acts of 1971, entitled "AN ACT AUTHORIZING THE CITY OF WALTHAM AND THE TOWNS OF WATERTOWN, BELMONT AND WESTON TO ENTER INTO AGREEMENTS TO PROVIDE JOINT PSYCHIATRIC SERVICES FOR THE YOUTH OF SAID MUNICIPALITIES." and the enactment of which received my approval on August 19, 1971, 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 order to provide immediately for the implementation of the services which will be provided by the establishment of a youth services bureau in these communities.

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

OFFICE OF THE SECRETARY, BOSTON, August 19, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at

three o'clock, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and eighty-nine of the acts of nineteen hundred and seventy-one.

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

Chap. 690. AN ACT AUTHORIZING THE CITY OF MALDEN TO INCREASE THE ANNUAL PENSION OF DANIEL E. CONNELL.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the city of Malden is hereby authorized to increase the annual pension of Daniel E. Connell, a former superintendent of the park department of said city, from eighteen hundred and eighteen dollars and twenty-nine cents to thirty-six hundred dollars.

SECTION 2. This act shall take effect upon its acceptance by the city of Malden. *Approved August 19, 1971.*

Chap. 691. AN ACT AUTHORIZING THE CITY OF NEWTON TO REVOKE ITS ACCEPTANCE OF A HEALTH DEPARTMENT TO REPLACE THE BOARD OF HEALTH THEREIN.

Be it enacted, etc., as follows:

The city of Newton is hereby authorized, by vote of the board of aldermen and approval of its mayor, to revoke its acceptance of sections twenty-six A to twenty-six E, inclusive, of chapter one hundred and eleven of the General Laws, which created a health department under a commissioner of health to replace the board of health therein, and to place its health department on and after the effective date of this act under a board of health, the members of which shall be appointed by its mayor, subject to confirmation by its board of aldermen.

Approved August 19, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 26, 1971

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 691 of the Acts of 1971, entitled "AN ACT AUTHORIZING THE CITY OF NEWTON TO REVOKE ITS ACCEPTANCE OF A HEALTH DEPARTMENT TO REPLACE THE BOARD OF HEALTH THEREIN." and the enactment of which received my approval on August 19, 1971, 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 order to provide immediately that the city of Newton may implement the provisions of this act.

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

OFFICE OF THE SECRETARY, BOSTON, August 26, 1971.

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

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

Chap. 692. AN ACT INCREASING THE COMPENSATION OF THE CUSTODIAN OF THE BOSTON TEACHERS' RETIREMENT FUND FOR HIS SERVICES AND CLERK HIRE.

Be it enacted, etc., as follows:

Section 4 of chapter 237 of the acts of 1900 is hereby amended by striking out the last sentence, as amended by chapter 445 of the acts of 1949, and inserting in place thereof the following sentence:—He shall receive such compensation for his services and clerk hire, not exceeding five thousand dollars a year, as the board of trustees shall determine, and the sum so determined shall be appropriated for that purpose by the school committee of the city of Boston.

Approved August 19, 1971.

Chap. 693. AN ACT REQUIRING THE MASSACHUSETTS PARKING AUTHORITY TO AWARD CONTRACTS TO THE LOWEST RESPONSIBLE AND ELIGIBLE BIDDER.

Be it enacted, etc., as follows:

SECTION 1. Clause (*j*) of section 5 of chapter 606 of the acts of 1958 is hereby amended by inserting after the word "act", in line 2, the words:—, provided that any sale of real property shall be sold, after advertisement for bids, to the highest responsible bidder. The authority shall have the right to reject all bids and to readvertise for bids. No real estate shall be sold unless notice of the sale shall have been advertised in two daily newspapers published in the city of Boston, and, if such real property is located in any other city or town, in a newspaper published in such other city or town, once a week for three successive weeks. Such advertisements shall state the time and place where all pertinent information relative to the real property to be sold or conveyed may be obtained, and the time and place of opening the bids in answer to said advertisements, and that the authority reserves the right to reject any or all such bids. All bids in

response to advertisements shall be sealed and be publicly opened by the authority. The authority may require, as evidence of good faith, that a deposit of a reasonable sum, to be fixed by the authority, accompany the proposals.

SECTION 2. Clause (*l*) of said section 5 of said chapter 606 is hereby amended by inserting after the word "project", in line 4, the words:—, provided that sections twenty-six to twenty-nine, inclusive, and sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws and sections thirty-nine F to thirty-nine M, inclusive, of chapter thirty of the General Laws shall apply to contracts of the authority to the same extent and in the same manner as they are applicable to the commonwealth. All general or special laws, or parts thereof, inconsistent herewith, are hereby declared to be inapplicable to the provisions of this act.

SECTION 3. Section 23 of said chapter 606 is hereby amended by striking out the second paragraph. *Approved August 19, 1971.*

Chap. 694. AN ACT FURTHER REGULATING THE PROSECUTION OF THE CRIME OF BUYING, RECEIVING OR CONCEALING A STOLEN MOTOR VEHICLE OR TRAILER.

Be it enacted, etc., as follows:

Chapter 277 of the General Laws is hereby amended by striking out section 58A, inserted by section 1 of chapter 311 of the acts of 1943, and inserting in place thereof the following section:—

Section 58A. The crime of buying, receiving or concealing a stolen motor vehicle or trailer, as defined in section twenty-eight of chapter two hundred and sixty-six, and the crime of buying, receiving or aiding in the concealment of stolen or embezzled property, as defined in section sixty of said chapter two hundred and sixty-six, may be prosecuted and punished in the same jurisdiction in which the larceny or embezzlement of any property involved in the crime may be prosecuted and punished. *Approved August 19, 1971.*

Chap. 695. AN ACT PROVIDING FOR COMPULSORY HEALTH INSURANCE FOR MIGRANT FARM WORKERS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 151 of the General Laws is hereby amended by inserting after section 2A the following section:—

Section 2B. Any agricultural employer or grower who employs a migrant farm worker not under a contract approved by the Federal Government or a political subdivision thereof shall provide for said worker, after ten days of employment, health insurance coverage which shall provide him the cost of hospital room and board not to exceed the sum of forty-five dollars multiplied by the number of days of hospital confinement, or the sum of three thousand one hundred and fifty dollars, whichever is lesser, the cost of hospital services and supplies not to exceed the sum of four hundred and fifty dollars with outpatient laboratory and X-ray examination fees not to exceed the sum of fifty dollars for injuries resulting from an accident and fifty dollars for sicknesses suffered by him within each twelve-month

period he is so employed, surgical fees not to exceed the sum of four hundred dollars for each operation in accordance with a schedule of fees contained in the policy covering the types of surgery, in-hospital physicians fees not to exceed the sum of seven dollars multiplied by the number of days of hospital confinement, or the sum of four hundred and ninety dollars, whichever is lesser. There shall be withheld from each weekly payment of wages or salary from said worker an amount equal to forty per cent of the insurance premium payable on said policy, the employer to contribute the remaining sixty per cent. Said employer shall then pay the entire premium when due to the insurer. If an employer or grower fails to withhold from such workers wages the weekly sum as aforesaid, he shall be liable for the payment of the entire premium. If the worker is disabled for a full week and is unable to work for said week the employer shall pay the entire cost of the premium for that week.

For the purposes of this section the term "migrant farm worker" shall mean an employee who seasonally travels interstate to gain employment and lives in a labor camp provided by the employer. Said term shall not include students regularly enrolled in institutions of secondary and higher learning nor shall it include a worker who is covered by a family medical plan.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-two. *Approved August 19, 1971.*

Chap. 696. AN ACT PROVIDING THAT THE SCHOOL COMMITTEE OF THE CITY OF BROCKTON SHALL CONSIST OF ITS MAYOR AND SEVEN MEMBERS TO BE ELECTED BY AND FROM THE WARDS OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section thirty-one of chapter forty-three of the General Laws shall not apply to the city of Brockton. The school committee shall consist of the mayor, who shall be the chairman, and seven members, one of whom shall be elected by and from the voters of each ward of said city. At the first regular municipal election held in said city after the adoption of this act, one member of the school committee shall be elected from each ward for a term of two years from the first Wednesday in January following said election and until his successor is elected and qualified. On said first Wednesday in January the terms of office of the members of the school committee elected under the provisions of said section thirty-one shall terminate.

SECTION 2. This act shall be submitted to the registered voters of the city of Brockton at the regular city election to be held in the current year in the form of the following question which shall be placed upon the official ballot at said election: — "Shall an act passed by the General Court in the current year entitled 'An Act providing that the school committee of the city of Brockton shall consist of its mayor and seven members to be elected by and from the wards of said city', be accepted?" If a majority of the votes cast on said question are in the affirmative, this act shall take full effect for the purposes of each biennial municipal election in said city thereafter, but not otherwise.

Approved August 24, 1971.

Chap. 697. AN ACT FURTHER REGULATING THE PROCEDURE FOR THE TAKING OF REAL ESTATE AND INTERESTS THEREIN BY EMINENT DOMAIN.

Be it enacted, etc., as follows:

Chapter 79 of the General Laws is hereby amended by striking out section 7A, as appearing in section 3 of chapter 579 of the acts of 1964, and inserting in place thereof the following section: —

Section 7A. An award of damages made pursuant to section six or section seven shall not be made until at least one appraisal has been made in accordance with section twelve on behalf of the taking authority and filed therewith; unless all persons entitled to damages by reason of the taking shall have made a prior written request of the taking authority that the taking be made without awaiting such appraisal and filing, in which event the taking authority may award only nominal damages at the time of adoption of the order but shall, within four months after the taking and after such appraisal is made and filed, amend the award of damages to reflect the damages sustained, and shall immediately after such amendment give written notice thereof to the same persons and in the same manner of service specified by section seven C and, notwithstanding any contrary provision of law, any interest either on damages or on the excess of any payment or deposit made by the taking authority over damages subsequently assessed shall run only from the date of such amendment or the expiration of such four months, whichever is earlier. *Approved August 24, 1971.*

Chap. 698. AN ACT INCREASING THE TRANSPORTATION ALLOWANCE UNDER THE OLD AGE ASSISTANCE AND DISABILITY ASSISTANCE LAWS AND INCREASING THE INCIDENTAL EXPENSES ALLOWANCE UNDER THE AID TO THE BLIND LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to increase forthwith the allowance for leisure time activities for recipients of old age assistance and disability assistance and the allowance for incidental expenses for recipients of aid to the blind, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 118A of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 1 of chapter 169 of the acts of 1970, and inserting in place thereof the following paragraph:—

The department shall include in the budget of each recipient an item, to be known as "Leisure Time Activities", under which there shall be paid to each recipient the sum of thirty-four dollars and fifty cents monthly in addition to the budgetary requirements of any other assistance granted under the provisions of this section, and an item, to be known as "Transportation Allowance", under which there shall be paid to each recipient who is not an inmate of a nursing home or institution the sum of twelve dollars and fifty cents monthly.

SECTION 2. Section 4 of chapter 118D of the General Laws is hereby amended by striking out the last sentence, as appearing in section 2

of said chapter 169, and inserting in place thereof the following sentence:—The department shall include in the budget of each recipient an item to be known as "Leisure Time Activities", under which there shall be paid to each recipient the sum of thirty-four dollars monthly in addition to the budgetary requirements or any other assistance granted under the provisions of this section, and an item to be known as "Transportation Allowance", under which there shall be paid to each recipient who is not an inmate of a nursing home or institution the sum of ten dollars monthly.

SECTION 3. Section 130 of chapter 6 of the General Laws, inserted by section 2 of chapter 535 of the acts of 1966, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:—

The commissioner of the blind shall include in the budget of each recipient of aid to the blind an item to be known as "incidental expenses arising from blindness", under which there shall be paid to each recipient, in addition to any other sum paid to him, the sum of fifteen dollars monthly.

SECTION 4. This act shall apply to monthly payments of old age assistance and disability assistance and aid to the blind, commencing June the first, nineteen hundred and seventy-one.

Approved August 26, 1971.

Chap. 699. AN ACT SUSPENDING FOR A CERTAIN SCHOOL YEAR THE LIMITATION ON THE POWER OF THE SCHOOL COMMITTEE OF THE CITY OF BOSTON TO INCREASE THE SALARIES OF TEACHERS DURING A SCHOOL YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section five of chapter two hundred and forty-one of the acts of eighteen hundred and seventy-five, as most recently amended by section four of chapter seven hundred and eighty-six of the acts of nineteen hundred and sixty-three, the salaries of the teachers in the public schools of the city of Boston established at the commencement of the school year commencing September the first, nineteen hundred and seventy-one may be increased at any time during such school year if a general appropriation for salary increases is available at any time in such year for the payment of such increase.

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

Approved August 26, 1971.

Chap. 700. AN ACT ESTABLISHING A RIGHT OF ACTION FOR CONSEQUENTIAL DAMAGES UNDER THE WORKMEN'S COMPENSATION ACT WHERE A MINOR CHILD, A HUSBAND OR WIFE SUSTAIN A PERSONAL INJURY, OR DIE AS A RESULT OF SUCH INJURY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish a right of action on October the fifteenth, nineteen hundred and seventy-one, for consequential damages under the workmen's compensation act where a minor child, a

husband or wife sustain a personal injury, or die as a result of such injury, 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 66 of chapter 152 of the General Laws, as most recently amended by chapter 478 of the acts of 1959, is hereby further amended by inserting after the word "injury", in line 2, the words:— or consequential damages.

SECTION 2. This act shall apply to causes of action arising on or after October the fifteenth, nineteen hundred and seventy-one.

Approved August 26, 1971.

Chap. 701. AN ACT AUTHORIZING THE TOWN OF MARSHFIELD TO ASSESS BETTERMENTS FOR WATER IMPROVEMENTS ON CERTAIN ROADS IN SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of sections one and two of chapter eighty of the General Laws, assessments for betterments may be made by the town of Marshfield for the installation of water mains together with a hydrant or hydrants and connections in roads or portions of roads in Marshfield Estates as voted at the annual town meeting of nineteen hundred and sixty-nine, which installation was completed during the calendar years nineteen hundred and sixty-nine and nineteen hundred and seventy.

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

Approved August 26, 1971.

Chap. 702. AN ACT PROVIDING THAT IT SHALL BE PRIMA FACIE EVIDENCE THAT A CLAIM FALLS WITHIN THE PROVISIONS OF THE WORKMEN'S COMPENSATION LAW IF AN EMPLOYEE IS FOUND DEAD AT HIS PLACE OF EMPLOYMENT.

Be it enacted, etc., as follows:

Chapter 152 of the General Laws is hereby amended by striking out section 7A, added by chapter 380 of the acts of 1947, and inserting in place thereof the following section:—

Section 7A. In any claim for compensation where the employee has been killed, or found dead at his place of employment or is physically or mentally unable to testify, it shall be prima facie evidence that the employee was performing his regular duties on the day of injury or fatality or death or disability and that the claim comes within the provisions of this chapter, that sufficient notice of the injury has been given and that the injury or death or disability was not occasioned by the wilful intention of the employee to injure or kill himself or another.

Approved August 26, 1971.

Chap. 703. AN ACT AUTHORIZING THE COUNTY TREASURER OF ESSEX COUNTY TO PAY A CERTAIN SUM OF MONEY TO HARRIET CHERRY.

Be it enacted, etc., as follows:

The county treasurer of Essex county is hereby authorized to pay from any available funds to Harriet Cherry, widow of the late Israel Cherry, a former special justice of the district court of southern Essex, three thousand eight hundred seventeen dollars and twenty-seven cents, due to a change of the retirement date of said Israel Cherry by the attorney general's office to October the seventeenth, nineteen hundred and sixty-eight. *Approved August 26, 1971.*

Chap. 704. AN ACT FURTHER REGULATING THE DUTIES OF COURT OFFICERS IN THE DISTRICT COURTS.

Be it enacted, etc., as follows:

Section 61 of chapter 218 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:—Such officers shall, when required, attend the sessions of the court, shall preserve order and may serve warrants, mittimuses, precepts and other orders and processes of the court, and shall perform such other duties as the court may assign. *Approved August 26, 1971.*

Chap. 705. AN ACT PROVIDING FOR THE PLACING OF QUESTIONS ON OFFICIAL STATE ELECTION BALLOTS RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES BY CERTAIN RESTAURANTS AND FUNCTION ROOMS.

Be it enacted, etc., as follows:

Section 11 of chapter 138 of the General Laws, as most recently amended by chapter 339 of the acts of 1971, is hereby further amended by adding the following paragraph:—

Upon receipt of a petition signed by the registered voters of any city or town equal in number to at least five per cent of the number of registered voters therein at the last preceding city or town election, requesting the inserting on the ballot at a biennial state election of the following subdivision, the state secretary shall cause to be placed on the ballot at the next succeeding biennial state election held not less than sixty days subsequent to the filing of such petition, the following subdivision:—

E. Shall licenses be granted in this city (or town) for the sale therein of alcoholic beverages by restaurants and function rooms having a seating capacity of not less than one hundred persons?

YES.	
NO.	

In any city or town which has been authorized to vote on a subdivision designated as E or F, the subdivision authorized by this paragraph shall be designated subdivision F or G, as the case may be. The petition authorized herein shall be subject to the provisions of section seven of chapter fifty-three. *Approved August 26, 1971.*

Chap. 706. AN ACT DIRECTING THE TRANSFER OF CERTAIN LANDS OF THE COMMONWEALTH TO THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES, AND AUTHORIZING SAID DEPARTMENT TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF ERVING FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the boards, officers and agencies having control of the lands of the commonwealth hereinafter described are hereby authorized and directed to transfer said lands, or such portions thereof as the department of public works may determine, to the control of said department, and said department is hereby authorized to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled, "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

1. Approximately sixty-two acres contained in six parcels at and near the southerly boundary of the Erving State Forest in the town of Erving, and approximately twenty-two acres at and near the southerly boundary of that portion of the Orange State Forest located northerly of Millers River in the town of Orange, as shown on said map, now under the control of the Department of Natural Resources and dedicated to forestry and recreation purposes, to be used for the relocation of Route 2.

2. Approximately two hundred acres contained in nine parcels in the vicinity of the southerly portions of the Erving and Orange State Forests and lying northerly of Miller River, as shown on the map referred to in section one, to be acquired by the Department of Public Works solely because of the isolation of said lands by the relocation of Route 2 in said towns, and not required for said relocation.

SECTION 2. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so acquired and diverted are shown on plans contained in the map referred to in section one, and are identified as follows:

In the town of Erving to be used for the relocation of Route 2 —

1. Approximately one and five tenths acres northerly of the existing location of said Route 2 and westerly of Mountain Road, as shown on said map referred to in section one, now owned by said town but not dedicated to any public use.

2. Approximately one and one tenth acres along Mountain Road in an unused portion of the Erving Cemetery, as shown on said map, now owned by said town and dedicated to cemetery purposes.

3. Approximately one and two tenths acres northerly of the existing location of said Route 2 and easterly of High Street, containing a well and appurtenances thereto, as shown on said map, now owned by said town and dedicated to water supply purposes.

SECTION 3. Any land transferred to or taken by the department of public works under the provisions of this act which said department determines is not required for highway purposes may be transferred to the department of natural resources for conservation and forestry purposes.

Approved August 26, 1971.

Chap. 707. AN ACT PROVIDING FOR AN ASSISTANT CHIEF DEPUTY SHERIFF FOR ATTENDANCE ON THE SUPERIOR COURT IN SUFFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 221 of the General Laws is hereby amended by striking out section 71A, inserted by chapter 177 of the acts of 1949, and inserting in place thereof the following section: —

Section 71A. The sheriff of Suffolk county may designate two of the court officers of the superior court to act as assistant chief deputy sheriffs for attendance on the superior court in said county. Such officers, in addition to their regular duties as court officers, shall perform such other duties as from time to time may be prescribed by the sheriff.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston in the current year, but not otherwise.

Approved August 26, 1971.

Chap. 708. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY MARJORIE J. HOLM AND HARRY W. HOLM FOR CERTAIN DAMAGES SUSTAINED BY THEM.

Be it enacted, etc., as follows:

The town of Braintree is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is hereby authorized to pay Marjorie J. Holm and Harry W. Holm, both of said town, as co-payees, a sum not to exceed fifteen thousand five hundred dollars for damages sustained by them in regard to property located at 575 Washington street in said town.

Approved August 26, 1971.

Chap. 709. AN ACT TO ASCERTAIN THE WILL OF THE PEOPLE OF THE CITY OF PITTSFIELD RELATIVE TO AN IMMEDIATE CEASE FIRE IN INDOCHINA AND TO AN IMMEDIATE WITHDRAWAL OF ALL UNITED STATES TROOPS AND MILITARY EQUIPMENT FROM SOUTHEAST ASIA.

Be it enacted, etc., as follows:

SECTION 1. In order to ascertain the will of the voters of the city of Pittsfield, there shall be placed upon the official ballot to be used at the

next regular election to be held in the city of Pittsfield on November the second of the current year the following question:

"Shall it be the will and policy of the people of Pittsfield that there be an immediate cease fire in Indochina and an immediate withdrawal of all United States troops and military equipment from Southeast Asia consistent with the safe release of all prisoners so that the people of Southeast Asia can settle their own problems?"

SECTION 2. The clerk of said city shall transmit a written statement of the results of such votes to the President of the United States, the presiding officer of each branch of Congress and to the members thereof from this commonwealth.

SECTION 3. This act shall take effect upon its acceptance by the mayor and city council of the city of Pittsfield.

Approved August 26, 1971.

Chap. 710. AN ACT RELATIVE TO THE ANNUAL OBSERVANCE OF SOCIAL JUSTICE FOR IRELAND DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15T the following section: —

Section 15U. The governor shall annually issue a proclamation setting apart the first Saturday in October as Social Justice for Ireland Day and recommending that said day be observed in an appropriate manner by the people. *Approved August 26, 1971.*

EMERGENCY LETTER — September 9, 1971 at 2:05 P.M.

Chap. 711. AN ACT RELATIVE TO THE GRANTING OF LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES TO APARTMENT HOUSES HAVING A DINING ROOM CAPACITY OF NOT LESS THAN NINETY-NINE PERSONS IN THE TOWN OF MILTON.

Be it enacted, etc., as follows:

The state secretary shall cause to be placed on the official ballot used in the town of Milton 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 Milton for the sale therein of all alcoholic beverages to be consumed on the premises of apartment houses having a dining room capacity of not less than ninety-nine persons?

YES.	
NO.	

If a majority of the votes cast in such town in answer to subdivision E is in the affirmative, such town shall, irrespective of the result 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 retail sale in such town of all alcoholic beverages to be drunk on the premises of apartment houses 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 August 26, 1971.*

Chap. 712. AN ACT RELATIVE TO LIMITING THE LIABILITY OF THE HOLDER OF A CREDIT CARD OR OTHER CREDIT DEVICE.

Be it enacted, etc., as follows:

Chapter 255 of the General Laws is hereby amended by striking out section 12E, as most recently amended by chapter 665 of the acts of 1970, and inserting in place thereof the following section: —

Section 12E. (1) In this section the following words and phrases shall, unless the context requires otherwise, have the following meanings: —

"Adequate notice", a printed notice to a cardholder which sets forth the pertinent facts clearly and conspicuously so that a person against whom it is to operate could reasonably be expected to have noticed it and understood its meaning. Such notice may be given to a cardholder by printing the notice on any credit card, or on each periodic statement of account, issued to the cardholder, or by any other means reasonably assuring the receipt thereof by the cardholder.

"Credit card", any card, plate, coupon book or other credit device existing for the purpose of obtaining money, property, labor or services on credit.

"Accepted credit card", any credit card which the cardholder has requested and received or has signed or has used, or authorized another to use, for the purpose of obtaining money, property, labor or services on credit.

"Cardholder", any person to whom a credit card is issued or any person who has agreed with the card issuer to pay obligations arising from the issuance of a credit card to another person.

"Card issuer", any person who issues a credit card, or the agent of such person with respect to such card.

"Unauthorized use", a use of a credit card by a person other than the cardholder who does not have actual, implied or apparent authority for such use and from which the cardholder receives no benefit.

(2) No credit card shall be issued except in response to a request or application therefor. This prohibition shall not apply to the issuance of a credit card in renewal of, or in substitution for, an accepted credit card.

(3) A cardholder shall be liable for the unauthorized use of a credit card only if the card is an accepted credit card, the liability is not in excess of fifty dollars, the card issuer gives adequate notice to the cardholder of the potential liability, the card issuer has provided the cardholder with a self-addressed, prestamped notification to be mailed by the cardholder in the event of the loss or theft of the credit card and the unauthorized use occurs before the cardholder has notified the card issuer that an unauthorized use of the credit card has occurred or may occur as the result of loss, theft or otherwise. A cardholder shall not be liable for the unauthorized use of any credit card regardless of the date of its issuance, unless (*a*) the conditions of liability specified in this subsection are met, and (*b*) the card issuer has provided a method whereby the user of such card can be identified as the person authorized to use it. For the purposes of this section, a cardholder shall be deemed to have notified a card issuer by taking such steps as may be reasonably required in the ordinary course of business to provide the card issuer with the notice required by this subsection whether or not any par-

ticular officer, employee or agent of the card issuer does in fact receive such notice.

(4) In any action by a card issuer to enforce liability for the use of a credit card, the burden of proof shall be upon the card issuer to show that the use was authorized or, if the use was unauthorized, then the burden of proof shall be upon the card issuer to show that the conditions of liability for the unauthorized use of a credit card, as set forth in this subsection, have been met.

(5) Nothing in this section shall impose liability upon a cardholder for the unauthorized use of a credit card in excess of his liability for such use under other applicable law or under any agreement with the card issuer.

(6) Except as provided in this section, a cardholder shall not incur any liability from the unauthorized use of a credit card.

(7) Whoever uses any counterfeit, fictitious, altered, forged, lost, stolen or fraudulently obtained credit card to obtain goods or services, or both, having a retail value aggregating five thousand dollars or more, shall be punished by a fine of not more than ten thousand dollars or by imprisonment for not more than five years, or both.

(8) The attorney general may prescribe from time to time such rules and regulations as may be necessary or proper in carrying out the provisions of this section. No such rule or regulation shall be less stringent than the provisions of the Federal Consumer Credit Protection Act and Regulation Z issued by the board of governors of the federal reserve system pursuant thereto.

(9) A violation of this section shall constitute a violation of chapter ninety-three A. *Approved August 26, 1971.*

Chap. 713. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A CERTAIN SUM OF MONEY TO MIDDLESEX EAST II, INC.

Be it enacted, etc., as follows:

SECTION 1. The town of Watertown is hereby authorized to appropriate money for the payment of and after such appropriation to pay to Middlesex East II, Inc. a sum not to exceed five thousand seven hundred and eighty-three dollars and thirty-four cents for services rendered to said town through the Family and Youth Resource Center in the year nineteen hundred and seventy, payment for which is legally unenforceable against said town.

SECTION 2. Any action taken by the town of Watertown pursuant to section one at the annual town meeting held in the year nineteen hundred and seventy shall be as valid and effective as though this act had been in full force and effect at the time of the posting of the warrant for said meeting. *Approved August 26, 1971.*

Chap. 714. AN ACT DISSOLVING THE HADLEY WATER SUPPLY DISTRICT AND TRANSFERRING ITS FUNCTIONS TO THE TOWN OF HADLEY.

Be it enacted, etc., as follows:

SECTION 1. The Hadley Water Supply District is hereby dissolved, and, without any further conveyance or other action, the assets of said

district are hereby transferred to the town of Hadley and the obligations, indebtedness and liabilities of said district shall be assumed by said town.

SECTION 2. The provisions of this act shall not affect any act done, ratified or confirmed by said district or any of its officers prior to the effective date of this act, nor any right accrued or established, nor any action, suit or proceeding commenced or had in a civil case, nor shall it impair the validity of any of the notes, bonds or other obligations of said district outstanding on said date. Any indebtedness incurred by said district and outstanding at the time it is taken over by said town shall be assumed by said town.

SECTION 3. Notwithstanding any contrary provision of law, the selectmen of said town shall act as water commissioners.

SECTION 4. This act shall take effect at the beginning of that fiscal year beginning next after its acceptance by a majority vote of the voters of the town of Hadley present and voting at any town meeting, within two years after its passage. *Approved August 26, 1971.*

Chap. 715. AN ACT AUTHORIZING THE TOWN OF BRIDGEWATER TO PAY A CERTAIN SUM OF MONEY TO GEORGE W. ALLEY OF BRIDGEWATER.

Be it enacted, etc., as follows:

For the purpose of discharging a moral obligation, the town of Bridgewater is hereby authorized to pay an unpaid bill in the sum of three thousand one hundred dollars to George W. Alley of said town for construction work done for the conservation commission of said town, and said town is hereby further authorized to appropriate the sum of one thousand one hundred and two dollars and fifty-six cents toward the payment of said bill, the remaining amount of said bill, one thousand nine hundred and ninety-seven dollars and forty-four cents, having already been encumbered towards the cost of said work from an unexpended appropriation of nineteen hundred and seventy, 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.

Approved August 26, 1971.

Chap. 716. AN ACT AUTHORIZING THE FORECLOSURE OF THE RIGHT OF REDEMPTION OF LAND SIX MONTHS AFTER THE SALE OR TAKING OF SUCH LAND FOR TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 65 of chapter 60 of the General Laws, as most recently amended by chapter 305 of the acts of 1938, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — After six months from a sale or taking of land for taxes, except as provided in section sixty-two, whoever then holds the title thereby acquired may bring a petition in the land court for the foreclosure of all rights of redemption thereunder.

SECTION 2. Section 45 of said chapter 60, as most recently amended by section 1 of chapter 339 of the acts of 1938, is hereby further amended by striking out the last sentence and inserting in place thereof the fol-

lowing sentence: — No sale hereafter made shall give to the purchaser any right to possession of the land until the expiration of six months after the date of the sale.

SECTION 3. This act shall apply only to a sale or taking for nonpayment of taxes made after its effective date.

Approved August 26, 1971.

Chap. 717. AN ACT PROVIDING FOR VACATION AND SICK LEAVE FOR THE CLERKS AND ASSISTANT CLERKS OF THE SPRINGFIELD AND WORCESTER JUVENILE COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 156 of the acts of 1952, and inserting in place thereof the following sentence: — In case of the absence, death or removal of a clerk of a district court or of the Boston, Springfield and Worcester juvenile courts, the court may appoint a temporary clerk, to act until the clerk resumes his duties or until the vacancy is filled.

SECTION 2. Section 11 of said chapter 218 is hereby amended by striking out the first sentence, as amended by section 2 of said chapter 156, and inserting in place thereof the following sentence: — In case of the absence, death or removal of a salaried assistant clerk of a district court or of a juvenile court, other than the municipal court of the city of Boston, or of the Boston juvenile court, the clerk, subject to the approval of the justice, may appoint a temporary assistant clerk, to act until such assistant clerk resumes his duties or until the vacancy is filled.

Approved August 26, 1971.

Chap. 718. AN ACT FURTHER REGULATING THE TAX ON HORSE AND DOG RACING MEETINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to regulate further the tax on horse and dog racing meetings, 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 128A of the General Laws is hereby amended by striking out the third, fourth and fifth paragraphs and inserting in place thereof the following seven paragraphs: —

No other place or method of betting, pool making, wagering or gambling shall be used or permitted by the licensee, nor shall this chapter be deemed to authorize or legalize the pari-mutuel or certificate system of wagering on any races except horse and dog races at the track where such pari-mutuel or certificate system of wagering is conducted. Each licensee conducting a racing meeting shall become the custodian or depository for such sums as may be deposited with such licensee by patrons as wagers on the speed or ability of any one or more horses or dogs in a race or races and such licensee shall be responsible for such sum so deposited and shall return to the winning patrons so wagering on the speed or ability of any one or more horses or dogs in a race or races all sums so deposited as an award or dividend, ac-

cording to the acknowledged and recognized rules and method under which such pari-mutuel or certificate system has been operated, less the breaks, as defined in this section, and less an amount not to exceed sixteen per cent of the total amount so deposited by the patrons wagering on the speed or ability of running horses except at a state or county fair, and eighteen per cent of the total amount so deposited by the patrons wagering on the speed or ability of harness horses or of dogs except at a state or county fair, and less the so-called breaks, as defined in this section.

Each person licensed to conduct a running horse racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission on the day following each day of such horse racing meeting a sum equal to eight and one half per cent of the total amount deposited on the preceding day by the patrons so wagering at such meeting, said percentage to be paid from the sixteen per cent withheld, as provided in this section, from the total amount wagered.

Each person licensed to conduct a dog racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission, on the day following each day of such dog racing meeting, a sum equal to six and one half per cent of so much of the total amount deposited on the preceding day by patrons so wagering at such meeting as does not exceed one hundred and fifty thousand dollars, ten per cent of so much thereof as exceeds one hundred and fifty thousand dollars but does not exceed two hundred and fifty thousand dollars, eleven and one quarter per cent of so much thereof as exceeds two hundred and fifty thousand dollars but does not exceed three hundred and seventy-five thousand dollars, eleven and three quarters per cent of so much thereof as exceeds three hundred and seventy-five thousand dollars, said percentages to be paid from the eighteen per cent withheld, as provided in this section, from the total amount wagered. Each licensee may retain as his commission on the total of all sums so deposited, in addition to his share of the breaks as hereinafter provided, a sum not exceeding the balance of the sixteen and eighteen per cent withheld as provided in this section from the total amount wagered after deducting therefrom the amount hereinbefore required to be paid to the commission.

Each licensee conducting a racing meeting in connection with a state or county fair shall become the custodian or depository for such sums as may be deposited with such licensee by patrons as wagers on the speed or ability of any one or more horses or dogs in a race or races and such licensee shall be responsible for such sum so deposited and shall return to the winning patrons so wagering on the speed or ability of any one or more horses or dogs in a race or races all sums so deposited as an award or dividend, according to the acknowledged and recognized rules and method under which such pari-mutuel or certificate system has been operated, less the breaks, as defined in this section, and less an amount not to exceed eighteen per cent of the total amount so deposited by the patrons wagering on the speed or ability of harness horses, running horses or dogs and less the so-called breaks, as defined in this section.

Each person licensed to conduct a running horse or dog racing meeting in connection with a state or county fair shall pay to the commission on the day following each day of such running horse or dog racing

meeting a sum equal to four per cent of so much of the total amount deposited on the preceding day by patrons so wagering at such meeting as does not exceed one hundred thousand dollars, nine per cent of so much thereof as exceeds one hundred thousand dollars but does not exceed three hundred thousand dollars, ten per cent of so much thereof as exceeds three hundred thousand dollars but does not exceed five hundred thousand dollars, and eleven per cent of all thereof as exceeds five hundred thousand dollars; said percentages to be paid from the eighteen per cent withheld, as provided in this section, from the total amount wagered.

Each person licensed to conduct a harness horse racing meeting in connection with a state or county fair shall pay to the commission on the day following each day of such harness horse racing meeting a sum equal to six and one half per cent of so much of the total amount deposited on the preceding day by the patrons so wagering at such meeting as does not exceed four hundred thousand dollars, seven and three quarters per cent of so much thereof as exceeds four hundred thousand dollars but does not exceed four hundred and fifty thousand dollars, eight and one quarter per cent of so much thereof as exceeds four hundred and fifty thousand dollars but does not exceed five hundred thousand dollars, eight and three quarters per cent of so much thereof as exceeds five hundred thousand dollars but does not exceed five hundred and fifty thousand dollars, nine and one quarter per cent of so much thereof as exceeds five hundred and fifty thousand dollars but does not exceed six hundred thousand dollars, nine and three quarters per cent of so much thereof as exceeds six hundred thousand dollars but does not exceed six hundred and fifty thousand dollars and ten and one quarter per cent of all over six hundred and fifty thousand dollars, said percentages to be paid from the eighteen per cent withheld, as provided in this section, from the total amount wagered.

Each such person may retain as his commission on the total of all sums so deposited, in addition to his share of the breaks as hereinafter provided, a sum not exceeding the balance of the eighteen per cent withheld as provided in this section, from the total amount wagered after deducting therefrom the amount hereinbefore required to be paid to the commission.

SECTION 2 Said section 5 of said chapter 128A is hereby further amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

Each person licensed to conduct a harness horse racing meeting, other than a licensee holding a racing meeting in connection with a state or county fair, shall pay to the commission on the day following each day of such harness horse racing meeting a sum equal to six and one half per cent of so much of the total amount deposited on the preceding day by the patrons so wagering at such meeting as does not exceed four hundred thousand dollars, seven and three quarters per cent of so much thereof as exceeds four hundred thousand dollars but does not exceed four hundred and fifty thousand dollars, eight and one quarter per cent of so much thereof as exceeds four hundred and fifty thousand dollars but does not exceed five hundred thousand dollars, eight and three quarters per cent of so much thereof as exceeds five hundred thousand dollars but does not exceed five hundred and fifty thousand dollars, nine and one quarter per cent of so much thereof as exceeds

five hundred and fifty thousand dollars but does not exceed six hundred thousand dollars, nine and three quarters per cent of so much thereof as exceeds six hundred thousand dollars but does not exceed six hundred and fifty thousand dollars and ten and one quarter per cent of all over six hundred and fifty thousand dollars, said percentages to be paid from the eighteen per cent withheld, as provided in this section, from the total amount wagered.

SECTION 3. Section twenty-seven of chapter five hundred and forty-six of the acts of nineteen hundred and sixty-nine is hereby repealed.

Approved August 26, 1971.

Chap. 719. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-TWO, 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 the thirtieth, nineteen hundred and seventy-two, in this act referred to as the year nineteen hundred and seventy-two, or for such period as may be specified.

SECTION 2.

Legislature.

Senate.

Item		
0111–0000	For the compensation of senators, prior appropriation continued	$523,450
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 eight permanent positions	152,000
0113–0000	For the salary of the chaplain of the senate	6,890
0114–0000	For the office of the senate counsel, prior appropriation continued, including not more than five permanent positions; provided, that notwithstanding any provision of law to the contrary, the present associate counsel to the senate may continue to serve in said office subject to the will of the senate, and his retirement shall be deferred until the expiration of his service in said office	170,000
0115–0000	For administrative and legislative aides to the senators, prior appropriation continued	516,450
0116–0000	For secretarial and clerical assistance to the senators	242,600
0116–0030	For a legislative intern program for the senate	20,000
0117–0000	For the office of the senate committee on ways and means, prior appropriation continued, including not more than four permanent positions	113,650

Item		
0118–0000	For the office supplies and other expenses of the senators	$250,000
0119–0000	For travelling and such other expenses of the committees of the senate, as may be authorized by order of the senate	10,000

House of Representatives.

0121–0000	For the compensation of representatives, prior appropriation continued	$2,807,250
0121–8000	For expenses of representatives, including travel, prior appropriation continued	659,188
0122–0000	For the office of the clerk of the house of representatives, prior appropriation continued, including not more than nine permanent positions	158,316
0123–0000	For the salary of the chaplain of the house of representatives	6,890
0124–0000	For the office of the house counsel, prior appropriation continued, including not more than eight permanent positions	216,684
0125–0000	For the office of the house committee on rules, prior appropriation continued, including not more than fourteen permanent positions	400,000
0126–0000	For the office of the house committee on ways and means, prior appropriation continued, including not more than nine permanent positions	312,500
0127–0000	For clerical and other expenses of the members of the house of representatives, including not more than one permanent position	500,000
0127–0010	For research personnel for the members of the house of representatives	460,000
0127–0020	For legislative aides to the members of the house of representatives	160,000
0127–0030	For a legislative intern program	68,000
0128–0000	For payment of certain authorized salaries of deceased members of the house of representatives; provided, that said salaries have been authorized by a resolve of the General Court, prior appropriation continued	22,800
0129–0000	For travelling and such other expenses of the committees of the house of representatives, as may be authorized by order of the house of representatives	6,000

Sergeant-at-Arms.

0131–0000	For the office of the sergeant-at-arms, including not more than eleven permanent positions	$167,980
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	1,458,458
0132–1000	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	133,065
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

Other Expenses.

0141–0000	For the expenses of the legislative research council	$8,500
0142–0000	For the office of the legislative research bureau	221,000
0145–0000	For the administration of the office of legislative data processing	96,710
0147–0000	For the administration of the legislative engrossing division, as authorized by chapter thirty-four of the acts of nineteen hundred and seventy-one, including not more than four permanent positions, prior appropriation continued	43,000

Item		
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	900,000
0161–1000	For telephone and telegraph service, prior appropriation continued	250,000
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	11,500
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	300,000
0162–0000	For the service of the joint committee on federal financial assistance	19,589
0163–0000	For clerical and other assistance to the joint committees	40,531
0164–0000	For travelling and such other expenses of joint committees of the general court, as may be authorized by joint order of the general court, prior appropriation continued	15,000
0165–0000	For the annual membership fee of the commonwealth in the national conference of state legislative leaders and the national society of state legislators	2,000
0169–7101	For an investigation and study by a joint special committee of health benefits and health services for every citizen of the commonwealth and related matters	100,000

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 the thirtieth, nineteen hundred and seventy-three (Res. 1965, 49)	$35,000
0183–5000	For the 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	50,000
0185–7103	For an investigation and study of the Massachusetts National Guard, as authorized by chapter twenty-five of the resolves of the current year	25,000
	Total, Legislature	$11,910,293

Judiciary.

Supreme Judicial Court.

0301–0001	For the salaries, travelling allowances and expenses of the chief justice and of the six associate justices	$243,700
0301–0002	For law clerks and clerical assistance for the justices	224,518
0301–0006	For office supplies, services and equipment	17,000
0301–0101	For the salary of the clerk and the assistant clerk for the commonwealth	46,898
0301–0102	For clerical assistance to the clerk	20,092
0301–0200	For the salaries of the officers and messengers	14,042
0301–0300	For the commonwealth's part of the salaries of the clerk and assistant clerks for the county of Suffolk	13,239

Item		
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 said facilities other than from funds provided by this item	$25,000
0301-0500	For the service of the executive secretary	93,000
0301-0601	For expenses of the Massachusetts defenders committee, including not more than thirty-nine permanent positions	1,140,162
0301-0700	For the office of the reporter of decisions, including not more than four permanent positions	60,614

Superior Court.

0302-0000	For the salaries, travelling allowances and expenses of the chief justice and of the forty-five justices	$1,481,300
0302-0001	For court expenses	247,983
0302-0100	For the commonwealth's part of the salaries and expenses of the clerk and assistant clerks for the county of Suffolk	7,183
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	11,000
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	50,000
0302-0401	For the compensation of probation officers, including not more than seventy-eight permanent positions	878,290
0302-0402	For personal services and expenses of the office of the supervisor of probation	18,960

Judicial Council.

0303-0001	For the service of the council	$24,040

Administration of District Courts.

0304-0001	For compensation and expenses in connection with the administration of district courts	$50,000

Administration of Probate and Insolvency Courts.

0305-1001	For the compensation of the special judge of probate when acting for other judges of probate	$20,000
0305-2001	For expenses of the special judge of probate when acting for other judges of probate	2,000
0305-3001	For reimbursing officials for premiums paid for procuring sureties on their bonds	1,000
0305-4001	For the expenses of the administrative committee of probate courts	500
0305-5001	For office expenses of the chief judge	31,600

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 ten permanent positions	$111,163
0305-6021	Berkshire, including not more than eight permanent positions	91,730
0305-6031	Bristol, including not more than twenty permanent positions	198,700
0305-6041	Dukes, including not more than three permanent positions	22,725
0305-6051	Essex, including not more than thirty permanent positions	274,445
0305-6061	Franklin, including not more than five permanent positions	72,705
0305-6071	Hampden, including not more than thirty-one permanent positions	281,200
0305-6081	Hampshire, including not more than seven permanent positions	90,095
0305-6091	Middlesex, including not more than fifty-nine permanent positions	564,406
0305-6101	Nantucket, including not more than three permanent positions	23,380
0305-6111	Norfolk, including not more than thirty-five permanent positions	336,845

Item		
0305-6121	Plymouth, including not more than sixteen permanent positions	$186,320
0305-6131	Suffolk, including not more than sixty-five permanent positions	600,000
0305-6141	Worcester, including not more than twenty-five permanent positions	246,985

Land Court.

0306-0001	For the office of the land court, including not more than fifty-nine permanent positions	$726,839

Pensions for Certain Retired Justices.

0307-0001	For pensions of retired judges or their widows	$300,000

District Attorneys.

For the salaries of district attorneys and assistants for the nine districts:

0308-0001	Suffolk, including not more than twenty-nine permanent positions	$339,500
0308-0002	Northern, including not more than fifteen permanent positions	166,500
0308-0003	Eastern, including not more than eight permanent positions	79,000
0308-0004	Southern, including not more than seven permanent positions	70,500
0308-0005	Middle, including not more than nine permanent positions	87,500
0308-0006	Western, including not more than six permanent positions	61,500
0308-0007	Northwestern, including not more than three permanent positions	26,000
0308-0008	Norfolk, including not more than ten permanent positions	88,500
0308-0009	Plymouth, including not more than six permanent positions	60,500
0308-0010	For the travelling expenses necessarily incurred by the above district attorneys except in the Suffolk district, including expenses incurred in previous years	9,000

Committee on Probation.

0309-0001	For the office of the commissioner of probation, including not more than sixty-two permanent positions	$662,699
0309-0002	For compensation and expenses of the members of the committee on probation	2,400

Board of Bar Examiners.

0310-0001	For the service of the board, including not more than six permanent positions	$84,815

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	$425,000
	Total, Judiciary	$11,058,073

Executive.

Governor.

0411-1000	For the salaries of the governor and officers and employees in the governor's office	$660,000
0411-1901	For postage, printing, office and other contingent expenses, including travel of the governor	185,000
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	75,250

Item

0411-4000 For the administration of the public safety committee . **$430,220**

0411-5000 For the office of the governor's highway safety committee **1,000**
Highway Fund 100.0%

Extraordinary Expenses.

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**

Lieutenant Governor.

0412-1000 For the salary of the lieutenant governor and for personal services for the lieutenant governor's office, including not more than seven permanent positions **$113,100**

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 **$116,181**

Civil Defense Agency.

0414-0000 For the service of the civil defense agency; 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, including not more than one hundred and five permanent positions **$486,939**

0414-0001 For the service of the civil defense agency nonmatching fund program **22,160**

0414-0103 For an independent power and heating system, Bridgewater emergency operating center, appropriation expires June the thirtieth, nineteen hundred and seventy-two **5,000**

0414-0104 For an independent power and heating system, Tewksbury emergency operating center, appropriation expires June the thirtieth, nineteen hundred and seventy-two **5,000**

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 **15,700**

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 **67,000**

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.

0431-0000 For the office of the adjutant general, including not more than thirty-nine permanent positions **$403,450**

0431-0100 For officers' uniform allowances **65,000**

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	$186,000
0431-0300	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general	180,000
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
0431-0500	For the operation of the war records project, so-called, including not more than ten permanent positions	73,525

State Quartermaster.

0431-1000	For the office of the state quartermaster	$7,800
0431-1100	For the operation of armories of the first class, including not more than one hundred and four permanent positions	1,258,250
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	52,530
0431-1400	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions	181,200
0431-1500	For certain national guard aviation facilities, including not more than ten permanent positions	69,415

Other Military.

0431-9001	For the military reservation in Barnstable county, including compensation of the commissioner	$1,492
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	438

Massachusetts Commission for the Blind.

0441-0000	For the office of the commissioner, including not more than fifteen permanent positions	$118,165

Bureau of Medical Care.

0441-1000	For administration of the bureau, including not more than fifty-four permanent positions	$237,825
0441-1010	For aiding the adult blind, prior appropriation continued	3,005,000
0441-1020	For administration of a program of medical assistance, including not more than five permanent positions	136,948
0441-1030	For payments of the state share of certain medical assistance programs, including medical supplies and equipment; and including previous fiscal years	1,450,550

Bureau of Individual Services.

0441-2000	For administration of a program of individual services, including not more than two permanent positions	$18,870
0441-2010	For administration of a talking book program, including not more than three permanent positions	76,955
0441-2020	For administration of a home teaching program, including not more than nineteen permanent positions	137,895
0441-2030	For administration of a children's services program, including not more than seven permanent positions	61,670

Bureau of Rehabilitation.

Item		
0441-3000	For administration of the bureau, including not more than two permanent positions	$14,930
0441-3010	For a program of vocational rehabilitation of the blind in cooperation with the federal government, prior appropriation continued	359,000

Bureau of Industrial Aid and Workshops.

0441-4000	For the administration of the bureau, including not more than three permanent positions	$28,730
0441-4010	For operation of local shops, including not more than fourteen permanent positions	381,090
0441-4020	For operation of the salesroom and other expenses in connection with the sales of material made by blind persons; provided, that any funds made available by this item for space rental may be for a five-year lease, including not more than four permanent positions	54,235
0441-4030	For operation of the Cambridge industries for the blind; provided, that any funds made available by this item for space rental may be for a five-year lease, including not more than eleven permanent positions	726,945
0441-4040	For the administration and operation of the service of piano tuning	37,500
0441-4050	For certain payments to blind persons	75,000

Bureau of Research.

0441-5000	For the administration of the bureau, including not more than four permanent positions	$34,255

Secretariat.

0450-1100	For the office of the secretary of communities and development, including not more than four permanent positions	$78,200
	General Fund 60.0%	
	Tourism and Industrial Promotion Fund 40.0%	
0450-1200	For the office of the secretary of consumer affairs, including not more than four permanent positions	77,700
0450-1250	For the personal services and expenses of the division of standards, including not more than thirty-eight permanent positions	380,277
0450-1300	For the office of the secretary of educational affairs, including not more than five permanent positions	108,800
0450-1400	For the office of the secretary of environmental affairs, including not more than five permanent positions	100,500
	General Fund 16.0%	
	MDC Water District Fund 20.0%	
	MDC Sewerage District Fund 15.0%	
	MDC Parks District Fund 35.0%	
	State Recreation Areas Fund 6.0%	
	Marine Fisheries Fund 3.0%	
	Inland Fisheries and Game Fund 2.0%	
	Public Access Fund 1.0%	
	Agricultural Purposes Fund 1.0%	
	Mosquito and Greenhead Fly Control Fund 1.0%	
0450-1500	For the office of the secretary of human services, including not more than eight permanent positions	206,800
0450-1600	For the office of the secretary of elder affairs, including not more than four permanent positions	76,700
0450-1620	For the administration of the bureau of the aging	145,260

Item

0450-1700 For the office of the secretary of manpower affairs, including not more than four permanent positions $78,700

0450-1800 For the office of the secretary of public safety, including not more than four permanent positions 80,700

Highway Fund 85.0%
General Fund 13.0%
Recreational Vehicles Fund . . 2.0%

0450-1900 For the office of the secretary of transportation and construction, including not more than five permanent positions . . 92,000

Highway Fund 96.0%
General Fund 4.0%

0450-1950 For the administration of the bureau of building construction, including not more than ninety-seven permanent positions . 1,294,505

Executive Office for Administration and Finance.

0451-1100 For the office of the commissioner of administration, including not more than thirty-nine permanent positions . . $708,323

Highway Fund 30.0%
General Fund 70.0%

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

0451-1502 For the comprehensive health planning project . . 60,000

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 1,345,210

Highway Fund 100.0%

0451-1701 For the administration of the bureau of developmental disabilities 66,344

Fiscal Affairs Division.

0451-2100 For the administration of the division, including not more than one hundred and fifty-three permanent positions . . $1,734,200

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; provided, that notwithstanding the limitations of said section fifty-five, compensation and expenses may be allowed each member for forty additional days, including not more than three permanent positions 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 90,000

Highway Fund 100.0%

0451-2500 For other in-service training programs 60,000

Central Services Division.

0451-3100 For the administration of the division, including not more than six permanent positions $89,675

0451-3300 For the administration of the bureau of state buildings, and for the maintenance of the state house, including not more than one hundred and eighty permanent positions 1,957,410

Item

0451-3400 For the maintenance of the Leverett Saltonstall building, including not more than seventy-three permanent positions . **$1,555,468**

0451-3500 For the maintenance of the Lindemann Building, including not more than fifty-four permanent positions **1,370,190**

0451-3600 For the rental of space to be occupied by the division of civil service and the division of personnel, including the expense of moving, necessary renovations and certain furnishings and equipment for said space **247,750**

0451-4000 For the operation of certain central services and the telephone system, including not more than twenty-eight permanent positions **367,935**

Comptroller's Division.

0452-1000 For the administration of the division, including not more than two hundred and twenty-six permanent positions . . **$2,553,438**

Highway Fund 30.0%

General Fund 70.0%

Purchasing Agent's Division.

0453-1000 For the administration of the division, including not more than ninety-three permanent positions **$797,385**

Highway Fund 30.0%

General Fund 70.0%

0453-2000 For the operation of a central mailing room in the Leverett Saltonstall building, including not more than four permanent positions **24,940**

0453-3000 For the purchase of paper used in the execution of contracts for printing, other than legislative **177,000**

Group Insurance Commission.

0454-1000 For administration of the group insurance program, including not more than forty-six permanent positions **$865,500**

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, purchase and execute contracts for a policy or policies of group insurance, as authorized by chapter thirty-two A of the General Laws; and, further provided, that the present level of health insurance coverage shall be maintained but shall not constitute payment in full of charges for care services; prior appropriation continued **21,392,060**

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 . . **111,000**

0454-4000 For the group insurance premiums for certain retired municipal teachers and their dependents, as authorized by chapter six hundred and twenty-six of the acts of nineteen hundred and seventy, prior appropriation continued.

Suggestion Awards Board.

0456-0000 For awards to state employees **$500**

Board of Economic Advisors.

0457-0000 For the expenses of the board **$28,600**

Rate Setting Commission.

Item

0458-0000 For the administration of the commission, including not more than fifty-three permanent positions $693,727

Other Boards and Commissions Serving under the Governor and Council.

Commission on Uniform State Laws.

0461-1000 For the expenses of the commission $5,500

George Fingold Library.

0461-2000 For the administration of the library, including not more than thirty-four permanent positions $353,725

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.

0461-5100 For the office of the commission; provided, that all positions except clerical are exempted from the provisions of chapter thirty-one of the General Laws, including not more than fifty-nine permanent positions $711,131

0461-5110 For administration of the Springfield office . . . 33,550

0461-5120 For administration of the New Bedford office . . 21,140

0461-5130 For administration of the Worcester office . . . 20,320

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 $225,643

Agricultural Purposes Fund . . 7.5%

General Fund 92.5%

Records Conservation Board.

0461-7000 For the expenses of the board $1,200

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 1,400

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-five permanent positions $701,000

Contributory Retirement Appeal Board.

0462-4000 For the expenses of the board $1,700

Mobile Homes Commission.

Item		
0462-6000	For the expenses of the commission	$2,500

Consumers' Council.

0462-8000	For the administration of the council, including not more than nine permanent positions	$166,260

New England Board of Higher Education.

0463-0000	For expenses of the board, and for compensation and expenses of the members (1954, 589)	$120,325
0463-1000	For payments to medical or dental schools on acceptance of certain Massachusetts students (1954, 589, Art. V)	350,000

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	$34,695

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	$784,695
0463-6300	For the payment of annuities to certain disabled veterans	214,000
0463-6400	For reimbursing cities and towns for money paid for veterans benefits	16,132,000
0463-6500	For reimbursing cities and towns for financial aid granted to certain needy dependents of persons in the service of the armed forces	145,000

Massachusetts Police Training Council.

0463-7000	For the administration of the council, including not more than three permanent positions	$70,830

Massachusetts Aeronautics Commission.

0463-8100	For the personal services and expenses 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	143,745
0463-8400	For the expenses of air navigation facilities	50,000

Health and Welfare Commission.

0464-1000	For the office of the commission, including not more than three permanent positions	$40,630

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.

0464-4010	For the administration of the commission, including not more than one permanent position, prior appropriation continued	$2,500,000

American and Canadian French Cultural Exchange Commission.

0464-5500	For the expenses of the American and Canadian French cultural exchange commission	$12,500

State Council on Juvenile Behavior.

Item		
0464-5600	For the administration of the council, including not more than two permanent positions	$25,000

Soldiers' Home in Massachusetts.

0471-0000	For the maintenance of the home, including not more than six hundred and twenty-four permanent positions	$6,030,903
0471-9037	For certain federally reimbursed renovation projects, as provided under Public Law 91-178; provided, that expenditures from this item shall be contingent upon prior approval by the proper federal authorities and assurance by such authorities that the federal allocation for this purpose will be not less than twenty thousand dollars	64,000

Soldiers' Home in Holyoke.

0481-0000	For the maintenance of the home, including not more than two hundred and sixty-one permanent positions	$2,459,908
0481-9018	For the replacement of the minor surgery air conditioning equipment, appropriation expires June the thirtieth, nineteen hundred and seventy-three	10,500
	Total, Executive Department	$82,266,110

Secretary of the Commonwealth.

0511-0000	For the office of the secretary, including not more than one hundred and one permanent positions	$1,041,368
0513-0000	For the expense of processing certain statistical data	16,000
0514-0000	For the administration of the bureau of corporate organization and registration, including not more than thirteen permanent positions	178,960
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	12,075
0517-0000	For the expense of printing various public documents, prior appropriation continued	128,400
0518-0000	For the purchase and distribution of certain journals of the house of representatives (1920, 413; 1964, 451)	4,500
0519-0000	For expenses of a census, as authorized by chapter twenty-four of the acts of nineteen hundred and seventy-one	58,600
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 eleven permanent positions	513,810
0522-0000	For guided tours of the state house, as authorized by chapter seven hundred and fourteen of the acts of nineteen hundred and sixty-eight; provided, that positions in this item shall not be subject to chapter thirty-one of the General Laws, including not more than three permanent positions	20,900

Massachusetts Historical Commission.

0526-0000	For the administration of the commission, including not more than one permanent position	$37,370

Commission on Interstate Co-operation.

0530-0000	For the office of the commission; 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-one of the General Laws, including not more than three permanent positions	$56,850
	Total, Secretary of the Commonwealth	$2,108,833

Treasurer and Receiver-General.

Item		
0610-0000	For the office of the treasurer and receiver-general, including not more than ninety-eight permanent positions	**$1,444,750**
	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	**226,000**
0611-5000	For compensation to victims of violent crimes, as authorized by chapter two hundred and fifty-eight A of the General Laws	**25,000**

State Board of Retirement.

0612-0000	For the administration of the board, including not more than thirty-nine permanent positions	**$352,335**
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	**30,000,000**
	Highway Fund 15.0%	
	General Fund 84.8%	
	Inland Fisheries and Game Fund .2%	
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	**6,103,000**
	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	**7,000**
0612-0000	For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired	**5,500**
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	**21,100**
	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	**195,300**
	MDC Sewerage District Fund 100.0%	
0612-8000	For retirement of certain veterans formerly in the service of the metropolitan water system	**400,300**
	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)	$48,000
	Highway Fund 66.0%	
	General Fund 34.0%	

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	$32,310
	Total, Treasurer and Receiver-General	$39,553,220

Auditor of the Commonwealth.

0710-0000	For the office of the auditor, including not more than one hundred and eighteen permanent positions	$1,960,850
	Highway Fund 30.0%	
	General Fund 70.0%	
	Total, Auditor of the Commonwealth	$1,960,850

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	$2,465,055
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	$2,573,055

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	$243,020
	Agricultural Purposes Fund 50.0%	
	General Fund 50.0%	
0912-1000	For apiary inspection and for reimbursement of owners of diseased bees, including not more than one permanent position	12,500

Division of Poultry and Poultry Products.

0913-1000	For the office of the division, including not more than six permanent positions	$56,110
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

Division of Dairying and Animal Husbandry.

Item		
0914-1000	For the office of the division, including not more than twenty permanent positions	$196,570
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	4,850

Division of Animal Health.

0915-1000	For the office of the division, including not more than twenty-eight permanent positions	$273,910
	Agricultural Purposes Fund . . 100.0%	
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	1,120
	Agricultural Purposes Fund . . 100.0%	
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
	Agricultural Purposes Fund . . 100.0%	

Division of Markets.

0916-1000	For the office of the division, including not more than eleven permanent positions	$142,400
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	6,590
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

Division of Plant Pest Control.

0917-1000	For the office of the division, including not more than four permanent positions	$46,695
0917-1100	For control of European Chafer	2,800

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	$281,385
	Agricultural Purposes Fund . . 100.0%	
0918-1020	For the administration of the thoroughbred breeders fund	11,765
	Agricultural Purposes Fund . . 100.0%	
0918-1021	For certain prizes	50,000
	Agricultural Purposes Fund . . 100.0%	
0918-1030	For the administration of the Massachusetts standardbred agricultural fair and breeding fund committee	3,900
	Agricultural Purposes Fund . . 100.0%	
0918-1031	For certain prizes	25,000
	Agricultural Purposes Fund . . 100.0%	

State Reclamation Board.

0919-0100	For the office of the board, including not more than three permanent positions	$33,310
0919-0200	For the commonwealth's share of the greenhead fly control program	6,500

For the expenses of the following mosquito control projects:

Item			
0919-0300	Cape Cod		$229,650
	Mosquito & Greenhead Fly Control Fund	100.0%	
0919-1100	Berkshire County		153,260
	Mosquito & Greenhead Fly Control Fund	100.0%	
0919-1200	Norfolk County		154,490
	Mosquito & Greenhead Fly Control Fund	100.0%	
0919-1300	Bristol County		132,080
	Mosquito & Greenhead Fly Control Fund	100.0%	
0919-1400	Plymouth County		153,530
	Mosquito & Greenhead Fly Control Fund	100.0%	
0919-1500	Essex County, city of Revere and town of Winthrop		161,800
	Mosquito & 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	$259,610
	Total, Department of Agriculture	$2,664,245

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 forty permanent positions; provided, that the position of deputy commissioner shall not be subject to the provisions of chapter thirty-one of the General Laws		$529,090
	General Fund	89.2%	
	Public Access Fund	2.3%	
	State Recreation Areas Fund	5.1%	
	Marine Fisheries Fund	3.0%	
	Inland Fisheries and Game Fund	.4%	

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		$27,059
	Public Access Fund	100.0%	
1000-1492	For the acquisition of land		166,000
	Public Access Fund	100.0%	
1000-1495	For the construction of access and trail sites		326,350
	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	$147,490
1011-0000	For the office of the bureau of recreation, including not more than one hundred and sixty-four permanent positions	2,552,780
	State Recreation Areas Fund 100.0%	
1011-1000	For the administration of public beaches, including not more than five permanent positions (1968, 501)	43,475
	State Recreation Areas Fund 100.0%	
1011-1100	For the maintenance of Fort Phoenix Beach	46,890
	State Recreation Areas Fund 100.0%	
1011-1200	For the maintenance of Horseneck Beach, including not more than one permanent position	245,084
	State Recreation Areas Fund 100.0%	
1011-1300	For the maintenance of Salisbury Beach, including not more than three permanent positions	298,455
	State Recreation Areas Fund 100.0%	
1011-1400	For the maintenance of Scusset Beach, including not more than one permanent position	73,485
	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	1,198,000
	State Recreation Areas Fund 100.0%	
1011-9006	For the improvement of roads in state forests, state parks and state reservations	126,000
	State Recreation Areas Fund 100.0%	
1012-0000	For the development of forests, including not more than five permanent positions	133,165
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; 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, and including not more than thirteen permanent positions	143,050
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; provided, that federal funds not exceeding three thousand dollars may be expended for the purpose of certain machinery repairs, said federal funds to be in addition to the amount appropriated, including not more than sixty-one permanent positions	680,566
1013-0002	For the administration of the forest fire patrol, including not more than seventeen permanent positions	142,520
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-four permanent positions	269,985

Division of Law Enforcement.

1020-0000	For the office of the division, including not more than seventy-seven permanent positions	$904,100
	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 **$14,270**
Inland Fisheries and Game Fund . 100.0%

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 fourteen permanent positions **$186,170**

1030-1200 For assistance to community conservation commissions in the acquisition of conservation lands **750,000**

1030-1241 For the administration of a land and water conservation program, including not more than eight permanent positions . **78,850**
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 **719,564**
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 **1,515,000**
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-five permanent positions **$342,975**
Marine Fisheries Fund . . . 100.0%

1040-0001 For the expenses of the marine fisheries advisory commission **1,600**
Marine Fisheries Fund . . . 100.0%

1040-0009 For repairs to lobster hatchery, appropriation expires June the thirtieth, nineteen hundred and seventy-three **13,000**
Marine Fisheries Fund . . . 100.0%

1040-0100 For expenses of the Cat Cove marine research station . **54,638**
Marine Fisheries Fund . . . 100.0%

1040-1311 For a program of estuarine research **112,550**
Marine Fisheries Fund . . . 100.0%

1040-1341 For the operation of the shellfish treatment plant at Newburyport (1961, 506) **66,776**
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%

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 **$21,000**
Marine Fisheries Fund . . . 100.0%

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 **23,835**
Marine Fisheries Fund . . . 100.0%

Item		
1040-1374	Coordination of commercial fisheries research and development work	$38,000
	Marine Fisheries Fund 100.0%	
1040-1375	For consumer education in and the development of Massachusetts fishery products	99,000
	Marine Fisheries Fund 100.0%	
1040-1376	For an investigation of the use of anadromous fish	20,000
	Marine Fisheries Fund 100.0%	
1040-1377	For the improvement of the program for the protection of shellfish	12,000
	Marine Fisheries Fund 100.0%	
1040-1379	Lobster Aquaculture Research	50,000
	Marine Fisheries Fund 100.0%	
1040-1383	Commercial Fisheries Extension Service	50,000
	Marine Fisheries Fund 100.0%	
	Division of Mineral Resources.	
1050-0000	For the office of the division	$264,275
	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 eighteen permanent positions	$239,561
	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 fifty-two permanent positions	662,830
	Inland Fisheries and Game Fund 100.0%	
1070-2302	For replacement of Hatch house — Sutherland fish hatchery, appropriation expires June the thirtieth, nineteen hundred and seventy-three	50,000
	Inland Fisheries and Game Fund 100.0%	
1070-2303	For pollution abatement — McLaughlin fish hatchery, appropriation expires June the thirtieth, nineteen hundred and seventy-three	15,000
	Inland Fisheries and Game Fund 100.0%	
1070-2305	For replacement of upper pools — Sandwich fish hatchery complex, appropriation expires June the thirtieth, nineteen hundred and seventy-three	35,000
	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 amount expended	22,000
	Inland Fisheries and Game Fund 100.0%	
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	54,960
	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-eight permanent positions	563,730
	Inland Fisheries and Game Fund 100.0%	

Item		
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	10,206
	Inland Fisheries and Game Fund . 100.0%	
1070-2461	For the administration of a program for wildlife restoration projects, including not more than twenty-two permanent positions	216,040
	Inland Fisheries and Game Fund . 100.0%	
1070-2463	For construction of storage building, Newbury game management area, appropriation expires June the thirtieth, nineteen hundred and seventy-three	12,200
	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	90,375
	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%	

Division of Water Resources.

1080-0000	For the office of the division, including not more than twenty permanent positions	$206,150
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 six permanent positions	78,079
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)	55,446
1080-0503	For the administration of the Merrimack River Valley Flood Control Commission (1956, 608)	93,300
1080-0504	For certain flood control improvements for the protection of the towns of Avon, Braintree, Holbrook and Randolph (1970, 677)	165,000
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)	39,200
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)	8,000

Item		
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	43,150
1080-0809	For flood control reservoirs, Bradley brook, prior appropriation continued.	

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	$745,163
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 eighteen thousand six hundred dollars	20,925
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	1,170,274
	Total, Department of Natural Resources	$17,509,386

Department of Banking and Insurance.

Division of Banks.

1111-0000	For the office of the commissioner, including not more than two hundred and forty-one permanent positions	$2,508,865

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; provided, that the positions of area legal counsel and assistant area legal counsel shall not be subject to the provisions of chapter thirty-one of the General Laws; and, provided further, that contracts or orders for the purchase of statement blanks for the making of annual reports to the commissioner of insurance shall not be subject to the restrictions prescribed by section one of chapter five of the General Laws, and including not more than three hundred and fourteen permanent positions	$3,415,639
	Highway Fund 30.0%	
	General Fund 70.0%	

Division of Savings Bank Life Insurance.

1131-0000	For the office of the division, including not more than thirty permanent positions	$289,300
	Total, Department of Banking and Insurance	$6,213,804

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 forty-one permanent positions.	$9,500,000
	Highway Fund 6.0%	
	General Fund 94.0%	

Item

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 **$1,870,008**

Highway Fund	2.5%
General Fund	97.5%

1201-2000 For certain tax audits of foreign corporations . . **78,900**

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 **$1,469,230**

1231-1000 For the administration of the county personnel board, including not more than six permanent positions **33,660**

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 . . . **$2,000,000**

1233-2000 For reimbursing cities and towns for abatements granted . **1,200,000**

1233-3000 For reimbursing the city of Boston for loss of taxes on land for the government center (1960, 635, §8) **357,575**

Appellate Tax Board.

1281-0000 For the personal services and expenses of the board; 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; and, provided further, that certain salaries earned but not paid shall be allowed and paid from this item for the period December the twenty-seventh, nineteen hundred and seventy to June the thirtieth, nineteen hundred and seventy-one, and including not more than thirty-two permanent positions **$365,980**

Total, Department of Corporations and Taxation . **$16,875,353**

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; 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, and including not more than three hundred and sixty permanent positions . . **$3,405,500**

Highway Fund	15.0%
General Fund	85.0%

Division of Registration.

1421-0000 For the administration of the division; provided, that the position of investigator of radio-television technicians shall not be subject to chapter thirty-one of the General Laws, and including not more than eighty-three permanent positions **$863,296**

For the services of the following agencies in the division:

Item		
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	8,650
1421-0300	Board of registration in podiatry, notwithstanding the limitations of section twelve C of chapter thirteen of the General Laws, and including not more than five permanent positions	3,600
1421-0400	Board of registration in pharmacy, including not more than ten permanent positions	71,300
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	3,850
1421-0800	Board of registration in veterinary medicine, including not more than five permanent positions	4,250
1421-0900	Board of registration of chiropractors, including not more than five permanent positions	6,500
1421-1000	Board of registration of architects, including not more than five permanent positions	16,790
1421-1100	Board of registration of professional engineers and land surveyors	29,550
1421-1200	Board of public accountancy, including not more than nine permanent positions	54,880
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; provided, that persons employed under this item shall not be subject to the civil service law and rules, including not more than twenty-nine permanent positions	348,700
1421-1600	Board of registration of electrologists, including not more than three permanent positions	3,225
1421-1700	Board of registration of barbers, including not more than ten permanent positions	81,695
1421-1800	Board of registration of hairdressers, including not more than eighteen permanent positions	167,511
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
1421-2300	Board of registration of health officers	2,250
1421-2400	Board of registration of nursing home administrators, including not more than eleven permanent positions	4,600
1421-2500	Board of certification of operators of waste water treatment facilities	850
	Total, Department of Civil Service and Registration	$5,149,022

Department of Commerce and Development.

1500-0000 For the administration of the department, including not more than eighty-nine permanent positions $1,140,765

Tourism and Industrial Promotion Fund 100.0%

Division of Tourism.

1522-1000 For the operation of tourist information booths; provided, that the positions shall not be subject to chapter thirty-one of the General Laws, and including not more than six permanent positions $42,300

Tourism and Industrial Promotion Fund 100.0%

Item		
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	$650,000
	Tourism and Industrial Promotion Fund 100.0%	
	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	$350,000
	Tourism and Industrial Promotion Fund 100.0%	
1590–0010	For the expenses of the Massachusetts Science and Technology Foundation, as authorized by chapter eight hundred and forty-three of the acts of nineteen hundred and sixty-nine; provided, that the foundation shall reimburse the commonwealth for appropriation made under this item	50,000
	Total, Department of Commerce and Development .	$2,233,065

Department of Labor and Industries.

1610–1000	For general administration of the department, including not more than fourteen permanent positions	$164,800
	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	$846,905
1610–3000	Division of occupational hygiene, including not more than fifteen permanent positions	179,050
1610–4000	Division of statistics, including not more than thirty-four permanent positions	259,150
1610–6000	Commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	293,986
1610–8000	Board of conciliation and arbitration, including not more than fourteen permanent positions	188,925
1610–9000	Division of employment agencies, including not more than three permanent positions	36,740
	Division of Apprentice Training.	
1614–9000	For the office of the division; provided, that all of the positions of this division shall not be subject to chapter thirty-one of the General Laws, and including not more than thirty-six permanent positions	$281,300
	Labor Relations Commission.	
1620–1000	For the office of the commission, including not more than twenty-four permanent positions	$267,825
	Health, Welfare and Retirement Trust Funds Board.	
1630–1000	For the administration of the board; provided, that the position of assistant to the director, health, welfare and retirement trust funds board shall not be subject to chapter thirty-one of the General Laws, including not more than twenty-nine permanent positions	$335,733
	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 . . .	$1,575,500
1650–1901	For expenses of impartial examinations, including previous fiscal years	80,000

Item

1650-3000 For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years $2,395,000

Highway Fund 35.0%

General Fund 65.0%

Office of Self-Insurance.

1650-4000 For the service of the office, including not more than six permanent positions $56,120

Industrial Accident Rehabilitation Board.

1650-5000 For the service of the board, including not more than six permanent positions $17,605

Total, Department of Labor and Industries . . $6,978,639

Department of Youth Services.

1700-0010 For the administration of the department, including not more than one hundred and twenty-four permanent positions . $2,644,635

1705-0010 For the maintenance of detention centers in metropolitan Boston, including not more than thirty-nine permanent positions (G.L. Ch. 18A, sec. 2) 560,534

Bureau of Educational Services.

1710-1000 For reimbursement of cities and towns for tuition, including transportation to and from school, of children attending public schools $27,500

Bureau of Clinical Services.

For the administration, maintenance of and for certain improvements at the institutions within the bureau:

1720-1010 Judge John J. Connelly Youth Center in the city of Boston, including not more than seventy permanent positions . . $760,005

1720-3010 Detention center in Hampden county, including not more than twenty-three permanent positions 238,120

1720-4010 Detention center in Worcester county, including not more than twenty-seven permanent positions 287,165

Bureau of Institutional Services.

For the administration, maintenance of and for certain improvements at the institutions within the bureau:

1730-1010 Stephen L. French Youth Forestry Camp, including not more than thirteen permanent positions $180,935

1730-2010 Residential treatment unit in Oakdale, including not more than thirty-three permanent positions 368,975

1730-3010 Industrial school for boys, including not more than one hundred and forty-six permanent positions 1,412,885

1730-4010 Industrial school for girls, including not more than one hundred and four permanent positions 974,410

1730-5010 Lyman school for boys, including not more than one hundred and seventy-one permanent positions 1,640,300

1730-6010 Institute of juvenile guidance, including not more than fifty-four permanent positions; provided, that notwithstanding any other provision of law to the contrary, any officer or employee of the division of youth service holding a permanent appointment in a position classified under chapter thirty-one of the General Laws, or who has tenure in a position by reason of sections nine A, nine B and nine D of chapter thirty of the General Laws, and whose position is duly reassigned and who declines to accept such reassignment, may be transferred to a position of equal or lower grade in the service of the commonwealth as determined by the director of personnel and

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standardization and the director of civil service; provided, that such transfer is approved by both the officer or employee being transferred and the appointing authority of the position to which the officer or employee would be transferred.

Such transfer shall be made without impairment of civil service status, seniority, retirement or any other rights of the employee and without interruption of service within the meaning of said chapter thirty-one or said sections nine A, nine B and nine D of said chapter thirty.

The salary rate of any employee transferred to a position in a title other than that of the position occupied immediately prior to the transfer shall be determined in accordance with the rules and regulations of the bureau of personnel and standardization. Upon refusal or failure of an officer or employee to accept reassignment or transfer, the permanent status of said officer or employee will terminate notwithstanding any law, rule or regulation to the contrary. In the event of said refusal or failure the officer or employee upon request may be placed on a reemployment list as set forth in section forty-six I of said chapter thirty-one. Nothing in this item shall be construed to confer upon any officer or employee transferred or reassigned any rights not held prior to said transfer or reassignment **$586,340**

Bureau of After-care, Delinquency Prevention and Community Services.

1740-1000 For the commonwealth's share of delinquency prevention programs in certain cities and towns; provided, that expenditures from this item shall be contingent upon the prior approval of the programs by the commissioner of administration and shall be expended with at least an equivalent amount of city or town or private funds for the purpose of this item; and, provided further, that no expenditure or commitment made pursuant to this item shall be incurred in excess of available funds which have been appropriated therefor in the current fiscal year **$830,000**

Total, Department of Youth Services . . . **$10,511,804**

Department of Correction.

1801-0000 For administration; 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, and including not more than seventy permanent positions **$819,200**

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 eighty-six permanent positions . . **$8,152,241**

1810-0905 For the renewal of roofs, annex building and machine shop, appropriation expires June the thirtieth, nineteen hundred and seventy-three **30,000**

1810-0906 For the replacement of a washer-extractor, appropriation expires June the thirtieth, nineteen hundred and seventy-three . **21,000**

1810-0907 For the purchase of a front end loader tractor, appropriation expires June the thirtieth, nineteen hundred and seventy-three **18,000**

1812-0000 Correctional institution at Walpole, including not more than three hundred and fifteen permanent positions . . . **3,783,500**

1812-2000 Correctional institution at Walpole, industries; 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; and including not more than thirty-five permanent positions **1,665,770**

Item		
1812-9020	For the renovation of water tanks, appropriation expires June the thirtieth, nineteen hundred and seventy-three . .	$12,000
1814-0000	Correctional institution at Concord, including not more than two hundred and seventy-five permanent positions . .	3,231,000
1814-2000	Correctional institution at Concord, industries, including not more than fifteen permanent positions	344,080
1816-0000	Correctional institution at Framingham, including not more than one hundred and thirty-three permanent positions . .	1,528,274
1816-2000	Correctional institution at Framingham, industries, including not more than ten permanent positions	253,100
1818-0000	Correctional institution at Norfolk, including not more than two hundred and seventy permanent positions . . .	3,683,300
1818-2000	Correctional institution at Norfolk, industries, including not more than thirty-one permanent positions	572,000
1818-9029	For the purchase and installation of a closed circuit security television system in the receiving building, appropriation expires June the thirtieth, nineteen hundred and seventy-three . .	18,000
1831-0000	Correctional institution camps, including not more than thirty-nine permanent positions	692,254

Parole Board.

1880-0000	For the office of the board; provided, that the position of employment officer, parole board, shall not be subject to the provisions of chapter thirty-one of the General Laws, including not more than ninety-five permanent positions	$1,079,200
	Total, Department of Correction	$25,902,919

Department of Public Welfare.

1900-1000	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 persons employed in the positions of organization and procedures coordinator and financial control analyst 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 the civil service list; and, provided further, that the commissioner shall report in writing to the governor the total expenditures of his department for each month of the fiscal year, said report to be made not later than thirty days after the expiration of each month, which report shall be made available to the public; including not more than five thousand two hundred and seventy-one permanent positions . . .	$53,851,240
1900-1010	For the travelling expenses of the medical assistance advisory council	1,500
1900-9600	For assistance to United States citizens returned from foreign countries, and for emergency assistance to resettled Cuban refugees, in cooperation with the federal government; provided, that the department bill the federal government for the amount expended for this purpose; and, provided further, that funds received from the federal government for this purpose are to be in addition to the amount appropriated herein, prior appropriation continued.	
1901-1000	For care and maintenance of children under the jurisdiction of the division of child guardianship; provided, that notwithstanding the provisions of any law to the contrary, no increase in the rate paid to any institution or school shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for said increase; and, provided further, that said commissioner shall notify in writing the house and senate committees on ways and means thirty days prior to the effective date of said increase, including prior year expenses . . .	25,163,000

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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 the thirtieth of the prior fiscal year	$1,698,300
1902–1000	For payment on account of medical assistance and permanent and total disability assistance for recipients at Tewksbury hospital	45,000
1902–2000	For payments on account of medical assistance and old age assistance for recipients at Tewksbury hospital	55,230
1902–3000	For payments on account of the programs of medical assistance-mental health and old age assistance-mental health (1965, 874)	16,770,000
1902–5000	For a medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund (1969, 800); and provided further, that no expenditure or commitment made pursuant to this item or to any agreements authorized by said chapter 800, for the purpose of complying with the provisions of Public Law 89–97, Title XIX shall be incurred in excess of available funds which have been appropriated therefor, prior appropriation continued	270,060,000
1903–1000	For the payment of suitable aid to certain dependent children, prior appropriation continued	38,000
1903–2000	For a program of aid to families with dependent children; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenses	270,000,000
1905–2000	For an old age assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenditures	89,000,000
1906–2000	For a program of general relief, including prior year charges; provided, that notwithstanding the provisions of any law to the contrary, no increase in the budgetary standard allowance, so-called, shall be granted or paid unless such increase shall have been approved in advance by the commissioner of administration after certification by the budget director that funds are available for said increase; and, provided further, that said commissioner shall notify in writing the house and senate committees on ways and means thirty days prior to the effective date of said increase, and, further provided, that after October the first, nineteen hundred and seventy-one every person eligible for an assistance check under chapter one hundred and seventeen of the General Laws, determined by the department to be an employable person, shall receive such check from the nearest office of the division of employment security	50,000,000
1907–2000	For a totally and permanently disabled persons program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund, including prior year expenditures	34,000,000
	Total, Department of Public Welfare	$810,682,270

Department of Public Health.

Bureau of Administration.

2010–0100	For the office of the bureau, including not more than fifty-nine permanent positions	$707,863
2010–0200	For the administration of certain research in connection with a health program for children and youth	6,900
2010–0700	For the administration of the medical assistance unit	354,420

Bureau of Environmental Sanitation.

2011–0100	For the office of the bureau, including not more than eighty-two permanent positions	$1,178,836
2011–0200	For the administration of the Lawrence experiment station, including not more than thirty-one permanent positions	367,180

Item

2011-0300 For the administration of the Metropolitan Boston air pollution control district; 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; and including not more than nine permanent positions $144,350

2011-0500 For the administration of the Pioneer Valley air pollution control district; 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; and including not more than three permanent positions 51,630

2011-1200 For the administration of the Berkshire air pollution control district, to be in addition to any federal funds available for the purpose 7,670

2011-1300 For the administration of the central Massachusetts air pollution control district, to be in addition to any federal funds available for the purpose 13,281

2011-1400 For the administration of the Merrimack Valley air pollution control district, to be in addition to any federal funds available for the purpose 13,281

2011-1700 For the administration of the Southeastern Massachusetts air pollution control district, to be in addition to any federal funds available for the purpose 13,281

2011-9006, 9009, 9015 The unexpended balances remaining in items 2011-9006 and 2011-9015 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy and item 2011-9009 of section two of said chapter, as amended by chapter eight hundred and thirty-three of the acts of nineteen hundred and seventy, are hereby transferred to and made available for the purposes of the following item: —

2011-9006 For the control of algae, weeds and other aquatic nuisances in lakes, ponds, streams and other waters within the commonwealth in accordance with the provisions of section five F of chapter one hundred and eleven and of clause (36B) of section five of chapter forty of the General Laws, to be in addition to any public or private funds available for the purpose; provided, that expenditures made from state funds for this item shall not exceed the amounts made available to the Recreational Vehicle Fund under the provisions of section thirteen of chapter sixty-four A of the General Laws 100,000

2011-9008 For a program to assist cities and towns in the establishment of a rat control program, prior appropriation continued (1967, 754).

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 10,000

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 $974,778

2012-0110 For a poliomyelitis vaccine program (1955, 481) . . . 175,200

2012-0120 For a measles vaccine program 260,000

2012-0150 For a mumps vaccine program 400,000

2012-0160 Rubella vaccine program 560,000

2012-0170 For a yellow fever vaccine program 680

2012-0200 For the office of the division of alcoholism, including not more than ten permanent positions 978,654

2012-0300 For the office of the division of adult health, including not more than fourteen permanent positions 414,200

2012-0400 For the office of the division of nursing home facilities, including not more than fourteen permanent positions 458,104

2012-0500 For the office of the division of dental health, including not more than ten permanent positions 110,672

2012-0600 For a study of equine encephalitis 42,770

Item		
2012–0700	For the office of epilepsy control program	$147,075
2012–0800	For a chronic renal disease program, including not more than two permanent positions	336,180

Bureau of Health Services.

2013–1000	For the office of the bureau, including not more than sixty-nine permanent positions	$2,320,784
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	100,000
2013–2200	For the reimbursement of cities and towns for the care of certain infants	150,000
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

Bureau of Hospital Facilities.

2014–0100	For the office of the bureau, including not more than twenty permanent positions	$240,795

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	$4,400,740

Institute of Laboratories.

2016–0100	For the office of the institute, including not more than one hundred and fifty-one permanent positions	$1,521,597

Bureau of Consumer Products Protection.

2017–0100	For the office of the bureau, including not more than ninety-three permanent positions	$1,480,250
2017–0200	For the administration of the pesticide board	25,660

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 forty-nine permanent positions	$3,357,150
2032–0000	Lemuel Shattuck hospital; provided, that the salary of the position of superintendent of Lemuel Shattuck hospital may be established without reference to the general salary schedule and salary range, not to exceed thirty-five thousand dollars; and, provided further, that no such salary shall be established without prior recommendation of the director of personnel and approval by the commissioner of administration, including not more than eight hundred and thirty-four permanent positions	8,286,045
2032–9002	For a research program of chronic hepatitis and related diseases, to be in addition to any federal or other funds available	80,900
2033–0000	Massachusetts hospital school, including not more than three hundred and twenty-two permanent positions	2,551,765
2034–0000	Pondville hospital, including not more than two hundred and eighty-seven permanent positions	2,943,520
2034–9001	For the administration of a cancer research project	49,895

Item		
2034-9003	For renovation of certain cottages, appropriation expires June the thirtieth, nineteen hundred and seventy-three	$25,000
2034-9004	For elevator repairs, appropriation expires June the thirtieth, nineteen hundred and seventy-three	45,000
2035-0000	Rutland Heights hospital, including not more than three hundred and sixty-nine permanent positions	3,015,182
2036-0000	Tewksbury hospital, including not more than eight hundred and thirty-five permanent positions	8,133,250
2036-9003	For replacement of steam turbine prime mover, appropriation expires June the thirtieth, nineteen hundred and seventy-three	65,000
2036-9004	For replacement of milking equipment	14,000
2036-9005	For purchase of certain laundry equipment, appropriation expires June the thirtieth, nineteen hundred and seventy-three	22,000
2036-9020	For the demolition of old buildings, prior appropriation continued.	
2037-0000	Western Massachusetts hospital, including not more than two hundred and ninety-one permanent positions	2,748,449
2037-9007	For renewal of steam and return lines, appropriation expires June the thirtieth, nineteen hundred and seventy-three	18,500
2037-9008	For electrical renovations, appropriation expires June the thirtieth, nineteen hundred and seventy-three	20,000
	Total, Department of Public Health	$49,447,487

Department of Public Safety.

2111-0000	For the administration of the department, including not more than one hundred and fourteen permanent positions	$1,135,087

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 ninety-one permanent positions	$12,158,950
	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	$55,040

Division of Fire Prevention.

2114-0000	For the administration of the division, including not more than twenty-five permanent positions	$380,550

Division of Inspection.

2115-0000	For the administration of the division; provided, that the position of examiner of elevator operators shall not be subject to the provisions of chapter thirty-one of the General Laws, including not more than eighty-four permanent positions	$1,076,960

Board of Boiler Rules.

2116-0000	For the administration of the board, including not more than four permanent positions	$3,500

State Boxing Commission.

2117-0000	For the office of the commission, including not more than six permanent positions	$40,080

Board of Elevator Regulations.

2118-0000	For the administration of the board, including not more than seven permanent positions	$6,400

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	$1,250

Board of Elevator Appeals.

Item		
2120–0000	For the administration of the board, including not more than six permanent positions	$2,150

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	$4,300

Recreational Tramway Board.

2122–0000	For the expenses of the board, including not more than four permanent positions	$5,000

Board of Standards.

2130–0000	For the administration of the board, including not more than seven permanent positions	$8,850

Board of Fire Prevention Regulations.

2140–0000	For the administration of the board, including not more than eight permanent positions	$6,300

Board of Schoolhouse Structural Standards.

2150–0000	For the expenses of the board	$1,000
	Total, Department of Public Safety	$14,885,417

Department of Public Utilities.

2301–0000	For general administration, including not more than eighty-five permanent positions	$888,500
2311–9001	For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item	31,000

Commercial Motor Vehicle Division.

2321–0000	For the office of the division, including not more than thirty-nine permanent positions	$385,635

Securities Division.

2331–0000	For the office of the division, including not more than ten permanent positions	$95,050

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	$30,548
	Total, Department of Public Utilities	$1,430,733

Metropolitan District Commission.

Administration.

2410–0000	For general administration, including not more than sixty-nine permanent positions		$789,400
	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.

Item

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 eighteen permanent positions . . . **$6,488,000**

MDC Water District Fund . . 100.0%

2423-3002 For replacement and repair of parts required for by-pass valves in operation at the Oakdale power station, Wachusett section **15,000**

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 . . **5,000**

MDC Water District Fund . . 100.0%

2425-9013 For replacement and repair of sanitary facilities for personnel at Medford and Chestnut Hill operating headquarters . . **30,000**

MDC Water District Fund . . 100.0%

2426-9007 For replacement of feed water pump and retube condensers at Chestnut Hill pumping station **10,000**

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 **3,528,213**

MDC Water District Fund . . 100.0%

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 **5,373,000**

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 sixty-three permanent positions **$6,881,350**

MDC Sewerage District Fund . 100.0%

2434-9009 To furnish and install grease burner at Nut Island . **90,000**

2434-9010 To furnish and install two 36 inch stainless steel suction channel gates and frames, to be in addition to any amount heretofore appropriated for this purpose, and to replace two 36 inch check valves and one 42 inch check valve, to be in addition to any amount heretofore appropriated for this purpose at the Charlestown Pumping Station **50,000**

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 **3,003,546**

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 **4,004,000**

MDC Sewerage District Fund . 100.0%

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

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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; 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; 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; and including not more than one thousand three hundred and eighty-six permanent positions $20,667,500

Highway Fund 60.0%
MDC Parks District Fund . . 39.0%
General Fund 1.0%

2442-9032 For the clearing, cleaning, dredging and control of pollution of certain rivers, brooks, lakes, ponds and streams, provided, that federal or other funds may be expended for these purposes, said federal or other funds to be in addition to the amount appropriated, prior appropriation continued 200,000

MDC Parks District Fund . . 100.0%

2442-9033 For tree care, plantings and paths on metropolitan district commission reservations and clearing of forests and reservations; provided, that federal funds may be expended for these purposes, said federal funds to be in addition to the amount appropriated; prior appropriation continued 125,000

MDC Parks District Fund . . 100.0%

2443-3901 For the operation and management of the Franklin Park and Walter D. Stone zoological parks 200,000

MDC Parks District Fund . . 100.0%

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; provided, however, that adequate lighting is installed on the Jamaicaway and the Riverway and that a traffic signal be installed at the intersection of Bynner Street and Willow Pond Road on the Jamaicaway 900,000

Highway Fund 100.0%

2444-9002 For the purchase of certain highway maintenance equipment 200,000

Highway Fund 100.0%

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 2,500

MDC Parks District Fund . . 100.0%

2444-9006 For the expenses of holding band concerts 50,000

MDC Parks District Fund . . 100.0%

2444-9013 For the construction of a recreation facility, including the cost of equipment, as authorized by chapter five hundred and fifty-eight of the acts of nineteen hundred and fifty-five, to be in addition to the amount appropriated in item 2444-9013 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy 200,000

MDC Parks District Fund . . 100.0%

Item		
2444-9017	For certain payments to the children's museum . .	$50,000
	MDC Parks District Fund . . 100.0%	
2444-9018	For the reconstruction, repair and maintenance of protective fencing along the Neponset river and recreation areas in Mattapan, Hyde Park and Readville, to be in addition to the amount appropriated in item 2444-9018 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy . . .	75,000
	MDC Parks District Fund . . 100.0%	
2444-9019	For reconstruction, modernization, enclosing and repair of the Murphy Skating Rink in South Boston	273,000
	MDC Parks District Fund . . 100.0%	
2444-9023	For repair of the auxiliary road and the parking area adjacent to Eliot Bridge on the Cambridge side	6,500
	Highway 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	1,400,375
	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	2,915,000
	MDC Parks District Fund . . 100.0%	
	Total, Metropolitan District Commission . .	$57,707,384

Department of Community Affairs.

Administration.

2500-0000	For the general administration of the department, including not more than eighty-four permanent positions . . .	$2,124,845

Division of Community Development.

2522-9001	For certain financial assistance for housing projects for the elderly	$6,827,760
2522-9002	For certain financial assistance for housing projects for veterans	5,692,790
2522-9003	For a program of financial assistance for certain low income housing, prior appropriation continued.	
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	1,000,000
2522-9005	For reimbursement to housing authorities for deficiencies caused by certain reduced rentals, as authorized by chapter eight hundred and fifty-three of the acts of nineteen hundred and seventy	450,000
2522-9101	For reimbursement of cities and towns for the commonwealth's share of federally-aided urban renewal projects . . .	2,000,000
2522-9102	For reimbursement of cities and towns for the commonwealth's share of certain nonfederally-aided urban renewal projects .	400,000
2522-9201	For an interest subsidy program; provided, that notwithstanding any other provisions of law to the contrary, expenditures made under this item shall be subject to the approval of the commissioner of community affairs	1,000,000

Item		
2531–2003	For expenses of community development and housing program services, as authorized by the National Housing Act, as amended; 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 will not be less than two thirds of the amount expended	$298,075
	Division of Community Services.	
2532–1011	For the expenses of a community development training program; 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 will not be less than fifty per cent of the amount expended for the purpose of this item	$166,000
2532–2022	For the expenses of a model cities assistance program; provided, that expenditures from this item shall be contingent upon prior approval by the proper federal authorities and assurance by such authorities that the federal allocation for this purpose will be not less than fifty-five thousand dollars, prior appropriation continued.	
2535–9001	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
	Division of Social and Economic Opportunity.	
2545–9002	For a demonstration grant program for the elderly	$25,000
	Total, Department of Community Affairs	$20,014,470

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 sixty-nine permanent positions	$5,896,955
5013–0000	For the office of the division of drug rehabilitation, including not more than seventeen permanent positions	2,636,260
	Region One.	
5111–0000	For administration, including not more than thirteen permanent positions	$200,615
5121–0000	For mental health and retardation services, including not more than seventy-eight permanent positions	1,291,095
5181–0000	For the maintenance of the Belchertown state school, including not more than seven hundred and twenty-five permanent positions	6,032,020
5191–0000	For the maintenance of the Northampton state hospital, including not more than nine hundred and twenty-two permanent positions	7,981,665
5191–9004	For the conversion of boilers from coal to oil and gas	50,000
	Region Two.	
5211–0000	For administration, including not more than eleven permanent positions	$205,275
5221–0000	For mental health and retardation services, including not more than eighty-five permanent positions	1,221,261

Item		
5271–0000	For the maintenance of the Rutland Heights mental health rehabilitation center, including not more than thirty-seven permanent positions	$482,235
5291–0000	For the maintenance of the Gardner state hospital, including not more than five hundred and fifty-nine permanent positions	4,899,770
5291–9005	For the renovation of toilet and shower areas	30,000
5292–0000	For the maintenance of the Grafton state hospital, including not more than five hundred and eighty-seven permanent positions	5,150,417
5292–9004	For plumbing renovations, administration building, appropriation expires June the thirtieth, nineteen hundred and seventy-three	75,000
5293–0000	For the maintenance of the Worcester state hospital, including not more than one thousand and sixty-three permanent positions	8,595,840
5294–0000	For the maintenance of the Monson state hospital, including not more than eight hundred and eight permanent positions	6,269,190
5294–9002	For the remodeling of the women's infirmary building, appropriation expires June the thirtieth, nineteen hundred and seventy-three	50,000
5294–9003	For roof repairs at Hodskins and general kitchen buildings	30,000

Region Three.

5311–0000	For administration, including not more than eleven permanent positions	$181,160
5321–0000	For mental health and retardation services, including not more than one hundred and fourteen permanent positions	1,451,350
5361–0000	For the maintenance of the Dr. Harry C. Solomon mental health center, including not more than one hundred and twenty-eight permanent positions	1,173,870
5362–0000	For staffing a program of mental health and retardation services and a children's development clinic in the Cambridge-Somerville area; provided, that federal funds not exceeding four hundred and one thousand sixty-seven dollars may be expended for the purposes of this item, said federal funds to be in addition to the amount appropriated, including not more than ninety-nine permanent positions	594,468
5381–0000	For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred and sixty-eight permanent positions	10,190,893
5381–9011	For an overhead tray proofer	17,000
5381–9012	For certain washing facilities	19,000
5391–0000	For the maintenance of the Metropolitan state hospital, including not more than eight hundred and five permanent positions	7,228,210
5391–9009	For the replacement of windows in children's unit, appropriation expires June the thirtieth, nineteen hundred and seventy-three	40,000
5391–9010	For the construction of a foundation wall at the children's unit	22,000

Region Four.

5411–0000	For administration, including not more than fifteen permanent positions	$227,100
5421–0000	For mental health and retardation services, including not more than eighty-two permanent positions	1,017,400
5471–0000	For the maintenance of the John T. Berry rehabilitation center, including not more than eighty-nine permanent positions	756,555
5481–0000	For the maintenance of the Hathorne state school, including not more than four hundred and sixty-five permanent positions	3,108,755
5491–0000	For the maintenance of the Danvers state hospital, including not more than nine hundred and fifty-four permanent positions	8,190,070
5491–9009	For the replacement of water tubes in number two boiler	32,000
5491–9010	For the renovation of toilets in "H" building, appropriation expires June the thirtieth, nineteen hundred and seventy-three	36,000

Region Five.

5511–0000	For administration, including not more than twelve permanent positions	$191,082

Item		
5521-0000	For mental health and retardation services, including not more than one hundred and twenty-four permanent positions	$1,650,315
5581-0000	For the maintenance of the Wrentham state school, including not more than six hundred and eighty-one permanent positions	7,365,575
5581-9006	For the replacement of the roof at the Quinn school	12,000
5581-9007	For the replacement of floors, "A", "C", "L" and "O" buildings	15,000
5591-0000	For the maintenance of the Medfield state hospital, including not more than six hundred and ninety-four permanent positions	5,922,880
5591-9007	For the renovation of toilet areas in the laundry	28,000
5592-0000	For the maintenance of the Westborough state hospital, including not more than nine hundred and twenty permanent positions	7,449,581
5592-9007	For the replacement of the elevator in Paine hall, appropriation expires June the thirtieth, nineteen hundred and seventy-three	42,000
5593-0000	For the maintenance of the Cushing hospital, including not more than six hundred and eighty-nine permanent positions	5,210,860
5593-9007	For the replacement of solarium floors	17,500

Region Six.

5611-0000	For administration, including not more than thirteen permanent positions	$191,643
5621-0000	For mental health and retardation services, including not more than one hundred and sixty-eight permanent positions	1,865,700
5661-0000	For the maintenance of the Massachusetts mental health center, including not more than three hundred and thirty-five permanent positions	3,206,161
5662-0000	For certain expenses of the mental health training, treatment and research center; provided, that federal funds not exceeding three hundred and fourteen thousand eight hundred and fifty-six dollars may be expended for the purposes of this item, said federal funds to be in addition to the amount appropriated	798,654
5663-0000	For the maintenance of the Erich Lindemann Mental Health Center, including not more than one hundred and sixty-seven permanent positions	1,232,400
5691-0000	For the maintenance of the Boston state hospital, including not more than one thousand two hundred and sixty-nine permanent positions	10,756,405
5691-9007	For the replacement of windows in "B" building, appropriation expires June the thirtieth, nineteen hundred and seventy-three	50,000

Region Seven.

5711-0000	For administration, including not more than fourteen permanent positions	$230,576
5721-0000	For mental health and retardation services, including not more than one hundred and one permanent positions; provided, that federal funds, not exceeding thirteen thousand six hundred and twenty-eight dollars may be expended for the purposes of this item, said federal funds to be in addition to the amount appropriated	1,172,710
5761-0000	For the maintenance of the Dr. John C. Corrigan mental health center, including not more than one hundred and twelve permanent positions	951,700
5781-0000	For the maintenance of the Paul A. Dever school, including not more than nine hundred and eighteen permanent positions	7,179,735
5781-9004	For the purchase of washer-extractor units	60,000
5791-0000	For the maintenance of the Foxborough state hospital, including not more than six hundred and nine permanent positions	5,212,703
5792-0000	For the maintenance of the Taunton state hospital, including not more than seven hundred and forty permanent positions	7,407,543
	Total, Department of Mental Health	$153,604,152

Department of Public Works.

Highway Activities.

Personal Services.

Item

6010-0000 For personal services; 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; and including not more than four thousand six hundred and ninety-seven permanent positions **$45,154,800**

Highway Fund 100.0%

Administrative and Engineering Expenses.

6020-1509 For telephone service in the public works building . **$125,000**

Highway Fund 91.8%

General Fund 5.1%

Recreational Vehicle Fund . . 3.1%

6020-1900 For the operation and maintenance of the public works building, including not more than eighty-five permanent positions **819,282**

Highway Fund 96.0%

General Fund 3.2%

Recreational Vehicle Fund . . .8%

6020-2401 For the purchase of all administrative and engineering equipment **500,000**

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 **2,408,450**

General Fund 8%

Highway Fund 99.2%

6020-2801 For the compensation of certain retired employees (1948, 403, as amended) **5,677**

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%

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 . **$7,633,872**

Highway Fund 100.0%

6030-7293 For the construction of chemical storage sheds . . **300,000**

Highway Fund 100.0%

6030-7301 For expenses in connection with traffic line painting, including the cost of materials **973,000**

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 . . **2,650,000**

Highway Fund 100.0%

Item

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 **2,917,000**
Highway Fund 100.0%

6030-7602 For structural cleaning and painting of the Charles M. Braga, Jr., memorial bridge **600,000**
Highway Fund 100.0%

Waterways Activities.

The salaries of all officers and employees of the department engaged in 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 seventy-four permanent positions **$893,110**
Public Access Fund . . . 2.6%
General Fund 97.4%

6032-3001 For the maintenance of property in the town of Plymouth, including not more than two permanent positions . . . **15,440**

6032-3002 For the operation and maintenance of the New Bedford state pier, including not more than two permanent positions (1914, 693) **29,025**

6032-7000 For the regulation of mill dams and reservoirs, as authorized by chapter two hundred and fifty-three of the General Laws . **131,276**

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:

6033-1001 For the modernizing of the traffic signal system . . **$150,000**
Highway Fund 100.0%

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, including the construction of certain protection fences, prior appropriation continued . **300,000**
Highway Fund 100.0%

6033-1006 For the construction of foremen's garages, prior appropriation continued **150,000**
Highway Fund 100.0%

6033-1007 For improvements to, and reconstruction of, state highways 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%

6033-1009 For resurfacing existing state highways with not less than three quarter inch of bituminous aggregate, prior appropriation continued **4,000,000**
Highway Fund 100.0%

6033-1010 For the cost of improvements on state highways, prior appropriation continued **200,000**
Highway Fund 100.0%

6033-1011 For the replacement of substandard state highway bridges **970,000**
Highway Fund 100.0%

Aid to Cities and Towns.

Item

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; and, provided further, that the amount herein appropriated shall be charged to the Highway Fund debt service account, 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-one, the provisions of chapter six hundred and eighty-nine of the acts of nineteen hundred and forty-five and chapter seven hundred and six of the acts of nineteen hundred and forty-nine notwithstanding; and, provided, that the amount appropriated for the purpose in any fiscal year shall be available for expenditure in the succeeding fiscal year, prior appropriation continued **2,750,000**

Highway Fund 100.0%

Bureau of Solid Waste Disposal.

6050-0000 For the office of the bureau, including the necessary maintenance and operation of solid waste disposal facilities constructed, purchased, leased or otherwise acquired, as provided in section nineteen of chapter eight hundred and thirty-four of the acts of nineteen hundred and sixty-nine; provided, that the comptroller shall transfer to the General Fund from the Solid Waste Disposal Fund an amount equal to the expenditures made from this item for said maintenance and operation of solid waste disposal facilities, including not more than fourteen permanent positions, prior appropriation continued **$239,505**

Registry of Motor Vehicles.

6111-0000 For the office of the registry; provided, that the positions of administrative assistant to the registrar of motor vehicles, legislative assistants, R.M.V., executive secretary, R.M.V., assistant supervisor of public relations and executive assistant to the registrar of motor vehicles shall not be subject to the civil service law and rules, including not more than one thousand three hundred and three permanent positions **$14,592,776**

General 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%

6111-0025 For the construction of a certain parking area at the Woburn registry branch office **40,000**

Highway Fund 100.0%

Division of Marine and Recreational Vehicles.

Item

6120-0000 For the office of the division, including not more than fifty-one permanent positions **$590,119**

Recreational Vehicle Fund . . 100.0%

6120-0010 For the expenses of administering the regulation of snow and recreation vehicles, as authorized by chapter five hundred and eighty-nine of the acts of nineteen hundred and seventy . . . **24,400**

Recreational Vehicle Fund . . 100.0%

Outdoor Advertising Division.

6210-0000 For the office of the division, including not more than eleven permanent positions **$96,765**

Government Center Commission.

6300-0000 For the office of the commission (1960, 635) . . . **$245,470**

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 **$13,897,074**

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 **41,476,000**

Highway Fund 100.0%

Total, Department of Public Works (All Agencies) **$155,633,041**

Department of Education.

Advisory Council on Education.

7001-0000 For the office of the council, including not more than eight permanent positions **$421,475**

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 **$217,300**

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 **325,000**

7010-0009 For the administration of the program for the elimination of racial imbalance, including expenses of the prior fiscal year . **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**

7010-0011 For certain payments for the use of the facilities of the Alice G. Wallace Planetarium, Fitchburg; provided, that children sixteen years of age or under shall be admitted without charge . . **25,000**

7010-0012 For reimbursement 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; and, provided further, that

Item

payment in the amount of six hundred and twenty-nine thousand dollars may be made for prior years liability resulting from payments under section thirty-seven D of chapter seventy-one of the General Laws having been charged to this account during the nineteen hundred and seventy-one fiscal year $2,229,000

7010-0014 For the administration of the advisory council for experimental schools and the operation of one such school, including not more than eighteen permanent positions 648,000

7010-0016 For the expenses of a career opportunity program; provided, that expenditures from this item for said program shall be contingent upon assurances from the proper federal authorities that the federal allocation for said program shall not be less than seventy thousand dollars; and, provided further, that said career employee shall become employees of the commonwealth only after complying with the provisions of chapter thirty-one of the General Laws . 60,000

Division of Administration and Personnel.

7021-0000 For the office of the division, including not more than thirty permanent positions $275,780

7021-9003 For the rental and maintenance of the Tremont street property, including not more than seven permanent positions . 404,222

7025-0000 For the administration of the bureau of teachers' retirement, including not more than thirty-six permanent positions . . 297,318

7025-9001 For the payment of retirement assessments of teachers formerly in military or naval service 1,000

7025-9003 For reimbursement of certain cities and towns for pensions to retired teachers 9,300,000

7025-9004 For the payment of the commonwealth's share in financing the teachers' retirement system 49,000,000

Division of Occupational Education.

7027-0000 For the office of the division, to be in addition to any federal funds available for the purpose, including teacher training, to comply with the requirement of federal authorities under the Smith-Hughes and George Barden acts, as amended, including Public Law 90-576; provided, that such courses may be furnished free of charge to veterans, and including not more than thirty-two permanent positions $323,375

7027-0010 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, as amended 13,295,864

7027-0011 For reimbursement to certain municipalities and regional school districts for certain tuition fees, as defined in section ten of chapter seventy-four of the General Laws, as amended . . . 1,447,000

7027-0012 For reimbursement to certain municipalities or regional school districts for two thirds of the salaries of certain agricultural instructors, as defined in section twelve of chapter seventy of the General Laws 74,000

7027-0013 For the reimbursement of certain counties for county vocational schools 1,100,000

7027-0014 For the reimbursement of certain towns for the transportation of pupils 370,000

7027-1000 For the administration of a fire fighting academy and training program, to be in addition to any federal funds available for the purpose, and including not more than two permanent positions . 134,747

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 sixty-seven permanent positions $796,584

7032-0301 For expenses of holding teachers' institutes . . . 1,000

7032-1001 For printing guides for school curricula . . . 50,000

Item		
7034-0000	For the office of the division of special education, to be in addition to any federal funds available for the purpose, including not more than thirty-four permanent positions (1970, 887)	$350,400
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	5,800,842
7034-0901	For the expenses of educating certain physically handicapped children, as provided in section forty-six M of chapter seventy-one of the General Laws	155,000
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	684,200
7034-1402	For the transportation of deaf, blind and aphasic pupils attending classes in local school systems	292,500
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	400,000
7035-0000	For the adult education and extended services program; 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; including not more than fifty-five permanent positions	418,800
7035-0001	For the reimbursement of certain towns and regional school districts for the transportation of pupils	17,500,000
7036-0101	For the administration of the library bureau, including not more than twenty-six permanent positions	256,325
7036-1401	For state aid to regional public libraries	2,325,771
7036-1501	For state aid to public libraries	1,927,149

Division of Research and Development.

7040-1011	For the office of the division, including not more than six permanent positions	$129,380
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%	

Division of School Facilities and Related Services.

7051-0001	For the office of the division, including not more than three permanent positions	$38,000
7051-1908	For printing school registers and other school blanks for cities and towns	12,000
7052-0001	For the administration of the school building assistance bureau, including not more than nine permanent positions	236,640
7052-0002	For reimbursement of certain cities and towns for part of the cost of construction of school projects (1948, 645) amended	42,000,000
7052-0003	For the reimbursement of certain cities and towns for part of the cost of reconstruction, remodeling, rehabilitation and modernization of schoolhouses, as authorized by chapter seven hundred and fifty-four of the acts of nineteen hundred and sixty-eight; provided, that the limitations of said chapter for the expenditure for new construction shall not apply	1,250,000
7053-1905	For the administration of the school lunch program; provided, that the comptroller shall transfer to the General Fund the sum of fifty thousand dollars from the school lunch distribution and salvage fund, including not more than forty permanent positions (1948, 548; 1951, 538; 1954, 256)	391,075

Item

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; provided, that notwithstanding said fifty per cent limitation, this limitation may be exceeded on certain lunches to the extent and in the same number as free or reduced-price lunches served to children are subsidized entirely from federal funds at the maximum rate allowed, prior appropriation continued . . . $370,000

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; provided, that notwithstanding said fifty per cent limitation, this limitation may be exceeded on certain lunches to the extent and in the same number as free or reduced-price lunches served to children are subsidized entirely from federal funds at the maximum rate allowed, prior appropriation continued 6,250,000

7053-1910 For the reimbursement to cities and towns and partial assistance to private schools for a lunch program for needy elderly persons, as provided by law; provided, that no expenditures shall be made from this item unless there is allocated for the purposes of this program at least seven thousand five hundred dollars by the federal government (G.L. Ch. 15, sec. 1L) 150,000

Division of State and Federal Assistance.

7061-0001 For the office of the division, including not more than eight permanent positions $93,650

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; provided, that the persons employed in a temporary status on December the second, nineteen hundred and sixty-nine, shall continue to serve as permanent incumbents under chapter thirty-one of the General Laws; and, provided further, that the incumbents of positions in the official service pass a qualifying examination to be given by the director of civil service 20,604

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 section sixteen D of chapter seventy-one of the General Laws 14,000,000

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 299,600

Board of Higher Education.

7070-0001 For the office of the board, including the salary of the chancellor and including not more than sixteen permanent positions . $439,895

7070-0005 For medical, dental and nursing scholarships, as authorized by section one D of chapter fifteen of the General Laws . . 350,000

Item		
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 honor scholarships; provided, that the board of higher education may award scholarships for the next fiscal year not exceeding in the aggregate eight million dollars, prior appropriation continued	$4,500,000
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	178,621
7070-0014	For merit scholarships	128,000
7070-0016	For central processing, classification and cataloguing of books in all institutions of higher education, prior appropriation continued	175,000
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, prior appropriation continued	1,500,000

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.

7101-0000	For expenses of the board of trustees of state colleges	$4,500
7101-0001	For the office of the board, including not more than thirty-two permanent positions	469,766
7102-0001	For the purchase of scientific, technological and other educational reference material for the libraries	200,000
7102-9604	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; and, provided further, that the board of trustees of state colleges shall allocate not less than fifty per cent of this appropriation to State college at Boston	250,000
7105-0001	For the operation of a data processing system	378,570
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 seven hundred and forty thousand dollars with the approval of said trustees.	
7108-0000	State college at Boston, including not more than five hundred and fifty-five permanent positions	6,743,940
7108-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	71,000
7109-0000	State college at Bridgewater, including not more than four hundred and forty permanent positions	5,069,850
7109-1011	State college at Bridgewater, boarding hall, including not more than twenty-two permanent positions	215,800
7109-9101	For paving certain parking lots, appropriation expires June the thirtieth, nineteen hundred and seventy-three	40,000
7109-9028	For the purchase of equipment for a foreign language laboratory	46,000
7109-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	39,500

Item		
7110-0000	State college at Fitchburg; 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; and including not more than three hundred and forty-nine permanent positions	$3,895,100
7110-1011	State college at Fitchburg, boarding hall, including not more than nineteen permanent positions	370,900
7110-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs and for not more than one hundred scholarships, as authorized by section seven C of chapter sixty-nine of the General Laws (1959, 361)	46,000
7111-0000	State college at Framingham, including not more than three hundred and one permanent positions	3,155,850
7111-1011	State college at Framingham, boarding hall, including not more than twenty-one permanent positions	176,200
7111-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	23,000
7112-0000	State college at Lowell, including not more than two hundred and fifty-six permanent positions	2,891,150
7112-1011	State college at Lowell, boarding hall, including not more than four permanent positions	66,100
7112-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	26,000
7113-0000	State college at North Adams, including not more than one hundred and seventy-three permanent positions	2,048,000
7113-1011	State college at North Adams, boarding hall, including not more than six permanent positions	43,300
7113-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	10,000
7114-0000	State college at Salem, including not more than four hundred and ninety-one permanent positions	5,336,640
7114-2501	For the trimester program at Salem state college	42,141
7114-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	49,000
7115-0000	State college at Westfield, including not more than three hundred and twenty-three permanent positions	3,265,350
7115-1011	State college at Westfield, boarding hall, including not more than eleven permanent positions	113,400
7115-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	34,500
7116-0000	State college at Worcester, including not more than three hundred and twenty-four permanent positions	3,692,250
7116-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	34,000
7117-0000	Massachusetts college of art, including not more than one hundred and five permanent positions	1,439,930
7117-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	11,460
7118-0000	Massachusetts maritime academy and ship, including not more than eighty-five permanent positions	1,127,170

Lowell Technological Institute of Massachusetts.

7210-0000	For the maintenance of the institute, with the approval of the trustees; 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; and including not more than five hundred and eighteen permanent positions	$7,532,756
7210-9704	For the commonwealth's contribution toward the federal student loan programs and federal work study programs (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

Item		
7210-9705	For the purchase of scientific, technological and other educational reference material for the library	$50,000
7211-0101	For the expenses of the nuclear center, to be in addition to any federal funds made available for the purposes of this item, and including not more than thirty-nine permanent positions	593,100
7211-0103	For a program to encourage students in the field of science	4,000

Southeastern Massachusetts University.

7310-0000	For the maintenance of the university, with the approval of the trustees; provided, that the university is hereby authorized to conduct a summer school at no net expense to the commonwealth, and for said purpose the university may receive and expend income derived therefrom; including not more than four hundred and thirty-five permanent positions	$5,394,200
7310-9604	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	75,000
7310-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361), and for not more than forty scholarships, as authorized by section forty-six C of chapter seventy-four of the General Laws	67,500
7310-9705	For the purchase of scientific, technological and other educational reference material for the library	50,000

University of Massachusetts.

7400-0010	For the office of the president, including not more than nineteen permanent positions	$386,750
7410-0100	For the institute for governmental service, including not more than three permanent positions	67,300
7400-0110	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	200,000
7400-0111	For the purchase of scientific, technological and other educational reference material for the libraries	480,000
7400-9604	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; and, provided further, that said program shall be maintained only at the University of Massachusetts at Amherst and Boston	700,000
7400-9704	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	50.0%
	General Fund	50.0%
7410-0000	For the maintenance of the university, with the approval of the trustees; 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 re-	

Item

ceipts 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; including not more than three thousand five hundred and forty positions $51,210,000

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 one hundred and eight permanent positions 1,684,500

7414-1002 For expenses in connection with research projects for which the commonwealth shall be fully reimbursed; provided, that on and after the effective date of this act the trustees may receive and expend, at no expense to the commonwealth, funds for such research projects without further appropriation, prior appropriation continued.

7416-1001 For the maintenance of the facilities of the university in the city of Boston, including not more than five hundred and four 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 9,189,500

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 twenty-four permanent positions $314,495

7501-3004 For the purchase of scientific, technological and other educational reference material 275,000

7501-9604 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 500,000

7502-0000 Berkshire community college, including not more than one hundred and twenty-nine permanent positions 1,459,409

7502-9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . 12,500

7503-0000 Bristol community college, including not more than one hundred and fifty-one permanent positions 1,668,949

7503-9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . 9,370

7504-0000 Cape Cod community college, including not more than one hundred and twenty-eight permanent positions 1,503,426

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 one hundred and twelve permanent positions 1,298,507

7505-9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . 14,000

Item		
7506-0000	Holyoke community college, including not more than one hundred and ninety-four permanent positions	$2,139,872
7506-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	8,000
7507-0000	Massachusetts Bay community college, including not more than one hundred and twenty-eight permanent positions	1,779,882
7507-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	10,000
7508-0000	Massasoit community college, including not more than one hundred and thirty-six permanent positions	1,715,817
7508-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	16,600
7509-0000	Mount Wachusett community college, including not more than one hundred and seven permanent positions	1,279,867
7509-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	6,350
7510-0000	Northern Essex community college, including not more than one hundred and ninety-one permanent positions	2,124,705
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 sixty-six permanent positions	1,924,778
7511-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	14,000
7512-0000	Quinsigamond community college, including not more than one hundred and sixty-nine permanent positions	1,883,256
7512-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	13,000
7514-0000	Springfield community college, including not more than two hundred and sixty-five permanent positions	2,674,436
7514-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	11,500
7515-0000	Roxbury community college, including not more than two permanent positions	34,316
7516-0000	Middlesex community college, including not more than eighty-six permanent positions	948,104
7516-9101	For the installation of lighting and paving of walks for the parking lots; appropriation expires June the thirtieth, nineteen hundred and seventy-three	25,000
7516-9102	For the purchase of equipment for the language laboratory	10,000
7516-9704	For the commonwealth's contribution toward federal loan programs and federal work study programs	3,400

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	$160,000
	Total, Department of Education	$336,057,131

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	$22,379,491
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	37,796,000

Miscellaneous.

9990-0001	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	$12,500

Item		
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 the first, nineteen hundred and seventy-one	$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
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
9990–0013	For certain deficiencies for previous years	6,056
9990–0014	World War II Memorial — U. S. S. Massachusetts .	6,500
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 the first, nineteen hundred and seventy-one . . .	5,000
	Highway Fund 100.0%	
	Total, Unassigned Accounts	$60,237,047

SECTION 2A. In order to meet the estimated cost of utilities furnished projects constructed by the building authorities established by chapter five hundred and fifty-seven of the acts of nineteen hundred and sixty-one and chapter seven hundred and three of the acts of nineteen hundred and sixty-three the comptroller shall transfer to the General Fund on or after July the first of each fiscal year beginning July the first, nineteen hundred and seventy-two from receipts of said projects the following amounts:—From item 7109–0000, $25,000; from item 7111–0000, $11,790; from item 7114–0000, $28,800; from item 7115–0000, $41,500; and from item 7210–0000, $33,000.

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 travelling 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 ten 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 (6) 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 provision 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-two shall be available for the payment of such other forms of compensation as may be due under existing statutes or under the provisions of rules and regulations made in accordance with said statutes.

SECTION 8. Applications for all federal subventions and grants available to the commonwealth under any act of congress shall be subject to the approval of the commissioner of administration. Any transfer within such subventions or grants shall be subject to the approval of the commissioner of administration. All federal subventions and grants received by the commonwealth, or by a corporation or other organization established as an affiliate of any agency or institution operated by the commonwealth or by an individual employed by the commonwealth, authorized to expend such funds in conjunction with services rendered by the commonwealth, may be expended without specific appropriation under the terms and conditions provided in rules and regulations established by the commissioner of administration and if such expenditures are otherwise in accordance with law. All such federal subventions and grants shall be reported in full by the head of the agency directly rendering the services mentioned above to the budget director, to the comptroller and to the house and senate committees on ways and means. The report shall include such itemization as required in accordance with state and federal regulations. All federal subventions and grants available to the commonwealth under any act of congress and not otherwise authorized to be received shall be paid into the treasury of the commonwealth. All such expenditures of federal subventions and grants shall be subject to the audit of the state auditor.

SECTION 9. Notwithstanding the provisions of section fifty-one of chapter thirty of the General Laws, or any other provision of law, the state purchasing agent is hereby authorized during the fiscal year nineteen hundred and seventy-two 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 four hundred 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 any provision of sections forty-five to fifty, inclusive, of chapter thirty of the General Laws, a salary differential is hereby authorized to be paid to employees in the nursing services who are employed on evening or night tours of duty, and to employees engaged in professional nursing, as defined in section eighty B of chapter one hundred and twelve of the General Laws, at the Lemuel Shattuck hospital and the Soldiers' Home in Massachusetts. Any salary differential authorized by this section shall be paid in accordance with rules and regulations established by the director of personnel and standardization, with the approval of the commissioner of administration. 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-two 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, tenancies at will and 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-two, submit for approval by a board consisting of the commissioner of administration, or his designated representative, the commissioner of corporations and taxation, or his designated representative, and the state treasurer, or his designated representative, the proposed date of payment or distribution of such funds if the combined total thereof, as prepared by any such single agency, exceeds one million dollars on any one day, notwithstanding any special or general law regulating the disbursement of public funds by the commonwealth. Said board may require any agency to notify it of the anticipated receipt of revenue from any source, including federal subventions and grants.

SECTION 15. The budget director, notwithstanding the provisions of section twenty-nine of chapter twenty-nine of the General Laws, is hereby directed to limit the transfer of funds between subsidiary accounts, established as provided in section twenty-seven of said chapter twenty-nine, to those transfers required to meet unforeseen emergencies where funds otherwise are not available to protect the public interest. The budget director shall file forthwith, on the approval of any such transfer, a copy of the authorization with the house and senate committees on ways and means.

SECTION 16. No agency of the commonwealth receiving an appropriation under section two of this act, whether or not the expenditure is made from funds authorized by this act, shall make any expenditure for consultant services, so-called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services—Nonemployees" 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 16C. No agency of the commonwealth shall make any expenditures for the training, instruction, treatment, support and day care of children authorized under section forty-six I of chapter seventy-one of the General Laws and related programs conducted by the departments of mental health, public health, public welfare and youth services unless the rate setting commission, in accordance with the procedures established by section thirty L of chapter seven of the General Laws, shall have approved the rate of compensation for such training, instruction, treatment and support. The rate setting commission shall immediately upon approval of such rates file a schedule of the approved rates with the comptroller, the house and senate committees on ways and means and to each agency making such expenditure.

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-two 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 2429–7090 and 2429–7140 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:

2410–9013	2439–7062	2439–7130
2410–9016	2439–7070	2439–7140
2449–7010	2439–7090	2439–7170
2449–7020	2439–7100	2439–7320
2439–7061	2439–7110	

SECTION 19. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and seventy-two, for the payment of classified personal services the fiscal year shall be from July the first, nineteen hundred and seventy-one through June the twenty-fourth, nineteen hundred and seventy-two. Classified personal services for June the twenty-fifth, the twenty-sixth, the twenty-seventh, the twenty-eighth, the twenty-ninth and the thirtieth, nineteen hundred and seventy-two 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 University, the University of Massachusetts and the board of regional 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-two, 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 institutions; (2) a certified statement of the salary ranges to be used for all professional 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 of the General Laws, 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 the first, nineteen hundred and seventy-one. However, beginning June the first, nineteen hundred and seventy-one, 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 the first, nineteen hundred and seventy-one; 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 seventy-one, 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 the first, nineteen hundred and seventy-one, 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 the first, nineteen hundred and seventy-one. 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 the first, nineteen hundred and seventy-one.

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 the first, nineteen hundred and seventy-one and sections twenty-two and twenty-three shall take effect upon the passage of this act. *Approved August 30, 1971.*

Chap. 720. AN ACT AUTHORIZING THE FORMATION OF A REGIONAL SCHOOL DISTRICT INCLUDING ALL THE GRADES FROM KINDERGARTEN THROUGH GRADE TWELVE BY THE CITY OF NORTH ADAMS AND TWO OR MORE OF THE TOWNS OF CLARKSBURG, FLORIDA, MONROE AND SAVOY.

Be it enacted, etc., as follows:

SECTION 1. The city of North Adams, by vote of its city council, and the towns of Clarksburg, Florida, Monroe and Savoy, by vote in 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 North Adams and by the moderator in the case of the towns. Any vacancy in the membership of the 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 from said towns shall 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 said city and said towns, 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 of constructing a school to serve the needs of the district; and to submit a report of its findings and recommendations to the city council of the city of North Adams and to the selectmen of the towns of Clarksburg, Florida, Monroe and Savoy.

SECTION 3. Said regional school district planning board may recommend that there shall be established a regional school district comprising the city of North Adams and the towns of Clarksburg, Florida, Monroe and Savoy. 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 procedure for the preparation and adoption of an annual budget.

(g) Any other matters, not incompatible with law, which said board may deem advisable.

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.

The committee may incur debt in accordance with the provisions of either clause (d) or clause (e) of section six of this act. The committee shall make its choice each time it votes to authorize the incurring of debt.

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 above-named municipalities for their acceptance.

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 provision 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 North Adams 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 thirty days after receipt by the selectmen of any town of a recommendation that a regional school district be established and of a proposed agreement therefor submitted in accordance with the provisions of 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 seventy-one and a proposed agreement prepared thereunder and filed with the city council of the city of North Adams and the selectmen of the towns

of Clarksburg, Florida, Monroe and Savoy, which act and agreement establish a regional school district for kindergarten through grade twelve consisting of said city and any two or more of said towns?" If a majority of the voters present and voting on said question in said city and if a majority of the voters present and voting in at least two of said towns shall vote in the affirmative, this act shall become fully effective, and the proposed regional school district, comprising said city and towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted 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 school 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 North Adams and to the board of selectmen of each member town comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date on which said debt was so authorized. If, prior to the expiration of said period, the city council expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of 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 pro-

posal which may be the same as any prior proposal and an authorization to incur debt therefor.

(e) To incur debt not exceeding an amount approved by the emergency finance board for the purposes and terms specified in clause (d) of this section; provided that the vote of the district committee authorizing such debt is approved by a majority of the registered voters in the member municipalities voting on the question at an election called and held pursuant to the following provisions. The election shall be called by a warrant addressed to the registered voters in the member municipalities and signed by a majority of the members of the regional district school committee which shall set forth the date of the election, the polling place or places in each municipality, the hours during which the polls are to be open and the question which is to appear upon the ballot. Notice of the election shall be given by posting a copy of the warrant attested by the secretary of said committee in at least one public place in each municipality and by publishing a copy thereof at least once in a newspaper of general circulation in the district, said posting and publishing to occur at least ten days before said election. A certificate of the secretary shall be conclusive evidence that the warrant was duly posted and published. The number and location of the polling place, or places, in each municipality shall be determined by the regional district school committee after consultation with the selectmen of each member town and the city council and city clerk of the city of North Adams; and the hours during which all the polls in the district are open shall be uniform throughout the district and shall not be less than four nor more than eight consecutive hours. The regional district school committee shall be responsible for preparing the ballots used at the election. The clerk of each member municipality shall certify the results of the election to the regional district school committee. Except as provided herein, the election shall be conducted in each town in the same manner as town meetings for the election of town officers. Except as provided herein, the election shall be conducted in the city of North Adams in the same manner as any special election or any regular election, as the case may be.

The expenses of the election shall be paid by the regional school district as an operating expense of the district; and if provision for their payment is not included in the budget for the year in which they are incurred, the regional district school committee may use any available funds of the district or may transfer the sums required from appropriations included in the budget. The defeat of a proposal for incurring debt shall not prevent the resubmission of the same proposal as a new authorization.

(f) 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.

(g) To receive and disburse funds for any district purpose.

(h) To incur temporary debt in anticipation of revenue to be received from member municipalities.

(i) To assess member municipalities for any expenses of the district.

(j) To receive any grants or gifts for the purpose of the regional district school or schools.

(k) To engage legal counsel.

(l) 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 North Adams or by the selectmen of any member town.

(m) To employ a superintendent of schools who shall have all the powers and duties imposed upon school superintendents by law.

(n) To adopt an annual operating and maintenance budget not later than December the 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 the 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 regional 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 the 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. Each municipality comprising the regional school district shall continue to receive state aid for educational purposes in the amount to which it would be entitled if such district had not been formed; and such regional school district shall be entitled to receive state aid for construction of regional schools. The state treasurer in making annual payments to the several municipalities of the amounts required under chapter seventy of the General Laws shall pay to each municipality comprising the regional school district an additional amount equal to fifteen per cent of the amount to which such municipality would be entitled if such regional school district had not been formed. No payment shall be made under the provisions of the preceding sentence to any such municipality prior to the date of award of a contract for the construction of a regional school by the regional district school committee.

SECTION 11. The director of accounts in the department of corporations and taxation shall annually cause an audit to be made of the accounts of the regional district school committee, and for this purpose he, and his duly accredited agents, shall have access to all necessary papers, books and records. Upon the completion of each audit, a report thereon shall be made to the chairman of the district committee, and a copy thereof shall be sent to the mayor of the city of North Adams and to the chairman of the board of selectmen of the town or towns in said district. 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. No employee of any member municipality's school department who becomes an employee of the regional school district shall, by reason of transfer of employment, suffer any impairment of civil service status, seniority, retirement and other rights of employment, without interruption of his service within the meaning of chapter thirty-one of the General Laws or of section nine A of chapter thirty of the General Laws, and without reduction in his salary grade and compensation, notwithstanding any change in his title or duties made as a result of such transfer. The provisions of section forty-two B of chapter seventy-one of the General Laws shall be applicable to the district.

SECTION 16. If any provision of this act, or the application of such provision to any person or circumstances, shall be held invalid, the remainder of said act and the application of such provisions to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SECTION 17. This act shall take effect upon its passage.

Approved August 31, 1971.

Chap. 721. AN ACT FURTHER REGULATING THE LICENSING OF HORSE RACE MEETINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is in part to extend immediately the time within which horse racing meetings may be held, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 128A of the General Laws is hereby amended by striking out clause (*d*), as most recently amended

by chapter 663 of the acts of 1953, and inserting in place thereof the following clause:—

(*d*) Such horse racing meetings may be held only between the first day of January and the fifteenth day of December, both dates inclusive, in any year.

SECTION 2. Said section 3 of said chapter 128A is hereby further amended by striking out clause (*f*), as amended by chapter 454 of the acts of 1935, and inserting in place thereof the following clause:—

(*f*) No license shall be issued for more than an aggregate of one hundred fifty racing days in any one year at all running horse race meetings combined, not including running horse racing meetings held or conducted at state or county fairs.

SECTION 3. Said chapter 128A is hereby amended by striking out section 8 and inserting in place thereof the following section:—

Section 8. The commission shall, whenever it deems it to be necessary for the protection of the public interest and safety, apply to the department of public safety, or to the metropolitan district commission police if they have jurisdiction in the area where a racing meeting is to be held, or to the police department of a city or town wherein a racing meeting is to be held, in order that such police agency may furnish a police detail consisting of as many police officers as said commission shall require to be assigned at any racing meeting authorized by this chapter. Upon any such request such agency shall forthwith furnish such police detail to the commission which shall assign the members thereof to guard and protect the lives and safety of the public, property, the animals to be raced at any such meeting and to perform any such other duties which may be required by said commission in order to maintain fair and honest pari-mutuel racing at any such meeting. The police officers, so assigned, shall, except in the case of an emergency, and while on duty at any such racing meeting, be subject to the operational authority of the commission; provided, however, that such assignment or reassignment shall not in any way impair any rights to which any such officer may be entitled; and provided, further, that such officers shall at all times be considered to be employees of the commonwealth or of the city or town furnishing such police detail.

The commission shall employ as many veterinarians, chemists and laboratory technicians as it deems necessary to insure the legitimate performance of the animals to be raced at any racing meetings authorized by this chapter and to protect the health of such animals. Any person so employed shall be assigned to the department of public safety and while so assigned shall be subject to the operational control of said department.

The cost of any police detail assigned to any racing meeting under this section shall be paid to the commission by the licensee. The total cost for any such police detail shall be a sum equal to the salaries of the police officers comprising such detail, plus a sum to be determined by the commission to cover the expenses of each such police officer not exceeding fifteen dollars per day.

The cost of laboratory services, veterinarians, chemists and technicians employed by the commission to cover each racing meeting shall be paid by the licensee to the commission and shall be equal to

the total salaries of the personnel so employed and the cost of supplies and materials used in connection with any such racing meeting.

A certified check or bank draft, payable weekly in advance to the commission for the full amount of such salaries and expenses, shall be delivered to the commission before twelve noon of each Monday of each week of any such racing meeting.

SECTION 4. Applications for licenses to hold and conduct running horse racing meetings for the number of dates authorized by this act may be filed with the state racing commission within thirty days following the effective date of this act; and said commission is authorized to award such running horse racing dates and to issue licenses therefor upon applications so filed for such running horse racing meetings to be held and conducted in the calendar year nineteen hundred and seventy-one; said commission's procedures for hearings upon all such applications to be similar to the procedures on original running horse racing applications filed under chapter one hundred and twenty-eight A of the General Laws.

Approved August 31, 1971.

Chap. 722. AN ACT VALIDATING A CERTAIN AMENDMENT TO THE ZONING BY-LAWS OF THE TOWN OF ADAMS.

Be it enacted, etc., as follows:

SECTION 1. The action taken by the town of Adams at its annual town meeting held on March the twenty-second, nineteen hundred and seventy-one, in voting to amend its zoning by-laws, as described in Article 39 of the warrant of said meeting is hereby validated and confirmed notwithstanding the failure to comply with the provisions of the General Laws relative to notice of public hearings on changes in zoning by-laws.

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

Approved August 31, 1971.

Chap. 723. AN ACT AUTHORIZING THE TOWN OF CHELMSFORD TO APPROPRIATE MONEY ANNUALLY IN ANTICIPATION OF THE CELEBRATION OF THE TWO HUNDREDTH ANNIVERSARY OF THE AMERICAN REVOLUTION.

Be it enacted, etc., as follows:

SECTION 1. The town of Chelmsford may appropriate money annually, from and including the year nineteen hundred and seventy-one to and including the year nineteen hundred and seventy-six, for the celebration of the two hundredth anniversary of the American Revolution.

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, be expended for the purposes of the celebration by and upon the authorization of the board of selectmen

of 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 August 31, 1971.

Chap. 724. AN ACT PROVIDING THAT A RAILROAD MAY BE REQUIRED TO ERECT A FENCE ALONG ITS RAILROAD TRACKS.

Be it enacted, etc., as follows:

Chapter 160 of the General Laws is hereby amended by inserting after section 93 the following section:—

Section 93A. If the mayor of a city or the selectmen of a town where a railroad corporation is authorized to lay and use tracks are of the opinion that the public safety requires the erection of a fence along such tracks, they may apply to the department, which shall, after public notice, hear all persons interested, and if it decides that the erection of a fence along such tracks is necessary for the public safety, it shall prescribe the manner in and the limits within which it shall be done, and shall forthwith certify and transmit its decision to the railroad corporation and all parties in interest.

Approved August 31, 1971.

Chap. 725. AN ACT PROVIDING FOR A STUDENT REPRESENTATIVE FROM EACH CAMPUS TO BE ELECTED TO THE BOARD OF TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS.

Be it enacted, etc., as follows:

Section 20 of chapter 15 of the General Laws, as most recently amended by section 2 of chapter 418 of the acts of 1970, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—There shall be a board of trustees of the University of Massachusetts consisting of the governor, the commissioner of education, the commissioner of agriculture, the commissioner of public health, the commissioner of mental health, the chairman of the board of selectmen of the town of Amherst who shall not have voting power, the president of the college, ex officio, two elected representatives of the student body, one of whom shall be from the Amherst campus, one of whom shall be from the Boston campus and not more than seventeen appointive members, none of whom shall be affiliated in any capacity with a private medical school.

Approved August 31, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 31, 1971

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 725 of the Acts of 1971, entitled "AN ACT PROVIDING FOR A STUDENT REPRESENTATIVE FROM EACH CAMPUS TO BE ELECTED TO THE BOARD OF TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS." and the enactment of which received my approval on August 31, 1971, 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 order that the provisions of this act may be made effective for the entire academic year beginning in September.

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

OFFICE OF THE SECRETARY, BOSTON, August 31, 1971.

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

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

Chap. 726. AN ACT RELATIVE TO ELIMINATING DISCRIMINATION IN CREDIT, SERVICES OR RENTAL ACCOMMODATIONS TO CERTAIN RECIPIENTS OF PUBLIC ASSISTANCE.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by inserting after subsection (9) the following subsection:—

(10). For any person furnishing credit, services or renting accommodations to discriminate against any individual who is a recipient of federal, state or local public assistance, including medical assistance, or who is a tenant receiving federal, state or local housing subsidies, including rental assistance or rent supplements, solely because the individual is such a recipient. *Approved August 31, 1971.*

Chap. 727. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW REGULATING THE CREDITABLE SERVICE OF CERTAIN VETERANS EMPLOYED BY HOUSING AUTHORITIES UPON THEIR RETIREMENT.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 58A of chapter 32 of the General Laws, as appearing in section 3 of chapter 671 of the acts of 1966, is hereby amended by inserting after the word "district", in line 3, the words:—or any housing authority.

SECTION 2. This act shall take effect as of June the thirtieth, nineteen hundred and sixty-six. *Approved August 31, 1971.*

Chap. 728. AN ACT AUTHORIZING THE TOWN OF WESTPORT TO APPROPRIATE MONEY FOR THE PAYMENT OF OVERTIME COMPENSATION TO CERTAIN EMPLOYEES OF THE SCHOOL DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

The town of Westport is hereby authorized to appropriate the sum of three thousand six hundred and seventy-four dollars and ninety-seven cents, and after such appropriation the treasurer of said town is hereby authorized to pay certain custodians in the school department of said town compensation due for overtime work performed by them in the years nineteen hundred and sixty-nine, nineteen hundred and seventy and part of the year nineteen hundred and seventy-one, according to a schedule on file in the office of the superintendent of schools of said town as established in accordance with an agreement entered into by the town of Westport and the United States Department of Labor. *Approved August 31, 1971.*

Chap. 729. AN ACT RELATIVE TO THE NUMBER OF LICENSES WHICH MAY BE GRANTED TO ONE PERSON, CORPORATION OR COMBINATION OF PERSONS AS WHOLESALERS OR IMPORTERS OF ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

The first paragraph of section 18 of chapter 138 of the General Laws is hereby amended by striking out the fifth sentence, as amended by chapter 571 of the acts of 1966.

Approved August 31, 1971.

Chap. 730. AN ACT FACILITATING THE IMPLEMENTATION OF THE FEDERAL EMERGENCY EMPLOYMENT ACT OF 1971 BY CERTAIN GOVERNMENTAL UNITS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

For the purpose of implementing the Federal Emergency Employment Act of 1971, any governmental unit, as defined in section four A of chapter forty of the General Laws, may enter into an agreement with one or more other governmental units, as so defined, to perform jointly or for such other unit or units any service, activity or undertaking, including any service, activity or undertaking authorized under section fifty-three A of chapter forty-four of the General Laws, which each contracting unit is authorized by law to perform, if such agreement is authorized by each party thereto, in a city by the mayor, in a town by the selectmen and in a district by the prudential committee, if any, and otherwise by the commissioners. Any such agreement may be terminated by any party thereto at the end of any fiscal year if such termination is authorized by the terminating unit in the manner aforesaid; provided, that notice of such termination is given to each other party to the agreement at least sixty days prior to the date of termination.

Any such agreement shall be subject to the provisions of the second paragraph of said section four A of said chapter forty to the extent not inconsistent with this act. *Approved August 31, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 31, 1971

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 730 of the Acts of 1971, entitled "AN ACT FACILITATING THE IMPLEMENTATION OF THE FEDERAL EMERGENCY EMPLOYMENT ACT OF 1971 BY CERTAIN GOVERNMENTAL UNITS OF THE COMMONWEALTH." and the enactment of which received my approval on August 31, 1971, 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 immediate implementation by the cities and towns of the commonwealth of the Federal Emergency Employment Act of 1971.

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

OFFICE OF THE SECRETARY, BOSTON, August 31, 1971.

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

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

Chap. 731. AN ACT MAKING PERSONS WHO HAVE BEEN PLACED ON AN OPEN COMPETITIVE CIVIL SERVICE LIST FOR A POSITION ELIGIBLE FOR APPOINTMENT TO A SIMILAR POSITION CREATED UNDER THE FEDERAL EMERGENCY EMPLOYMENT ACT OF 1971 IF THEY MEET THE FEDERAL QUALIFICATIONS RELATIVE TO UNEMPLOYMENT OR UNDEREMPLOYMENT AS DEFINED IN SAID ACT.

Be it enacted, etc., as follows:

Notwithstanding any provision of section fifteen of chapter thirty-one of the General Laws or any other law or rule pertaining thereto to the contrary, when a temporary position has been created pursuant to

the Federal Emergency Employment Act of 1971 and the position is one which, in the service of the commonwealth or of the cities and towns thereof, is subject to said chapter thirty-one, and when an open competitive list exists for such position, no person may be certified from said list for such temporary position who does not meet the qualifications of an "unemployed person" or an "underemployed person", both as defined in subparagraphs (5) and (6) of section fourteen of said Act. Any appointment made under this Act shall be deemed a temporary appointment, as defined in section one of said chapter thirty-one. If the appointing authority is a city which is a program agent under said Act, no person shall be certified for such temporary position who is not a resident of said city.

Approved August 31, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, August 31, 1971

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 731 of the Acts of 1971, entitled "AN ACT MAKING PERSONS WHO HAVE BEEN PLACED ON AN OPEN COMPETITIVE CIVIL SERVICE LIST FOR A POSITION ELIGIBLE FOR APPOINTMENT TO A SIMILAR POSITION CREATED UNDER THE FEDERAL EMERGENCY EMPLOYMENT ACT OF 1971 IF THEY MEET THE FEDERAL QUALIFICATIONS RELATIVE TO UNEMPLOYMENT OR UNDEREMPLOYMENT AS DEFINED IN SAID ACT." and the enactment of which received my approval on August 31, 1971, should take effect forthwith.

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

That the Commonwealth may immediately provide for the employment of certain unemployed persons by complying with the provisions of the Federal Emergency Employment Act of 1971.

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

OFFICE OF THE SECRETARY, BOSTON, August 31, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and forty-one 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 thirty-one of the acts of nineteen hundred and seventy-one.

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

Chap. 732. AN ACT ESTABLISHING A CAUSE OF ACTION IN BEHALF OF CERTAIN PERSONS AND POLITICAL SUBDIVISIONS FOR THE PURPOSE OF PROTECTING THE NATURAL RESOURCES AND ENVIRONMENT OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 214 of the General Laws is hereby amended by inserting after section 10 the following section: —

Section 10A. As used in this section, "damage to the environment" shall mean any destruction, damage or impairment, actual or probable, to any of the natural resources of the commonwealth, whether caused by the respondent alone or by the respondent and others acting jointly or severally. Damage to the environment shall include, but not be limited to, air pollution, water pollution, improper sewage disposal, pesticide pollution, excessive noise, improper operation of dumping grounds, impairment and eutrophication of rivers, streams, flood plains, lakes, ponds or other water resources, destruction of seashores, dunes, wetlands, open spaces, natural areas, parks or historic districts or sites. Damage to the environment shall not include any insignificant destruction, damage or impairment to such natural resources.

The superior court for the county in which damage to the environment is occurring or is about to occur may, upon the petition of not less than ten persons domiciled within the commonwealth, or upon the petition of any political subdivision of the commonwealth, determine the issue in equity or in a petition for declaratory relief, and may, before the final determination of the cause, restrain the person causing or about to cause such damage; provided, however, that the damage caused or about to be caused by such person constitutes a violation of a statute, ordinance, by-law or regulation the major purpose of which is to prevent or minimize damage to the environment.

No such action shall be taken unless the petitioners at least twenty-one days prior to the commencement of such action direct a written notice of such violation or imminent violation by certified mail to the agency responsible for enforcing said statute, ordinance, by-law or regulation, to the attorney general and to the person violating or about to violate the same; provided, however, that if the petitioners can show that irreparable damage will result unless immediate action is taken the court may waive the foregoing requirement of notice and issue a temporary restraining order forthwith.

It shall be a defense to any action taken pursuant to this section that the respondent is subject to, and in compliance in good faith with, a judicially enforceable administrative pollution abatement schedule or implementation plan the purpose of which is alleviation of damage to the environment complained of, unless the petitioners demonstrate that a danger to the public health and safety justifies the court in retaining jurisdiction.

Any suit or action brought pursuant to the authorization contained in this section shall be advanced for speedy trial and shall not be compromised without prior approval of the court.

If there is a finding by the court in favor of the petitioners it may assess their costs, including reasonable fees of expert witnesses but not attorney's fees; provided, however, that no such finding shall include damages.

The court may require the petitioners to post a surety or cash bond in a sum not to exceed five hundred dollars to secure the payment of any costs which may be assessed against the petitioners in the event they do not prevail.

Nothing contained in this section shall be construed so as to impair, derogate or diminish any common law or statutory right or remedy which may be available to any person, but the cause of action herein authorized shall be in addition to any such right or remedy.

SECTION 2. Chapter 30A of the General Laws is hereby amended by inserting after section 10 the following section: —.

Section 10A. Notwithstanding the provisions of section ten, not less than ten persons may intervene in any adjudicatory proceeding as defined in section one, in which damage to the environment, as defined in section ten A of chapter two hundred and fourteen, is or might be at issue; provided, however, that such intervention shall be limited to the issue of damage to the environment and the elimination or reduction thereof in order that any decision in such proceeding shall include the disposition of such issue. Notwithstanding any other provision of this chapter, any intervener under this section may introduce evidence, present witnesses and make written or oral argument, except that the agency may exclude repetitive or irrelevant material. Any such intervener shall be considered a party to the original proceeding for the purposes of notice and any other procedural rights applicable to such proceeding under the provisions of this chapter, including specifically the right of appeal. *Approved September 7, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, September 7, 1971

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 732 of the Acts of 1971, entitled "AN ACT ESTABLISHING A CAUSE OF ACTION IN BEHALF OF CERTAIN PERSONS AND POLITICAL SUBDIVISIONS FOR PURPOSES OF PROTECTING THE NATURAL RESOURCES AND ENVIRONMENT OF THE COMMONWEALTH." and the enactment of which received my approval on September 7, 1971, 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 order that petitions may immediately be filed under the authority of the act to protect the natural resources and environment of our Commonwealth.

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

OFFICE OF THE SECRETARY, BOSTON, September 7, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His

Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and 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 thirty-two of the acts of nineteen hundred and seventy-one.

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

Chap. 733. AN ACT PROVIDING THAT A CERTAIN LICENSE GRANTED BY THE DEPARTMENT OF PUBLIC WORKS TO BUILD AND MAINTAIN A SEA WALL AND TO FILL SOLID IN THE CHARLES RIVER, INSOFAR AS SAID LICENSE PERTAINS TO CERTAIN LAND, SHALL BE IRREVOCABLE, AND AUTHORIZING THE CITY OF BOSTON TO ACQUIRE SAID LAND AND CONVEY IT TO THE UNITED STATES IN EXCHANGE FOR CERTAIN LAND OF THE UNITED STATES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to immediately enable the city of Boston to acquire certain land and convey it to the United States in exchange for certain land of the United States, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. As used in this act, the word "locus" shall be construed to mean the tract of land consisting of (1) the parcel of land in the city of Cambridge containing about sixty-seven thousand four hundred and sixty-eight square feet shown on J. F. Kerwin plan dated December, 1954 and recorded with Middlesex county southern district registry of deeds Book 8385, Page 190, (2) the parcel of land partly in the city of Boston and partly in the city of Cambridge containing about sixty-one thousand two hundred and sixty-nine square feet shown as Lot 1 on J. F. Kerwin plan dated August, 1961, and recorded with Middlesex county southern district registry of deeds at end of Book 9908, (3) the parcel of land in the city of Cambridge containing about fifty-nine hundred and forty-five square feet and shown as Lot 2 on said J. F. Kerwin plan dated August, 1961, (4) the parcel of land partly in the city of Boston and partly in the city of Cambridge containing about thirty thousand eight hundred and two square feet and shown as Lot 3 on said J. F. Kerwin plan dated August, 1961, (5) the parcel of land in Boston bounded southeasterly by Lot 1 shown on said J. F. Kerwin plan dated August, 1961, southwesterly by the Charles River, northwesterly by the line between Boston and Cambridge, and northerly by the line between Boston and Cambridge and said to contain about sixty-one hundred and sixty-five square feet, and (6) the parcel of land partly in the city of Boston and partly in the city of Cambridge occupied by the sea wall constructed along the Charles river bounds of the first, second, fourth and fifth parcels herein described.

SECTION 2. Any provision of general or special law to the contrary notwithstanding, the public facilities commission of the city of Boston may, in the name and behalf of said city, using not exceeding four hun-

dred and ten thousand dollars from funds available for the acquisition of the federal interagency motor pool facility now on Commercial street in the city of Boston, purchase the locus and prepare it for occupancy by the United States of America as an interagency motor pool facility, and without further authority than that contained in this act, convey the locus in the name and behalf of said city to the United States of America in exchange for a deed to said city from the United States of America of its interagency motor pool facility now on Commercial street in the city of Boston.

SECTION 3. The license granted by the department of public works to the Boston and Maine Railroad, being license number 1079 recorded with registry of deeds for Suffolk county, Book 5158, Page 62, and with Middlesex county southern district registry of deeds, Book 5425, Page 101, to build and maintain a sea wall and to fill solid in the Charles river, insofar as said license pertains to the locus and is not already irrevocable under chapter seven hundred and thirty-seven of the acts of nineteen hundred and sixty-two, shall, notwithstanding any provisions of law to the contrary, be irrevocable, and any right, title and interest of the commonwealth in and to the locus is hereby granted and released to the United States of America, meaning and intending hereby that, upon conveyance pursuant to section two, and without further action, a fee simple title absolute in the locus shall be vested in the United States of America insofar as any right, title or interest of the commonwealth is concerned. *Approved September 8, 1971.*

Chap. 734. AN ACT ESTABLISHING IN THE TOWN OF MARSHFIELD REPRESENTATIVE TOWN GOVERNMENT BY LIMITED TOWN MEETING.

Be it enacted, etc., as follows:

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

SECTION 2. The by-laws of the town shall determine the number of voting precincts or a minimum and maximum number into which the town shall be divided for the election of members of the representative town meeting. Upon the adoption of such by-laws, the selectmen shall divide the town into precincts for the purpose of this act. There shall be not less than five nor more than twelve precincts each to contain as nearly as may be an equal number of inhabitants and no fewer than five hundred registered voters.

SECTION 3. The representative town meeting membership shall, in each precinct, consist of the largest number divisible by three which will admit of a representation thereof in the approximate proportion which the number of inhabitants therein bears to the total number of inhabitants in the town and which will cause the total elected membership to be as nearly, but not more than, one hundred and twenty as may be.

SECTION 4. The membership of the representative town meeting also shall include the moderator as a member at large.

SECTION 5. It shall be the duty of the chairman of each board or committee of the town and the head of each town department to attend that part of every representative town meeting at which matters, other

than those to be acted upon or determined by ballot, are to be considered.

SECTION 6. The precincts shall be plainly designated and so established as to consist of compact and contiguous territory, and shall be bounded sofar as possible by the center line of highways or by other well defined limits.

SECTION 7. The boundaries of precincts shall be reviewed and may be wholly or partly revised by the selectmen in December of any year after the expiration of five years following their establishment or revision or in December of any other year when so directed by vote of a representative town meeting held not later than the twentieth day of October in such 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.

SECTION 9. The division of the town into precincts and any revision of precincts shall take effect upon the date of filing of the report by the selectmen with the town clerk, such date to be not later than January the fifteenth following the time established for review or revision referred to in section seven. Whenever precincts are established or revised, the town clerk shall give written notice to the state secretary, 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 filed with the town clerk not later than the last day on which the nomination papers of candidates for other town offices must be filed. They shall be submitted to the registrars of voters and shall be certified in the manner provided by law for the certification of the nomination papers of candidates for town offices. Nomination papers shall not be valid for any candidate whose written acceptance is not endorsed thereon or attached thereto when filed.

SECTION 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 the candidates for other town office must be filed.

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 of the members elected in the order of votes received shall serve for three years, the second third for two years and the remaining third for one year from the day of the annual town meeting. In case of an equal vote affecting the division into thirds, the members from the precinct shall determine the same by ballot.

SECTION 15. Thereafter as the terms of 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 for last place or places, 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 such precinct at the first annual town election following such a revision. Whenever there is a new division of the town into precincts the provisions of section fourteen shall apply to the election of the town meeting members.

SECTION 18. The representative town meeting members shall be elected in conformity with the laws relative to elections and the provisions of law relating to precinct voting at elections shall apply to all elections and primaries in the town so far as such laws are not inconsistent therewith. 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 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. In the event that a vacancy occurs in the full number of town meeting members from any precinct, whether arising from a failure of the registered voters thereof to elect or from any other cause, the town clerk shall at once choose the person who received the highest number of votes as a defeated candidate for the office of town meeting member in the preceding election in the precinct where the vacancy occurs and shall notify him of his appointment as a town meeting member. If for any reason this candidate cannot accept such appointment, the second highest in recorded vote of the defeated candidates in that precinct shall be appointed. In the event neither of those receiving the highest or the second highest number of votes as defeated candidates is available, then 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 present, elect any registered voter of that precinct to fill such vacancy. The town clerk shall count the ballots, make a certificate of the choice and notify the person so chosen; and upon receipt by the town clerk of a written acceptance by the person so chosen, that person shall be deemed elected and qualified as a town meeting member, subject to the right of all town meeting members to judge the election and qualification of members.

A town meeting member appointed or chosen to fill a vacancy as herein provided shall serve only until the next annual town election.

SECTION 21. A majority of the members from the precinct attending such a 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 plurality of votes cast shall be necessary for a choice. The chairman and clerk shall count the ballots and the chairman shall make a certificate of the choice which shall be filed with the town clerk together with a written acceptance of the person so chosen, who thereupon shall be deemed to be elected as a 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, and any vacancy in the office may be filled by the town meeting members at a meeting held for the purpose. If the moderator is absent, a moderator pro 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, in their respective precincts or at voting places determined by the town clerk. 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 members of the time and place at which meetings are to be held, the notices to be sent by mail at least seven days before the meeting. Notice of an adjourned meeting shall be sent by mail as soon as practicable following the dissolution of the meeting from which adjournment is taken.

SECTION 25. The members of the representative town meeting shall be the judge of the election and qualifications of their own members. The members shall receive no compensation for serving as members of the representative town meeting. Five sixths of the elected representatives will constitute a quorum for the transaction of business. A lesser number may organize temporarily and may adjourn from time to time.

SECTION 26. The representative town meeting may make such rules consistent with law as it may consider necessary for conducting its meetings.

SECTION 27. The representative town meeting may appoint such committees as it may consider necessary to investigate and report on

any matters referred to them and to make a recommendation thereon, but no such committee shall have any executive or legislative powers and all matters shall be determined by the town meeting members.

SECTION 28. All representative town meetings shall be open to the public. Any registered voter of the town who is not a town meeting member, subject to such conditions as the town meeting members may determine, may speak at least once upon any matter at such a meeting, but he shall have no vote. A registered voter may with the approval of the moderator ask for an expression of opinion by voice vote or standing vote of the registered voters present at any session of the meeting. This expression of opinion shall in no way be binding on the representative town meeting members.

SECTION 29. A vote of the representative town meeting under any article in the warrant shall not be operative until the expiration of ten days exclusive of Sundays and holidays, from the dissolution of the meeting other than the following: (*a*) to adjourn; (*b*) to authorize the expenditure of less than twenty thousand dollars; (*c*) to appropriate money for the payment of principal and interest of bonds and notes of the town; (*d*) to authorize the temporary borrowing of money in anticipation of revenue; and (*e*) to enact an emergency measure required for the immediate preservation of the public peace, health or safety and so declared by a preamble and adopted by a two thirds vote of the town meeting members present and voting thereon.

SECTION 30. If within such period of ten days a petition signed by not less than fifty registered voters in each precinct, the aggregate number so signing being not less than three per cent of the registered voters in the town, is filed with the selectmen asking that any question involved in such a vote be submitted to the voters of the town at large, then the selectmen, within seven days thereafter, shall call a special meeting, to be held within fourteen days following such a call, for the sole purpose of presenting the question to the voters at large.

SECTION 31. 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 32. The polls for voting upon such a question shall be opened at twelve o'clock noon and closed not earlier than eight o'clock in the evening. The vote shall be taken by ballot and the check list used in the several precincts in the same manner as for the election to town office. A question submitted shall be determined by the same proportion of votes as would be required if the question were determined by a representative town meeting, but the action of the representative town meeting shall not be reversed unless at least twenty per cent of all the registered voters shall so vote.

SECTION 33. If such a petition for a referendum is not filed within ten days, the vote of the representative town meeting shall be operative and effective upon the expiration of that period.

SECTION 34. The town shall have the capacity to act through, and to be bound by, 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 sofar as is consistent with the provisions of this act.

SECTION 35. Action by a representative town meeting in conformity with the laws now or hereafter applicable to the transaction of town affairs in town meeting shall have the same force and effect as if taken in a town meeting open to all voters of the town. as organized and conducted before the establishment of representative town government.

SECTION 36. This act shall be submitted for acceptance to the registered voters of the town of Marshfield at the annual town meeting to be held in the year nineteen hundred and seventy-two. The vote shall be taken by ballot, in accordance with provisions of the General Laws, sofar as the same shall be: "Shall an act passed by the General Court in the year nineteen hundred and seventy-one, entitled 'An Act establishing in the town of Marshfield representative town government by limited town meeting', be accepted by the town?" If a majority of the voters voting on this question vote in the affirmative, this act shall take effect immediately for the purpose of the next town election, and for all things relating thereto, and shall take full effect beginning with said following election. It shall be the duty of all town officials having to do with elections and holding office at the time of acceptance to do, in compliance with law, all things necessary for the nomination and election of officers, first to be elected under this act.

SECTION 37. If this act is not accepted by the registered voters of the town when first submitted, it may be again submitted for acceptance once at any annual town election within five years thereafter upon petition signed by at least ten per cent of the registered voters of the town. *Approved September 8, 1971.*

Chap. 735. AN ACT RELATIVE TO EXPENDITURES OF MONEY BY THE COUNTY COMMISSIONERS OF THE COUNTY OF PLYMOUTH FOR THE PURPOSE OF PROMOTING AND ADVERTISING THE RECREATIONAL, INDUSTRIAL, AGRICULTURAL AND HISTORICAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 169 of the acts of 1956 is hereby amended by striking out section 1, as amended by chapter 21 of the acts of 1970, and inserting in place thereof the following section: —

Section 1. The county commissioners of Plymouth county may, for the purpose of promoting and advertising the recreational, industrial, agricultural and historical advantages of said county, expend such sums, not exceeding, in the aggregate, twenty-five thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than double the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising, or for information booths within or without the county, or for displays or booths maintained at fairs, expositions or travel shows within or without the county for the purpose of advertising such advantages, or for the processing of inquiries resulting from such promotional activities, and for personal and contractual services incidental to the foregoing. In carrying out the pro-

visions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

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

Approved September 9, 1971.

Chap. 736. AN ACT AUTHORIZING THE CITY OF TAUNTON TO PAY CERTAIN MEDICAL BILLS INCURRED BY A CITY EMPLOYEE FOR TREATMENT OF AN INJURY SUSTAINED IN THE COURSE OF HIS EMPLOYMENT.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Taunton is authorized to pay to J. Edward Flynn, M.D. the sum of three hundred and eighty dollars and to Stephen W. Meagher, M.D. the sum of forty dollars for medical care and attendance furnished to Thomas Varden in nineteen hundred and sixty-eight for the treatment of injuries sustained in the course of his employment.

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

Approved September 9, 1971.

Chap. 737. AN ACT MAKING APPROPRIATIONS FOR THE CARE, MAINTENANCE AND REPAIR OF THE MIDDLESEX COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Middlesex county are hereby authorized to expend for the year nineteen hundred and seventy-one 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.

MIDDLESEX COUNTY.

Item		
1.	For personal services	$2,491,303 29
2.	For contractual services	98,000 00
3.	For supplies and materials	450,000 00
4.	For current charges and obligations	190,000 00
5.	For equipment	12,242 00
6.	For structures and improvements	19,500 00
8.	For debt and interest	105,000 00
10.	For unpaid bills of previous years	42,550 74
11.	For reserve fund	30,000 00
12.	For group insurance	115,000 00
	For total expenditures	$3,553,596 03

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

Approved September 9, 1971.

Chap. 738. AN ACT PROVIDING FOR A REDEVELOPMENT BOARD AND ABOLISHING THE PLANNING BOARD AND BOARD OF PUBLIC WELFARE IN THE TOWN OF ARLINGTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 503 of the acts of 1952 is hereby amended by striking out section 17 and inserting in place thereof the following section: —

Section 17. Appointment of Redevelopment Board. — The redevelopment board shall consist of five members, four to be appointed by the town manager, subject to the approval of the board of selectmen, and one to be appointed by the department of community affairs, hereinafter in this section referred to as the department. One of said persons shall be appointed to serve for an initial term of one year, two of said persons shall be appointed to serve for an initial term of two years and one of said persons shall be appointed to serve for an initial term of three years. The member appointed by the department shall serve for an initial term of three years. Thereafter, as the term of a member expires, his successor shall be appointed in the same manner and by the same body for a term of three years from such expiration. The members shall serve until their respective successors are appointed and qualified. If for any reason a vacancy occurs in the membership of the redevelopment board, the vacancy shall be filled forthwith in the same manner and by the same body for the unexpired term. The town manager may make or receive written charges against, and may accept the written resignation of, any member appointed by the town manager or a former town manager or may, after hearing and with the approval of the board of selectmen, remove any such member because of inefficiency, neglect of duty or misconduct in office. Such member shall be 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 the hearing to be held thereon, and at the hearing he shall be given the opportunity to be represented by counsel and to be heard in his defense. The town manager may make and receive written charges against the member of the redevelopment board appointed by the department and refer the same to the department which will proceed in the same manner as the town manager and the board of selectmen. Pending final action upon such charges, the officer or officers having the power to remove such member may temporarily suspend him, provided 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 removed and his successor is qualified. In case of any such removal, the removing authority shall forthwith deliver to the clerk of the town attested copies of such charges and of its findings thereon and the clerk shall cause the same to be filed with the department and the state secretary. Membership shall be restricted to residents of the town and a member who ceases to be a resident of the town shall be deemed to have resigned effective upon the date of his change of residence.

Members of the board shall be sworn to the faithful performance of their duties by the town clerk or a justice of the peace. The board shall organize for the proper conduct of its duties, shall elect from among its members a chairman and a vice-chairman, shall appoint such other

officers and agents as it deems necessary, shall determine their respective duties and may delegate to one or more of its members, officers or agents such powers and duties as it deems necessary or proper for the carrying out of any action determined upon by it. The director of planning and community development, hereinafter called the director, shall be ex officio the secretary of the board. The director shall be appointed by the town manager to serve at his pleasure; neither chapter thirty-one of the General Laws nor any rule made thereunder shall apply to the director.

The town, acting by and through the redevelopment board, shall, except as herein specifically provided otherwise, be and have all the powers of an operating agency subject to the limitations provided in sections forty-five to fifty-nine, inclusive, of chapter one hundred and twenty-one B of the General Laws, and have such further powers and be subject to such further limitations as would from time to time be applicable to a redevelopment authority if such an authority had been organized in the town; provided, however, that notwithstanding sections eleven, forty-seven and forty-eight of said chapter one hundred and twenty-one B, no urban renewal project or rehabilitation project shall be undertaken by the redevelopment board, nor shall any property be acquired for any such project by eminent domain or otherwise, until the plan for such project has been approved by an annual or special town meeting; and provided further, that the redevelopment board shall not borrow or agree to borrow money without the approval of an annual or special town meeting. Without limiting the generality of the foregoing, the town, with the approval of an annual or special town meeting, may raise and appropriate, or may borrow, or may agree to raise and appropriate or to borrow, or may do or agree to do other things, with or without consideration, in aid of any project or activity planned or undertaken by the redevelopment board to the same extent and subject to the same limitations as if the board were a redevelopment authority. Nothing herein shall, however, alter or limit the powers and rights of the town or any other operating agency therein with respect to the powers and limitations in sections twenty-five to forty-four, inclusive, of said chapter one hundred and twenty-one B.

SECTION 2. Upon the effective date of this act the terms of office of the members of the planning board of the town shall be terminated. The redevelopment board shall have all the powers and perform all the duties heretofore conferred or imposed on the town planning board by statute or by-law or otherwise and shall further have the powers and perform the duties from time to time hereafter conferred or imposed by statute or by-law or otherwise on planning boards of towns in the commonwealth established under the provisions of section seventy of chapter forty-one. All property in the care and custody of the planning board and all appropriations of the town for the use of the planning board shall be transferred to the care and custody of and vested in the redevelopment board; and for all purposes, including without limitation those of chapters forty-one and one hundred and twenty-one B of the General Laws, the redevelopment board shall be deemed to be a continuation of the existing planning board of the town.

SECTION 3. Said chapter five hundred and three is hereby further amended by striking out section eighteen.

SECTION 4. This act shall take effect upon passage.

Approved September 9, 1971.

Chap. 739. AN ACT INCREASING THE AMOUNT OF MONEY THE OXFORD-ROCHDALE SEWER DISTRICT MAY BORROW.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 8 of chapter 250 of the acts of 1957, as amended by chapter 103 of the acts of 1969, is hereby further amended by striking out, in line 5, the words "three hundred and twenty-five" and inserting in place thereof the words: — four hundred and fifty.

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

Approved September 9, 1971.

Chap. 740. AN ACT INCREASING THE AUTHORITY OF THE MASSACHUSETTS STATE COLLEGE BUILDING AUTHORITY TO LEASE PROPERTY.

Be it enacted, etc., as follows:

Section 4 of chapter 703 of the acts of 1963 is hereby amended by striking out paragraph (*f*) and inserting in place thereof the following paragraph: —

(*f*) To rent or lease as lessor or lessee any land, building or structure or portion thereof or parking or other area, to operate the same and to provide service therein and to establish rules and regulations for the use thereof; provided, that no such rules or regulations shall conflict with any rules or regulations made by authority of the trustees for use of property of a state college, except as provided in section nine;.

Approved September 9, 1971.

Chap. 741. AN ACT ESTABLISHING A COMMISSION TO DEVELOP PLANS FOR ADDITIONAL COURT HOUSE ACCOMMODATIONS AND FACILITIES IN THE COUNTY OF SUFFOLK.

Be it enacted, etc., as follows:

For the purpose of making design development plans to provide for additional court house accommodations and facilities for the supreme judicial court, the superior court and other courts in the county of Suffolk, there is hereby established a commission to consist of the chief justice of the superior court or his designee and two persons to be appointed by the governor. Said commission shall choose its own chairman. Said commission may expend such sum as may be appropriated therefor.

Approved September 9, 1971.

Chap. 742. AN ACT ESTABLISHING THE CAPE COD BAY OCEAN SANCTUARY AND THE CAPE AND ISLANDS OCEAN SANCTUARY.

Be it enacted, etc., as follows:

Chapter 132A of the General Laws is hereby amended by adding the following two sections: —

Section 14. There is hereby established adjacent to and in a seaward direction from the Massachusetts Coastline a protected ocean area to be known as The Cape Cod Bay Ocean Sanctuary.

Said Cape Cod Bay Ocean Sanctuary is bounded and described as follows: That body of water known as Cape Cod Bay, and lying south of a line extended from Brant Rock Tower, on the foreshores of Marshfield, County of Plymouth, to a point in the Atlantic Ocean three miles due west from the mean low-water line of the Atlantic Ocean on Cape Cod at the westernmost extremity of Race Point, Provincetown; thence in an easterly direction to a point one quarter mile due west from the mean low-water line and Race Point Lighthouse located at the westernmost extremity of Race Point, Provincetown; thence running southerly, southeasterly, easterly, northeasterly, northerly, and northwesterly, parallel to the mean low-water line and along a line located one quarter mile to seaward from the mean low-water line of the Cape Cod National Seashore Park, located within the town of Provincetown, Massachusetts; thence to the mean low-water line, south of Provincetown where the Cape Cod National Seashore Park boundary intersects the mean low-water line; thence swinging in a northeasterly, easterly, southeasterly and southerly direction along the mean low-water line in the town of Truro to the Cape Cod National Seashore Boundary in that town; thence in a westerly direction to a point in Cape Cod Bay, one quarter mile distant from the mean low-water mark to seaward; thence southerly along a line parallel to the mean low-water line to a point one quarter mile east-southeast of the Truro and Wellfleet town boundary line in the Cape Cod National Seashore Park; thence to a point on the mean low-water line where such boundary intersects same; thence in a clockwise direction along the mean low-water line of the Cape Cod Bay coastal foreshores to the point of beginning at Brant Rock Tower, in said Marshfield. Meaning and intending to include all of that water area lying in a southerly direction from the aforementioned closure line extended from Brant Rock Tower, Marshfield to Race Point, Provincetown. "Miles", as used in this section, shall mean nautical miles. The Cape Cod Bay Ocean Sanctuary shall be under the care and control of the department of natural resources and shall be protected from any exploitation, development or activity that would seriously alter or otherwise endanger the ecology or the appearance of the ocean, the seabed or subsoil thereof, or the adjacent Cape Cod National Seashore.

The following activities shall be prohibited in the Ocean Sanctuary: the building of any structure on the seabed or under the subsoil; the removal of any sand, gravel or other minerals, gases or oils; commercial advertising, the dumping of any commercial or industrial wastes except such quantities of industrial liquid coolant wastes to be dumped by the division of water pollution control on September the thirtieth, nineteen hundred and seventy-one, in connection with the public and private supply of electrical power; or the incineration of solid waste materials or refuse on, or in, vessels moored or afloat within the boundaries of the ocean sanctuary described herein.

This section is not intended to prohibit the laying of cables approved by the department of public utilities, or channel and shore protection projects, navigation aids, projects authorized under chapter ninety-one, deemed to be of public necessity and convenience effected by municipalities, governmental districts and the federal government, contingent upon required approval wherever applicable by the United States Army Corps of Engineers, the division of water pollution control, the depart-

ment of public works and the department of natural resources, or other improvements approved by appropriate federal and state agencies.

This section shall not prohibit the extraction of sand and gravel from the seabed and subsoil of the Sanctuary for the purposes of shore protection or beach restoration, provided that such shore protection or beach restoration is approved by the department of natural resources.

Nothing in this section shall interfere with the harvesting of fish and shellfish in all forms, so long as the department of natural resources is satisfied that such activities are carried on in accordance with sound conservation practices, nor with the issuance of joint permits by the department of natural resources and the department of public works for temporary educational and scientific purposes.

The attorney general shall take such action as may be necessary from time to time to enforce the provisions of this section. The superior court shall have jurisdiction in equity to enforce the provisions of this section.

Section 15. There is hereby established adjacent to the southern Massachusetts coastline and the offshore islands of Nantucket and Martha's Vineyard, Massachusetts a protected ocean area to be known as the Cape and Islands Ocean Sanctuary.

Said Ocean Sanctuary is bounded and described as follows: Beginning at a point in the Atlantic Ocean three miles due south of the mean low-water line at Monomoy Point, thence in a south-southeasterly direction to a point in the Atlantic Ocean, southeast of Nantucket Island, being 41° 11′ 24″ north latitude, 69° 50′ 00″ west longitude, thence in a westerly direction to a point in the Atlantic, southwesterly of Nomans Land, Massachusetts, corresponding to navigational aid known as Flashing Whistle Buoy "R 2" located at 41° 12′ 09″ north latitude and 70° 50′ 00″ west longitude, thence in a northwesterly direction to the navigational aid located in Buzzards Bay, Massachusetts known as Buzzards Light, located at 41° 23′ 45″ north latitude, and 71° 02′ 00″ west longitude, thence in a northwesterly direction to a point on the foreshores at Quicksand Point where the Massachusetts and Rhode Island boundary reaches the water's edge. The aforementioned description meaning to intend the inclusion of the following bodies of water, Nantucket Sound, Vineyard Sound, Buzzards Bay and portions of the Atlantic Ocean. "Miles", as used in this section, means nautical miles.

The Cape and Islands Ocean Sanctuary shall be under the care and control of the department of natural resources and shall be protected from any exploitation, development or activity that would seriously alter or otherwise endanger the ecology or the appearance of the ocean, the seabed or subsoil thereof, or the adjacent Cape Cod National Seashore.

The following activities shall be prohibited in the Ocean Sanctuary: the building of any structure on the seabed or under the subsoil; the removal of any sand, gravel or other minerals, except as hereinafter provided; drilling for subsoil minerals, gases or oils; commercial advertising, the dumping of any commercial or industrial wastes, excepting such industrial liquid coolant water allowed by the division of water pollution control, in conjunction with the public and private supply of electrical power, or the incineration of solid waste materials, or refuse on, or in, vessels moored or afloat within the boundaries of the ocean sanctuary described herein.

This section is not intended to prohibit the laying of cables approved by the department of public utilities, or channel and shore protection projects, navigation aids, other projects authorized under chapter ninety-one, deemed to be of public necessity and convenience effected by municipalities, governmental districts and the federal government, contingent upon required approval wherever applicable by the United States Army Corps of Engineers, the division of water pollution control, the department of public works and the department of natural resources, or other improvements approved by appropriate federal and state agencies.

This section shall not prohibit the extraction of sand and gravel from the seabed and subsoil of the Sanctuary for the purposes of shore protection and beach restoration only, provided that such shore protection or beach restoration is approved by the department of natural resources.

Nothing in this section shall interfere with the harvesting of fish and shellfish in all forms, so long as the department of natural resources is satisfied that such activities are carried on in accordance with sound conservation practices, nor with the issuance of joint permits by the department of natural resources and the department of public works for temporary educational and scientific purposes.

The attorney general shall take such action as may be necessary from time to time to enforce the provisions of this section. The superior court shall have jurisdiction in equity to compel compliance with the purposes of this section. *Approved September 9, 1971.*

Chap. 743. AN ACT RELATIVE TO THE DATE OF PAYMENT OF COST OF LIVING ADJUSTMENTS TO CERTAIN RETIRED EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 102 of chapter 32 of the General Laws, as appearing in section 2 of chapter 408 of the acts of 1967, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — One half of any increase provided for in this section shall become due and payable on July the first of each year during the continuance of such pension, retirement allowance or annuity; subject, however, to any future increase or decrease as provided for in this section and shall be paid only to such living former employees or widows or other beneficiaries as had received their full regular pension, retirement allowance or annuity payment for the month of May in each such year; and the other half of any increase provided for in this section shall become due and payable on December the thirty-first of each year during the continuance of such pension, retirement allowance or annuity; subject, however, to any future increase or decrease as provided for in this section and shall be paid only to such living former employees or widows or other beneficiaries as had received their full regular pension, retirement allowance or annuity payment for the month of November in each such year.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-two. *Approved September 9, 1971.*

Chap. 744. AN ACT PROTECTING CONTRACTORS WHO ABIDE BY CERTAIN PROVISIONS OF LAW RELATIVE TO HIRING PRACTICES AND THE PAYMENT OF WAGES IN CONNECTION WITH PUBLIC WORKS.

Be it enacted, etc., as follows:

Section 27C of chapter 149 of the General Laws is hereby amended by striking out the second sentence, as amended by section 1 of chapter 475 of the acts of 1961, and inserting in place thereof the following two sentences: — Any person convicted of a violation of any provision of section twenty-six, twenty-seven or twenty-seven B shall be prohibited from contracting, directly or indirectly, with the commonwealth or any of its agencies or political subdivisions for the construction of any public building or other public works or from performing any work on the same as a contractor or subcontractor for a period of six months from the date of such conviction. Any person convicted of a second violation of any provision of said section twenty-six, twenty-seven or twenty-seven B within three years from the date of the first conviction shall be prohibited from contracting, directly or indirectly, with the commonwealth or any of its agencies or political subdivisions for the construction of any public building or other public works or from performing any work on the same as a contractor or subcontractor for a period of three years from the date of such second conviction.

Approved September 9, 1971.

Chap. 745. AN ACT FURTHER DEFINING THE TERM "NET INCOME" AS APPLIED TO THE TAXATION OF INCOME OF CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

Section 1 of chapter 63C of the General Laws is hereby amended by striking out the definition of "Net Income", as appearing in section 21 of chapter 14 of the acts of 1966, and inserting in place thereof the following definition: —

"Net Income", net income as defined in section thirty of chapter sixty-three, less any income included therein which is exempt from taxation under the constitution or laws of the United States and of the commonwealth.

Approved September 9, 1971.

Chap. 746. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A BICYCLE PATH ALONG SURFSIDE ROAD IN THE TOWN OF NANTUCKET.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct a bicycle path along Surfside road in the town of Nantucket. For such purpose said department may expend such sums as may be appropriated therefor.

Approved September 9, 1971.

Chap. 747. AN ACT ESTABLISHING THE UPPER BLACKSTONE REGIONAL REFUSE DISPOSAL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The towns of Auburn, Holden, Leicester, Millbury, Paxton and West Boylston, by vote in a town meeting, and the city of Worcester, by vote of its city council, may, subject to conditions hereinafter enumerated, create a regional refuse disposal district which shall be a body corporate and be known as the Upper Blackstone Regional Refuse Disposal District, hereinafter called the district. There shall be no limit of time upon the date of acceptance of the provisions of this act.

For the purposes of this act, "refuse" shall be defined as follows: discarded solid materials, including solid waste materials resulting from industrial, commercial, agricultural, community and domestic activities. Kinds of materials shall include but not be limited to garbage, rubbish, ashes, brush, street refuse, dead animals, abandoned automobiles, industrial wastes, demolition wastes, construction wastes, hazardous and special wastes; but shall 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 effluent, dissolved materials in irrigation return flow or other common water pollutants.

After the initial organization of the board as set out in section two, additional eligible members shall require a majority vote of the board in order to become participating members, subject to conditions enumerated by the board.

SECTION 2. The district shall be under the management and control of a board which is hereby created and shall be known as the Upper Blackstone Regional Refuse Disposal Board, hereinafter called the board.

The board shall consist of one resident from and representing each town that has voted to accept the provisions of this act and is a member of the district. The city of Worcester shall have a number of members on the board that is equal at all times to the total number of members representing member towns plus one additional member. Official actions shall require an affirmative vote of at least a majority of the board, except in cases of capital outlays where a two thirds vote of the board is required for approval.

The members of the board from the city of Worcester shall be appointed by the city manager. The members of the board from the towns shall be appointed by a board of selectmen or the town manager in those communities with a town manager form of government, in accordance with each community's applicable provisions of law. Members appointed to the board shall be residents of the area which they represent and may be municipal officers or employees.

The member of the board appointed by the first town to accept this act shall be appointed for a term of one year. The first two members appointed by the city of Worcester shall be appointed for terms of two years and three years, respectively. New members shall be appointed for terms of one, two or three years, to provide, as nearly as possible, for an equal number of terms to expire each year. After the initial appointments, members shall be appointed for terms of three

years and until their successors have been qualified. Board members may be reappointed. Vacancies shall be filled for the unexpired portion of the term.

SECTION 3. The board shall appoint and determine the compensation of an engineer director who shall administer the affairs and direct the engineering work of the district as approved by the board. The board shall set forth the powers and duties of the engineer director in its by-laws. The engineer director may, upon approval of the board, enter into contracts for professional or construction services to be provided to the district by private contractors. The engineer director shall be skilled in sanitary engineering practice and a registered professional engineer, as defined by section eighty-one D of chapter one hundred and twelve of the General Laws; provided, however, a person eligible for registration under the provisions of said section eighty-one D may be appointed acting engineer director and may serve in that capacity.

SECTION 4. The district shall have a seal consisting of circular die bearing the words "Commonwealth of Massachusetts, Upper Blackstone Regional Refuse Disposal District, 19—," which seal may be used whenever deemed advisable by the board on papers and documents issued or executed by the board or by any officer or employee designated by the board.

SECTION 5. The board shall prepare and adopt by-laws describing and stipulating its organization and operations. The board members shall meet annually in the month of April and select a chairman, vice chairman and a secretary from among the membership who shall act as an executive committee. The chairman, vice chairman and secretary of the board may receive compensation from the district, which shall not exceed one thousand dollars per year each. All other board members each shall receive five hundred dollars per year. Board members may be reimbursed for actual expenses incurred in performance of their duties on approval of the board.

The board may appoint and may at its pleasure remove a treasurer and a clerk, who shall not be members of the board. Both offices, if the board deems it advisable, may be held by the same person. The treasurer shall give to the board a bond payable to the district with a surety company authorized to transact business within the commonwealth and satisfactory to the board as surety in such sums as the board may prescribe and conditioned on the faithful performance of his duties. The duties of the treasurer and clerk shall be those usually appertaining to said offices, respectively, and, in addition, such as may from time to time be prescribed by the board. The compensation of the treasurer and of the clerk shall be determined by the board. The board may retain legal counsel for any and all appropriate purposes.

The engineer director, with the approval of the board, shall from time to time appoint or employ such other engineers and such experts, agents, officers, clerks and other employees as he deems necessary and shall determine their duties. The salaries or compensation of all persons appointed or employed under authority of this section shall be determined by the board and together with other expenses shall be paid by the district and shall be considered a part of the expense of maintenance of the district.

The board shall establish an office in which its business may be conducted and at which maps, plans, documents, records, and other paper relating to its business, land and other works and property in its charge shall be kept.

It shall at all times keep full and accurate accounts of its receipts, expenditures, assets and liabilities.

The board shall make a report each year of its activities for the preceding year and shall, prior to February one, submit a copy to the participating towns. The report shall also be submitted to the department of public health and the Central Massachusetts Regional Planning Commission.

SECTION 6. Said board, acting for and on behalf of said district, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, property, rights-of-way or easements, public or private, in said district necessary for accomplishing any of the purposes of this act.

The board, acting for the district, shall purchase, construct, maintain, operate, lease or otherwise contract for such incinerators, sanitary landfills, necessary equipment or any other facilities as may be required for disposing of refuse and other solid wastes of said district. The board may make contracts or requirements as it may deem necessary for the proper operation of said facilities. No facilities shall be constructed until plans have been approved by the local board of health, under the provisions of section one hundred and fifty A of chapter one hundred and eleven of the General Laws. Any construction, reconstruction or extension of disposal facilities shall be referred to the Central Massachusetts Regional Planning Commission for an advisory opinion as to the proposed facilities relationship to regional and intercommunity consideration and to its coordination with existing local and regional proposals.

No land may be purchased or otherwise acquired as a site for the disposal of refuse and other solid wastes without the approval of the local board of health and the department of public health.

The board may sell by negotiation to the participating members of the district any property, including land, acquired by it hereunder and which in its opinion is no longer needed in the performance of the powers and duties conferred and imposed on it by this act; provided, however, any land is first made available to the town in which it is located, and, in the case of equipment, members shall have a priority of bid purchase at a reasonable price. The board also may from time to time lease any property which in its opinion is not then needed by it for the purposes of this act. The board may enter upon any lands for the purposes of making surveys, borings, and may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, the right to occupy any land necessary for the carrying out of said purposes.

SECTION 7. The board shall, for the proper and reasonable operation of its works, make regulations as to the quantity and character of any refuse discharged into any disposal facility under its control. The board may prohibit the handling of any industrial refuse if the board determines that such refuse may interfere with or damage the disposal facility or otherwise interfere with its operation and maintenance. The

board shall cause the disposal of such refuse in its own or contracted for special facilities. Special charges may be levied against the producer of such refuse for such disposal by the board.

SECTION 8. No lands, rights-of-way or other easements, property, structures or rights acquired by the district, as herein provided, and located in any town included in the district shall be assessed or taxed by the municipality if yielding no rent, but the district shall annually on July the first pay to the town an amount equal to the tax it would receive upon the fair value of the land in the current year, which shall not include buildings or structures. In the event there is a general reevaluation of the assessed valuation of real property in any city or town of the district, the fair value of the land determined above shall be increased or decreased in the same proportion that the aggregate value of all assessed real properties in the city or town are increased or decreased.

SECTION 9. The district by a two thirds vote of the board, in accordance with section two, is authorized to issue, from time to time, general obligation serial bonds or notes of the district to pay for the costs of capital outlays in connection with the disposing of refuse and other solid wastes of its members including the construction, acquisition and major rehabilitation of incinerators, sanitary landfills, necessary equipment and such other facilities as may be required and including land damages and costs of demolition of existing structures on land so acquired.

Said bonds shall be issued in such amount or amounts as the district acting by and through the board may determine and the district may refund any such bonds or notes. Such serial bonds or notes may be callable with or without premium and shall contain such terms and conditions, bear such rate or rates of interest, be sold in such manner, at public or private sale, and mature at such times and in such amounts so that the amount of such annual payments in any year on account of any such debts, sofar as issued, shall not be less than the amount of principal payable in any subsequent year; and provided that each issue of such bonds or notes shall be payable in annual installments, the first of which shall be payable not later than two years after its date and the last of which shall be payable not later than twenty years from said date.

If the board votes to issue serial bonds or notes, said board may authorize the issuance, in the name of the district, of general obligation temporary notes for a period of not more than two years in anticipation of the money to be received from the sale of such serial bonds or notes. The time within which such serial notes or bonds shall be payable shall not be extended by reason of the making of such temporary loans beyond the time fixed in the order authorizing such serial bonds or notes.

For the purpose of paying expenses of operation, including, without limitation, any principal or interest due or about to become due on any bond or note issued by the district for which funds are not available, the board, by majority vote, in accordance with section two, in the name of the district may issue, from time to time, general obligation temporary notes of the district in anticipation of assessments levied against the members of said district the year in which such notes are issued.

Temporary notes in anticipation of assessments shall be payable not more than one year from their date and shall not exceed in principal amount at any one time outstanding the amount of the assessments in anticipation of which they are issued.

Temporary notes issued under this section for a shorter period than the maximum permitted may be renewed by the issuance of other temporary notes maturing within the required period; provided that the period from the date of issue of the original temporary note to the date of maturity of the renewal note shall not exceed the maximum period for which the original temporary note may have been issued. Such temporary notes or renewal notes may be sold at discount or with interest payable at or before maturity.

Notes or bonds authorized by this section shall be signed by the treasurer and countersigned by the chairman of the board and serial notes and bonds shall have the district seal affixed.

Indebtedness incurred under this section shall not be included in computing the limit of indebtedness of the city of Worcester or of any town included in the district.

SECTION 10. The board shall annually determine the amounts required for the payment of debt and interest of the district which will be due in the ensuing financial year on account of debt issued for the cost of original construction of existing incinerators, sanitary landfills, necessary equipment and associated facilities, and said amount shall be apportioned among the participating member city and towns in the ratio of their particular populations to the total population of the district, according to the latest federal census.

The board shall annually determine the amounts required for the payment of debt and interest of the district which will be due in the ensuing financial year on account of debt issued for the cost of construction of additional incinerators, sanitary landfills, necessary equipment, or any other works as may be required, and said amount shall be apportioned among the participating member city and towns as calculated by formulas and standards established by the board.

Upon the acceptance of this act by an eligible town not previously a member, the apportionments on account of debt and interest charges, as set forth in the two preceding paragraphs, shall be recalculated by the board consistent with the provisions of the two respective paragraphs.

The cost of the maintenance and operation of the district and its works, exclusive of principal payments and interest on bonds and notes issued for construction purposes, shall, until such time as the refuse disposal facilities shall have been in regular operation for a period of three calendar years, be apportioned among the member city and towns in the ratio of their particular populations to the total population of the district, according to the latest federal census.

After the refuse disposal facilities shall have been in regular operation for a period of three calendar years, the board shall apportion costs of maintenance and operation to the member city and towns on the basis of the weighed volume of the previous year entering the district's refuse disposal facilities from each member. Upon acceptance of this act by an eligible town not previously a member and until said town shall have participated in the district's refuse disposal facility for a period of three calendar years the allocation of its maintenance

and operation costs shall be calculated on the basis of population in the manner described in this section, the remaining cost then being allocated to the remaining members on the basis of weighed volume in the manner also described in this section. Cost calculations for periods of less than a full year shall be prorated in accordance with the number of calendar days for which they are applicable.

SECTION 11. The board shall annually determine the amounts required for the payment of principal and interest on such bonds and notes issued or to be renewed by the district which will be due during the ensuing financial year and shall apportion the amounts as determined among the several members of the district in accordance with the provisions of this act, shall also annually determine the amounts necessary to be raised to maintain and operate the district during said year including capital outlay items, the cost of which is not to be funded and for all other matters for which the district is required to raise money and shall apportion among the several members of the district the amounts so determined in accordance with the provisions of this act. Each amount so apportioned for each member shall, prior to December the thirty-first in each year, be certified by the board to the assessors of each member city or town. The assessors of each member city or town shall without further vote include each amount as certified in those amounts to be annually raised by taxes under section twenty-three of chapter fifty-nine of the General Laws. The city or town treasurer shall pay the amount so certified to the treasurer of the district on or before July the first of the then taxable year.

A city or town which has been assessed shall raise the amounts certified annually by the district to the assessors of each city or town, as provided in this act, through equitable and proportional charges against inhabitants, corporations and other users of the service rendered by the district in each town.

Nothing in the procedure for arbitration authorized in section eleven A shall relieve any treasurer of each city or town from making timely payments to the treasurer of the district of the full amounts assessed.

SECTION 11A. In the event that within ninety days of the receipt by the board of assessors of each city or town of any assessment as determined and apportioned above, the appropriate legislative body of the city of Worcester or the board of selectmen of the town, by resolution, may question any fact used in the formulas for determination of the total amount to be apportioned or the apportionment thereof to the city or town and request a review thereof by the board.

The board shall forthwith cause a review of such apportionment and shall publish its findings no later than thirty calendar days from the receipt of such request.

The board or the aggrieved city or town may, by resolution adopted no later than ninety calendar days from the receipt of such findings, submit the questions raised to a fact finding board of arbitration of three persons, not residents of the district, one to be appointed by the aggrieved member, one to be appointed by the board and one to be appointed by the state auditor. The three persons so appointed shall

consider all pertinent data, make such audits, examinations, inquiries and surveys as they deem necessary, and shall submit a finding, which shall be binding on all parties. The cost of such arbitration, if any, shall be paid by the district as an expense of the then current year and assessed to the district and the aggrieved member in a proportion to be determined by the finding. If such finding shall result in an adjustment of the apportionment of the assessment to the city or any town, such adjustment shall be made by the board in the next annual apportionment to be certified to the respective board of assessors.

SECTION 12. To meet the cost of construction, maintenance and operation of the works authorized by this act, the district may file application for, or accept and use, any federal or state funds or any federal or state assistance, or both, provided therefor under any federal or state law, or accept and use any funds from other sources.

SECTION 13. At any time not less than eight years after the acceptance of this act by a member town, said member town may, after approval by two thirds of the qualified voters present and voting at any annual or special town meeting, notify the board of its desire to withdraw from the district. Such withdrawal shall become effective in not less than two years after receipt of such notice by the board. In the event of such withdrawal, the withdrawing members shall:

1. continue to pay annually to the district its share of the debt outstanding at the time of withdrawal, at the rate prevailing at the time of withdrawal, until its share of such debt shall be paid in full;

2. be allowed to purchase from the district such facilities as it may desire and which the board by majority vote may agree to sell; and

3. be reimbursed by the district for the fair value of the land used for such facilities as will remain under the jurisdiction of the district. Such reimbursement may be made in equal installments, with interest at three per cent, annually over the remaining life of the bonded debt outstanding at the time of withdrawal.

Value of any facilities involved in such purchase or reimbursement shall be determined in accordance with methods described in chapter seventy-nine of the General Laws.

SECTION 14. Upon the establishment of the district all employees of the city of Worcester and of the participating towns whose employment is directly related to projects to be taken over by the district may be transferred to the district and shall continue to perform the same duties at a salary not less than theretofore and every employee so transferred who immediately prior to such transfer was subject to section nine A of chapter thirty or to chapter thirty-one of the General Laws under a permanent appointment and who has served a probationary period shall continue to serve subject to the provisions of said section nine A of chapter thirty or sections forty-three and forty-five of 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 of 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 provisions of said chapter thirty-one.

Every employee who upon transfer to the district is covered by the group insurance provided by chapter thirty-two B of the General Laws shall continue in uninterrupted coverage and all other employees of the district are hereby likewise made eligible for said group insurance to the same extent as if they were employees of the commonwealth; provided, that the districts share of the cost of such insurance shall, with respect to the employees of the district, be borne by said district. The district shall forward its contribution, together with all amounts withheld from the salaries or wages of its employees as provided in paragraph (a) of section eight of said chapter thirty-two A and all amounts paid by an employee as provided in paragraph (b) of said section eight, to the state employees group insurance commission at such time and in such manner as said commission may prescribe.

Every employee who immediately prior to being transferred to the district by this section is a member of the retirement system of their city, town or county shall have their retirement rights transferred into the state retirement system. All other employees of the district shall be required to become members of the state retirement system in the same manner and subject to the same laws, rules and regulations as persons entering the employ of the commonwealth. The district shall deduct from the wages of its employees and pay over to the state retirement board such sums as the commonwealth or city or town would deduct and pay over if such person were an employee of the commonwealth or city or town; and at such times as the commissioner of insurance shall from time to time prescribe, the district shall pay to the state retirement board such sums as said commissioner shall from time to time determine the city or town would be obliged to pay if such person were its employee.

Every person who immediately prior to being transferred to the district was subject to the provisions of sections fifty-six to sixty, inclusive, of chapter thirty-two of the General Laws shall continue subject to the provisions of said sections; provided, however, that the words "retiring authority", as used in said section, shall mean the board of said district; and provided further, that the amount of all retirement allowances payable under said sections by virtue of this act shall be paid by the district, and the city or town shall reimburse the district for its proportionate share of the amounts as paid.

SECTION 15. This act may be submitted for approval at any annual or special town meeting of the towns eligible for membership as provided in section one. The question placed on the warrant of such meeting shall be in the form of the following question: "Shall an act passed by the General Court in the year nineteen hundred and seventy-one entitled 'An Act establishing the Upper Blackstone Regional Refuse Disposal District', be accepted?" Such a vote shall be a standing vote of at least a majority of those present and voting. The provisions of this act may be adopted by a majority vote of all of the members of the city council of the city of Worcester.

The provisions of this act shall not take effect until acceptance by the city council of the city of Worcester and by at least one other town. Additional towns may by the acceptance of the provisions of this act join as members of the district as provided in section one.

The initial organization of the board representing the district shall take place within one hundred and eighty days after said required acceptance. If the board does not organize itself and form the district within one hundred and eighty days, the action of the city council and any town meeting accepting the provisions of this act shall be null and void.

SECTION 16. Nothing contained in this act shall be interpreted to authorize the board to construct, operate or maintain the local refuse collection system of each city or town in the district.

Approved September 9, 1971.

Chap. 748. AN ACT RELATIVE TO FLOOD RELIEF REIMBURSEMENT TO CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 684 of the acts of 1968 is hereby amended by striking out, in line 11, the words "clause (9) of section eight of chapter forty-four of the General Laws" and inserting in place thereof the words: — sections seven and eight of chapter forty-four of the General Laws or expenditures from amounts provided by taxation,.

SECTION 2. Section 3 of said chapter 684 is hereby amended by striking out, in lines 8 and 9, the words "clause (9) of section eight of chapter forty-four of the General Laws" and inserting in place thereof the words: — sections seven and eight of chapter forty-four of the General Laws or expenditures from amounts provided by taxation,.

Approved September 9, 1971.

EMERGENCY LETTER — September 22, 1971 at 4:50 P.M.

Chap. 749. AN ACT RELATIVE TO THE DISCLOSURE OF CERTAIN INFORMATION UNDER THE SALES AND USE TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of paragraph (*a*) of section 13 of chapter 64H of the General Laws, as appearing in section 1 of chapter 757 of the acts of 1967, is hereby amended by inserting after the word "person", in line 6, the words: — ; provided, however, that on request of an inhabitant of the commonwealth, the commissioner may furnish information as to whether a taxpayer is registered under this chapter.

SECTION 2. The first sentence of the first paragraph of section 15 of chapter 64I of the General Laws, as appearing in section 2 of said chapter 757, is hereby amended by inserting after the word "person", in line 6, the words: — ; provided, however, that on request of an inhabitant of the commonwealth, the commissioner may furnish information as to whether a taxpayer is registered under this chapter.

Approved September 9, 1971.

Chap. 750. AN ACT AUTHORIZING THE TOWN OF HAMPDEN TO CONVEY A CERTAIN PORTION OF PARK LAND IN SAID TOWN IN EXCHANGE FOR A TRANSFER OF CERTAIN OTHER LAND IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Hampden is hereby authorized to convey the portion of park land in said town hereinafter described as parcel 1 to George

Hosie and Esther Hosie of said town in exchange for a transfer from said George Hosie and Esther Hosie to said town of a portion of land hereinafter referred to as parcel 2, which land shall thereafter be dedicated as park land by the town: —

Parcel 1 — A triangular parcel of land on the Northerly side of Main Street, in the town of Hampden, bounded and described as follows: Beginning at an iron pipe located at the Southwesterly corner of the land of Hosie, known as 505 Main Street; thence running North 10° 1′ 30″ East along said Hosie land, ninety-one and 43/100 (91.43) feet, to an iron pipe; thence running North 85° 58′ 30″ West along said Hosie land, fourteen and 2/100 (14.02) feet, to a point; thence running southerly in a straight line to the point of beginning.

Parcel 2 — A triangular parcel of land in the town of Hampden, bounded and described as follows: Beginning at the Southeasterly corner of the 2nd Parcel of land described in an Order of Taking recorded in Hampden County Registry of Deeds, Book 3414, Page 587; thence running north 10° 1′ 30″ East along said land of the town of Hampden, ninety and 93/100 (90.93) feet to an iron pipe; running thence southerly along the remaining land of Hosie to the Northwesterly corner of Parcel 1 hereof; running thence North 85° 58′ 30″ West, fourteen and 2/100 (14.02) feet, to the place of beginning.

Approved September 9, 1971.

Chap. 751. AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO USE FOR FIRE DEPARTMENT PURPOSES CERTAIN LAND IN SAID CITY NOW HELD AS CITY FORESTRY LAND AND DEDICATED TO USE AS A PUBLIC DOMAIN.

Be it enacted, etc., as follows:

The city of Marlborough is hereby authorized to use for fire department purposes, and to erect a fire station thereon, certain land in said city now held by it as city forestry land, dedicated to use as a public domain and located on the northerly side of Boston Post road and being shown as parcel 7 on sheet 59 of the city of Marlborough's assessors' maps.

Approved September 9, 1971.

Chap. 752. AN ACT ESTABLISHING IN THE DEPARTMENT OF PUBLIC HEALTH A POISON INFORMATION AND CONTROL CENTER.

Be it enacted, etc., as follows:

Chapter 17 of the General Laws is hereby amended by inserting after section 4 the following section: —

Section 4A. There shall be in the department a poison information and control center to accept inquiries and provide comprehensive, full-time, centralized professional information to cities and towns of the commonwealth. The department may through agencies of the commonwealth or by contract with private hospitals, institutions, agencies, individuals or groups provide for such facilities and services as may be necessary to carry out the purposes of this section.

Approved September 9, 1971.

Chap. 753. AN ACT INCREASING THE FEES CHARGED FOR REGISTRATION AS AN ARCHITECT.

Be it enacted, etc., as follows:

SECTION 1. Section 60B of chapter 112 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 1 of chapter 558 of the acts of 1953, and inserting in place thereof the following paragraph: —

Every applicant for registration as an architect who is a resident of the commonwealth shall pay to the board, upon filing his original application therefor, a fee of sixty dollars, which shall entitle him to two examinations, if necessary. Every applicant for registration as an architect who is not a resident of the commonwealth shall pay to the board, upon filing such original application, a fee of sixty dollars. Every applicant for registration as an architect who files an additional application, each of which such applications shall entitle him to two examinations, if necessary, shall pay to the board, upon filing such application, a fee of fifty dollars. Every applicant for registration by the National Council of Architectural Registration Boards, who is required by said council to submit to a standard junior or senior examination to be conducted by the board, shall pay to said board a fee of twenty-five dollars.

SECTION 2. Section 60D of said chapter 112, as amended by section 2 of said chapter 558, is hereby further amended by striking out, in line 7, the word "seven" and inserting in place thereof the word: — ten — , and by striking out, in line 16, the word "twenty" and inserting in place thereof the word: — twenty-five.

SECTION 3. The second paragraph of section 60E of said chapter 112, added by section 3 of said chapter 558, is hereby amended by striking out, in line 3, the word "ten" and inserting in place thereof the word: — twenty-five. *Approved September 9, 1971.*

Chap. 754. AN ACT REQUIRING THE ISSUANCE OF CERTIFICATES OF TITLE OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 90C the following chapter:—

CHAPTER 90D.

MOTOR VEHICLE CERTIFICATES OF TITLE.

Section 1. In this chapter, except when the context otherwise requires, the following words shall have the following meanings:—

"Dealer", any person who is engaged principally in the business of buying, selling or exchanging vehicles and who has a place of business within the commonwealth.

"Registrar", the registrar of motor vehicles or his duly authorized agents.

"Identifying number", the numbers, and letters if any, designated by the registrar for the purpose of identifying the vehicle.

"Implement of husbandry", a vehicle designed and adapted primarily for agricultural, horticultural or livestock raising operations or for lifting or carrying an implement of husbandry.

"Special mobile equipment", vehicles exempt from registration by the registrar under the provisions of section nine of chapter ninety.

Section 2. (*a*) No certificate of title need be obtained for: (1) A vehicle owned by the United States unless it is registered in accordance with the provisions of chapter ninety; (2) A vehicle owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration; or a vehicle used by a manufacturer solely for testing; (3) A vehicle owned by a nonresident of the commonwealth and not required by law to be registered by the registrar; (4) A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state or country; (5) A vehicle moved solely by animal power; (6) An implement of husbandry; (7) Special mobile equipment; (8) A self-propelled wheel chair or invalid tricycle.

(*b*) Sections thirty-two and thirty-three shall not apply to: (1) A vehicle moved solely by animal power; (2) An implement of husbandry; (3) Special mobile equipment; (4) A self-propelled wheel chair or invalid tricycle.

Section 3. This chapter shall not apply to or affect:

(*a*) A lien given by statute or rule of law to a supplier of services or materials for the vehicle;

(*b*) A lien given by statute to the United States, the commonwealth or any political subdivision of the commonwealth; and

(*c*) A security interest in a vehicle created by a manufacturer or dealer who holds the vehicle for sale.

Section 4. (*a*) Except as provided in section two, every owner of a vehicle which is in the commonwealth and for which no certificate of title has been issued by the registrar shall make application to the registrar for a certificate of title of the vehicle.

(*b*) The registrar shall not register or renew the registration of a vehicle unless an application for a certificate of title has been delivered to the registrar.

Section 5. The owner of an implement of husbandry or special mobile equipment may apply for and obtain a certificate of title. All of the provisions of this chapter shall be applicable to a certificate of title so issued, except that a person who receives a transfer of an interest in the vehicle without knowledge of the certificate of title shall not be prejudiced by reason of the existence of the certificate, and the perfection of a security interest under this chapter shall not be effective until the lienholder has complied with the provisions of applicable law which otherwise relate to the perfection of security interests in personal property.

Section 6. When a new vehicle is delivered in this commonwealth by the manufacturer to his agent or his franchised dealer, the manufacturer shall execute and deliver to his agent or his franchised dealer a certificate of origin in such form as the registrar shall prescribe. The certificate of origin shall contain the manufacturer's vehicle identification number of the motor vehicle, the name of the manufac-

turer, model year, year of manufacture, number of cylinders, a general description of the body, if any, and the type of model. When a new vehicle is sold in this commonwealth, the manufacturer, his agent or his franchised dealer shall execute and deliver to the purchaser, in case of an absolute sale, assignment of the certificate of origin, or, if other than absolute sale, assignment of the certificate of origin subject to contract, signed or executed by the manufacturer, his agent or dealer, with the names and business or residence addresses of both stated thereon, and certified to have been executed with full knowledge of the contents and with the consent of both purchaser and seller.

Section 7. (*a*) The application for the first certificate of title of a vehicle in the commonwealth shall be made by the owner to the registrar on such form or forms as the registrar shall prescribe and which shall contain: (1) The name, residence and mail address of the owner; (2) A description of the vehicle including, sofar as the following data exist: its make, model, identifying number, type of body, the number of cylinders, the mileage shown on the odometer at the time of said application and whether new or used; (3) The date of purchase by applicant, the name and address of the person from whom the vehicle was acquired and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements; (4) Any further information the registrar shall reasonably require to identify the vehicle and to enable him to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the vehicle and further data or information the registrar may require for purposes of registration under the provisions of chapter ninety.

(*b*) If the application refers to a vehicle purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of his security agreement and be signed by the dealer as well as the owner, and the dealer shall promptly mail or deliver the application to the registrar. If the application refers to a new vehicle, the application shall be accompanied by a certificate of origin.

(*c*) If the application refers to a vehicle last previously registered in another state or country, the application shall contain or be accompanied by: (1) Any certificate of title issued by the other state or country; (2) Any other information and documents the registrar shall reasonably require to establish the ownership of the vehicle and the existence or nonexistence of security interests in it; and (3) The certificate of any person authorized by the registrar that the identifying number of the vehicle has been inspected and found to conform to the description given in the application or any other proof of the identity of the vehicle the registrar shall reasonably require.

Section 8. The registrar, upon receiving an application for a first certificate of title, shall check the identifying number of the vehicle shown in the application against the records of vehicles required to be maintained by section nine and against the record of stolen and converted vehicles required to be maintained by section thirty-three.

Section 9. (*a*) The registrar shall file each application received and, when satisfied as to its genuineness and regularity and that the applicant is entitled to the issuance of a certificate of title, shall issue a certificate of title of the vehicle, the record of which shall be permanently displayed in the vehicle.

(*b*) The registrar shall maintain a record of all certificates of title issued by him: (1) Under a distinctive title number assigned to the vehicle; (2) Under the identifying number of the vehicle; (3) Alphabetically, under the name of the applicant owner; and, in the discretion of the registrar, in any other method he determines.

Section 10. (*a*) Each certificate of title issued by the registrar shall contain: (1) The date issued; (2) The name and address of the owner; (3) The names and addresses of any lienholders, in the order of priority as shown on the application or, if the application is based on a certificate of title, as shown on the certificate; together with the names and addresses, as shown on previous title certificates, of all previous owners and the odometer readings contained in each application for such previous certificates. (4) The title number assigned to the vehicle; (5) A description of the vehicle including, sofar as the following data exists: its make, model, identifying number, type of body, number of cylinders, whether new or used, and, if a new vehicle, the date of the first sale of the vehicle for use; and (6) Any other data the registrar prescribes.

(*b*) Unless a bond is filed as provided in paragraph (b) of section twelve, a distinctive certificate of title shall be issued for a vehicle last previously registered in another state or country the laws of which do not require that lienholders be named on a certificate of title to perfect their security interests. The certificate shall contain the legend "This vehicle may be subject to an undisclosed lien" and may contain any other information the registrar shall prescribe. If no notice of a security interest in the vehicle is received by the registrar within four months from the issuance of the distinctive certificate of title, he shall, upon application and surrender of the distinctive certificate, issue a certificate of title in ordinary form.

(*c*) The certificate of title shall contain forms for assignment and warranty of title by the owner, and for assignment and warranty of title by a dealer, and may contain forms for applications for a certificate of title by a transferee, the naming of a lienholder and the assignment or release of the security interest of a lienholder.

(*d*) A certificate of title issued by the registrar is prima facie evidence of the facts appearing on it.

(*e*) A certificate of title for a vehicle is not subject to attachment, execution of other judicial process, but this subsection shall not be deemed to prevent a lawful levy upon the vehicle.

Section 11. The certificate of title shall be mailed to the first lienholder named in it or, if none, to the owner.

Section 12. If the registrar is not satisfied as to the ownership of the vehicle or that there are no undisclosed security interests in it, the registrar may register the vehicle but shall either:

(*a*) Withhold issuance of a certificate of title until the applicant presents documents reasonably sufficient to satisfy the registrar as

to the applicant's ownership of the vehicle and that there are no undisclosed security interests in it; or

(*b*) As a condition of issuing a certificate of title, require the applicant to file with the registrar a bond in such form as the registrar shall prescribe executed by the applicant, and either accompanied by the desposit of cash with the registrar or also executed by a person authorized to conduct a surety business within the commonwealth.

The bond shall be in an amount equal to one and one half times the value of the vehicle as determined by the registrar and conditioned to indemnify any prior owner and lienholder and any subsequent purchaser of the vehicle or person acquiring any security interest in it, and their respective successors in interest, against any expense, loss or damage, including reasonable attorney's fees, by reason of the issuance of the certificate of title of the vehicle or on account of any defect in or undisclosed security interest upon the right, title and interest of the applicant in and to the vehicle. Any such interested person has a right of action to recover on the bond for any breach of its conditions, but the aggregate liability of the surety to all persons shall not exceed the amount of the bond. The bond, and any deposit accompanying it, shall be returned at the end of three years or prior thereto if the vehicle is no longer registered in the commonwealth and the currently valid certificate of title is surrendered to the registrar, unless the registrar has been notified of the pendency of an action to recover on the bond.

Section 13. The registrar shall refuse issuance of a certificate of title if any required fee is not paid or if he has reasonable grounds to believe that:

(*a*) The applicant is not the owner of the vehicle; or

(*b*) The application contains a false or fraudulent statement; or

(*c*) The applicant fails to furnish required information or documents or any additional information the registrar reasonably requires.

Section 14. (*a*) If a certificate of title is lost, stolen, mutilated or destroyed or becomes illegible, the first lienholder or, if none, the owner or legal representative of the owner named in the certificate, as shown by the records of the registrar, shall promptly make application for and may obtain a duplicate upon furnishing information satisfactory to the registrar. The duplicate certificate of title shall contain the legend: "This is a duplicate certificate and may be subject to the rights of a person under the original certificate". It shall be mailed to the first lienholder named in it or, if none, to the owner.

(*b*) The registrar shall not issue a new certificate of title to a transferee upon application made on a duplicate until fifteen days after receipt of the application.

(*c*) A person recovering an original certificate of title for which a duplicate has been issued shall promptly surrender the original to the registrar.

Section 15. (*a*) If an owner of a vehicle for which a certificate of title has been issued under this chapter transfers his interest therein, other than by the creation of a security interest, he shall, at the time of the delivery of the vehicle, execute an assignment and warranty of title to the transferee in the space provided therefor on the certif-

icate, or such other form as the registrar shall prescribe, and cause the certificate and assignment to be mailed or delivered to the transferee or to the registrar.

(*b*) Except as provided in section sixteen, the transferee shall, promptly after delivery to him of the vehicle, execute the application for a new certificate of title in the space provided therefor on the certificate or on such other form as the registrar shall prescribe, and cause the certificate and application to be mailed or delivered to the registrar.

(*c*) Upon request of the owner or transferee, a lienholder in possession of the certificate of title shall, unless the transfer was a breach of his security agreement, either deliver the certificate to the transferee for delivery to the registrar or, upon receipt from the transferee of the owner's assignment, the transferee's application for a new certificate and the required fee, mail or deliver them to the registrar. The delivery of the certificate shall not affect the rights of the lienholder under his security agreement.

(*d*) If a security interest is reserved or created at the time of the transfer, the certificate of title shall be retained by or delivered to the person who becomes the lienholder, and the parties shall comply with the provisions of section twenty-one.

(*e*) Except as provided in section sixteen and as between the parties, a transfer by an owner is not effective until the provisions of this section and section eighteen have been complied with; however, an owner who has delivered possession of the vehicle to the transferee and who has complied with the provisions of this section requiring action by him shall not be held liable in any manner whatsoever after delivery of possession of the vehicle for any damages resulting from operation of the vehicle, nor for any automobile law violation which may occur in such operation, even though no new certificate of title has been issued to the transferee.

Section 16. (*a*) If a dealer buys a vehicle and holds it for resale and procures the certificate of title from the owner or the lienholder within ten days after delivery to him of the vehicle, he need not send the certificate to the registrar but, upon transferring the vehicle to another person other than by the creation of a security interest, shall promptly execute the assignment and warranty of title by a dealer, showing the names and addresses of the transferee and of any lienholder holding a security interest created or reserved at the time of the resale and the date of his security agreement, in the spaces provided therefor on the certificate or as the registrar prescribes, and mail or deliver the certificate to the registrar with the transferee's application for a new certificate.

(*b*) Every dealer shall maintain for five years a record in such form as the registrar shall prescribe of every vehicle bought, sold or exchanged by him, or received by him for sale or exchange, which shall be open to inspection by the registrar, his agents or by any police officer during reasonable business hours.

Section 17. (*a*) If the interest of any owner in a vehicle passes to another other than by voluntary transfer, the transferee shall, except as provided in paragraph (b), promptly mail or deliver to the registrar the last certificate of title, if available, proof of the

transfer, and his application for a new certificate in the form the registrar prescribes.

(*b*) If the interest of the owner is terminated or the vehicle is sold under a security agreement by a lienholder named in the certificate of title, the transferee shall promptly mail or deliver to the registrar the last certificate of title, his application for a new certificate in the form the registrar prescribes and an affidavit made by or on behalf of the lienholder that the vehicle was repossessed and that the interest of the owner was lawfully terminated or sold pursuant to the terms of the security agreement. If the lienholder succeeds to the interest of the owner and holds the vehicle for resale, he need not secure a new certificate of title, but, upon transfer to another person, shall promptly mail or deliver to the transferee or to the registrar the certificate, affidavit and other documents required to be sent to the registrar by the transferee.

(*c*) A person holding a certificate of title whose interest in the vehicle has been extinguished or transferred other than by voluntary transfer shall mail or deliver the certificate to the registrar upon request of the registrar. The delivery of the certificate pursuant to the request of the registrar does not affect the rights of the person surrendering the certificate, and the action of the registrar in issuing a new certificate of title as provided herein is not conclusive upon the rights of an owner or lienholder named in the old certificate.

Section 18. (*a*) An application for a certificate of title shall be accompanied by the required fee when mailed or delivered to the registrar.

(*b*) An application for the naming of a lienholder or his assignee on a certificate of title shall be accompanied by the required fee when mailed or delivered to the registrar.

Section 19. (*a*) The registrar, upon receipt of a properly assigned certificate of title, with an application for a new certificate of title, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner and mail it to the first lienholder named in it or, if none, to the owner.

(*b*) The registrar upon receipt of any application for a new certificate of title by a transferee other than by voluntary transfer, with proof of the transfer, the required fee and any other documents required by law, shall issue a new certificate of title in the name of the transferee as owner. If the outstanding certificate of title is not delivered to him, the registrar shall make demand therefor from the holder thereof.

(*c*) The registrar shall file and retain for five years every surrendered certificate of title, the file to be maintained so as to permit the tracing of the title of the vehicle designated therein.

Section 20. An owner who scraps, dismantles or destroys a vehicle and a person who purchases a vehicle as scrap or to be dismantled or destroyed shall immediately cause the certificate of title to be mailed or delivered to the registrar for cancellation. A certificate of title of the vehicle shall not again be issued except upon application containing the information the registrar requires, accompanied by a certificate of inspection in the form and content specified in clause (3) of paragraph (c) of section seven.

Section 21. A security interest in a vehicle for which a certificate of title is issued under this chapter is perfected by the delivery to the registrar of the existing certificate of title, if any, an application for a certificate of title containing the name and address of the lienholder and the date of his security agreement and the required fee. It is perfected as of the time of its creation if the delivery is completed within ten days thereafter, otherwise as of the time of the delivery.

The validity and perfection of a security interest in a vehicle subject to such security interest when the vehicle is brought into the commonwealth is to be determined in accordance with the rules in section 9-103 of chapter one hundred and six; provided, however, that if the security interest was already perfected under the law of the jurisdiction where the vehicle was located when the security interest attached and before being brought into the commonwealth and if the vehicle is not covered by a certificate of title issued under a statute of any state which requires indication on the certificate of any security interest in the vehicle as a condition of perfection, the security interest continues perfected in the commonwealth for four months after a first certificate of title of the vehicle is issued in the commonwealth and also thereafter if, within the four month period, it is perfected in the commonwealth.

Section 22. If an owner creates a security interest in a vehicle:—

(*a*) The owner shall immediately execute the application, in the space provided therefor on the certificate of title or on such separate form as the registrar shall prescribe, to name the lienholder on the certificate, showing the name and address of the lienholder and the date of his security agreement, and cause the certificate, application and the required fee to be delivered to the lienholder.

(*b*) The lienholder shall immediately cause the certificate, application and the required fee to be mailed or delivered to the registrar.

(*c*) Upon request of the owner or subordinate lienholder, a lienholder in possession of the certificate of title shall either mail or deliver the certificate to the subordinate lienholder for delivery to the registrar or, upon receipt from the subordinate lienholder of the owner's application and the required fee, mail or deliver them to the registrar with the certificate. The delivery of the certificate does not affect the rights of the first lienholder under his security agreement.

(*d*) Upon receipt of the certificate of title, application and the required fee, the registrar shall either endorse on the certificate or issue a new certificate containing the name and address of the new lienholder and mail the certificate to the first lienholder named in it.

Section 23. (*a*) A lienholder may assign, absolutely or otherwise, his security interest in the vehicle to a person other than the owner without affecting the interest of the owner or the validity of the security interest, but any person without notice of the assignment is protected in dealing with the lienholder as the holder of the security interest and the lienholder remains liable for any obligations as lienholder until the assignee is named as lienholder on the certificate.

(*b*) It is not necessary for the assignee to have the certificate of title endorsed or issued with the assignee named as lienholder in

order to continue the perfected status of the security interest against creditors of and transferees from the owner. The assignee may, however, have the certificate of title endorsed or issued with the assignee named as lienholder, upon delivering to the registrar the certificate and an assignment by the lienholder named in the certificate in the form the registrar prescribes.

Section 24. Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of the lienholder, the lienholder shall, within ten days after demand and, in any event, within thirty days, execute a release of his security interest, in the space provided therefor on the certificate or as the registrar shall prescribe, and mail or deliver the certificate and release to the next lienholder named therein, or, if none, to the owner or any person who delivers to the lienholder an authorization from the owner to receive the certificate. The owner, other than a dealer holding the vehicle for resale, shall promptly cause the certificate and release to be mailed or delivered to the registrar, who shall release the lienholder's rights on the certificate or issue a new certificate.

Upon the satisfaction of a security interest in a vehicle for which the certificate of title is in the possession of a prior lienholder, the lienholder whose security interest is satisfied shall within ten days after demand and, in any event, within thirty days execute a release in such form as the registrar shall prescribe and deliver the release to the owner or to any person who delivers to the lienholder an authorization from the owner to receive it. The lienholder in possession of the certificate of title shall either deliver the certificate to the owner or the person authorized by him for delivery to the registrar, or, upon receipt of the release, mail or deliver it with the certificate to the registrar, who shall release the subordinate lienholder's rights on the certificate or issue a new certificate.

Section 25. A lienholder named in a certificate of title shall, upon written request of the owner or of another lienholder named on the certificate, disclose any pertinent information as to his security agreement and the indebtedness secured by it.

Section 26. The method provided in this chapter of perfecting and giving notice of security interests in vehicles for which certificates of title are issued under this chapter is exclusive.

Section 27. The registrar shall suspend or revoke a certificate of title, upon notice and reasonable opportunity to be heard in accordance with section thirty, when authorized by any other provision of law, or if he finds that the certificate of title was fraudulently procured or erroneously issued, or that the vehicle has been scrapped, dismantled or destroyed. Suspension or revocation of a certificate of title shall not, in itself, affect the validity of a security interest noted on it. When the registrar suspends or revokes a certificate of title, the owner or person in possession of it shall, immediately upon receiving notice of the suspension or revocation, mail or deliver the certificate to the registrar. The registrar may seize and impound any certificate of title which has been suspended or revoked.

Section 28. The registrar shall be paid the following fees: (1) For filing an application for a first certificate of title, two dollars; (2) For each security interest noted upon a certificate of title, one dollar; (3)

For a certificate of title after a transfer, three dollars; (4) For each assignment of a security interest noted upon a certificate of title, one dollar; (5) For a duplicate certificate of title, three dollars; and (6) For a certificate of search of its records for each name or identifying number searched against, five dollars.

If an application, certificate of title or other document required to be mailed or delivered to the registrar under any provision of this chapter is not delivered to the registrar within ten days from the time it is required to be mailed or delivered, the registrar shall collect, as a penalty, an amount equal to the fee required for the transaction.

Section 29. The registrar shall prescribe and provide suitable forms of applications, certificates of title, notices of security interests and all other notices and forms necessary to carry out the provisions of this chapter. The registrar may make necessary investigations to procure information required to carry out the provisions of this chapter, adopt and enforce reasonable rules and regulations to carry out the provisions of this chapter, and assign a new identifying number to a vehicle if it has none or its identifying number is destroyed or obliterated or its motor is changed, and shall either issue a new certificate of title showing the new identifying number or make an appropriate endorsement on the original certificate.

All officers and employees engaged in carrying out the provisions of this chapter shall be exempt from the provisions of chapter thirty-one of the General Laws.

Section 30. Any person aggrieved by a ruling or decision of the registrar under this chapter shall be entitled to review thereof in accordance with the provisions of section twenty-eight of chapter ninety.

Section 31. Nothing contained in this chapter shall be deemed to impose any liability whatsoever upon the registrar of motor vehicles or upon the commonwealth for any damage which may result from, or be connected with, any act or omission in the issuance of any certificate of title, or in the failure to issue any such certificate.

Section 32. (*a*) Whoever falsely makes, alters, forges or counterfeits a certificate of title, or alters or forges an assignment of a certificate of title, or an assignment or release of a security interest on a certificate of title or a form the registrar prescribes, or has possession of or uses a certificate of title knowing it to have been altered, forged or counterfeited, or uses a false or fictitious name or address, or makes a material false statement or fails to disclose a security interest, or conceals any other material fact, in an application for a certificate of title, shall be punished by a fine of not more than five hundred dollars or by imprisonment in the state prison for not more than five years, or in a jail or house of correction for not more than two years, or both.

(*b*) Whoever with fraudulent intent, permits another, not entitled thereto, to use or have possession of a certificate of title, or wilfully fails to mail or deliver a certificate of title or application therefor to the registrar within ten days after the time required by this chapter, or wilfully fails to deliver to his transferee a certificate of title within ten days after the time required by this chapter, or wilfully violates

any other provision of this chapter, except as provided in paragraph (a), shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or both.

Section 33. A police officer, as defined in section one of chapter ninety C, who learns of the theft of a vehicle not since recovered, or of the recovery of a vehicle whose theft or conversion he knows or has reason to believe has been reported to the registrar, shall forthwith report the theft or recovery to the registrar. The registrar shall maintain a record of stolen, converted, recovered and unclaimed vehicles reported to it under this section.

An owner or a lienholder may report the theft of a vehicle or its conversion if a crime to the registrar, but the registrar may disregard the report of a conversion unless a warrant has been issued for the arrest of a person charged with the conversion. A person who has so reported the theft or conversion of a vehicle shall, forthwith after learning of its recovery, report the recovery to the registrar.

Dealers who procure, or assist purchasers to procure, certificates of title for vehicles sold by them, may charge the purchasers for such services not more than five dollars for each transaction.

Section 34. A "previously registered vehicle" means a vehicle registered by the registrar when this chapter takes effect or a vehicle whose last registration before this chapter takes effect was by the registrar.

Section 35. This chapter shall not apply to a previously registered vehicle until: (*a*) It is purchased from a dealer in the commonwealth after this chapter takes effect; or (*b*) The registrar issues a certificate of title for the vehicle; or (*c*) The owner creates a security interest in the vehicle after this chapter takes effect; or (*d*) A lienholder who, when this chapter takes effect, has an unperfected security interest in the vehicle notifies or has notified the owner that he wants the security interest perfected; or (*e*) September the first, nineteen hundred and seventy-four.

Section 36. If the registrar is not satisfied that there are no undisclosed security interests, created before this chapter takes effect, in a previously registered vehicle, he may, in addition to the provisions of section ten, issue a distinctive certificate of title of the vehicle containing the legend: "For Registration Purposes Only. This vehicle may be subject to an undisclosed lien" and any other information the registrar prescribes.

Section 37. If a security interest in a previously registered vehicle is perfected under any other applicable law of the commonwealth at the time this chapter takes effect, the security interest continues perfected until its perfection lapses under the law under which it was perfected or until September the first, nineteen hundred and seventy-four, whichever comes first, and thereafter, if previously perfected under this chapter.

Section 38. Nothing contained in this chapter shall be deemed to impair the validity of any certificate of registration issued by the registrar prior to September the first, nineteen hundred and seventy-two or within a period of two years next following said date, regardless of the validity or invalidity of any certificate of title issued in connection therewith.

SECTION 2. The first paragraph of section 2 of chapter 90 of the General Laws is hereby amended by adding the following sentence:— Applicants for registration shall also comply with the provisions of chapter ninety D.

SECTION 3. If any provision of this act or the application thereof to any person or circumstances is held invalid, the invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect on September the first, nineteen hundred and seventy-two. *Approved September 9, 1971.*

Chap. 755. AN ACT RELATIVE TO THE SALARIES OF CERTAIN COUNTY EMPLOYEES.

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 858 of the acts of 1969, and inserting in place thereof the following schedule: —

SALARY SCHEDULE.

Effective January 1, 1971.

JOB GROUP	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment.
1	$4,869.80	$5,025.80	$5,181.80	$5,337.80	$5,493.80	$5,649.80	$5,805.80	$156.00
2	5,010.20	5,166.20	5,322.20	5,478.20	5,634.20	5,790.20	5,946.20	156.00
3	5,171.40	5,348.20	5,525.00	5,701.80	5,878.60	6,055.40	6,232.20	176.80
4	5,379.40	5,556.20	5,733.00	5,909.80	6,086.60	6,263.40	6,440.20	176.80
5	5,538.00	5,730.40	5,922.80	6,115.20	6,307.60	6,500.00	6,692.40	192.40
6	5,818.80	6,011.20	6,203.60	6,396.00	6,588.40	6,780.80	6,973.20	192.40
7	6,063.20	6,273.80	6,484.40	6,695.00	6,905.60	7,116.20	7,326.80	210.60
8	6,292.00	6,520.80	6,749.60	6,978.40	7,207.20	7,436.00	7,664.80	228.80
9	6,658.60	6,903.00	7,147.40	7,391.80	7,636.20	7,880.60	8,125.00	244.40
10	7,027.80	7,290.40	7,553.00	7,815.60	8,078.20	8,340.80	8,603.40	262.60
11	7,394.40	7,675.20	7,956.00	8,236.80	8,517.60	8,798.40	9,079.20	280.80
12	7,833.80	8,130.20	8,426.60	8,723.00	9,019.40	9,315.80	9,612.20	296.40
13	8,411.00	8,725.60	9,040.20	9,354.80	9,669.40	9,984.00	10,298.60	314.60
14	8,938.80	9,305.40	9,672.00	10,038.60	10,405.20	10,771.80	11,138.40	366.60
15	9,516.00	9,916.40	10,316.80	10,717.20	11,117.60	11,518.00	11,918.40	400.40
16	10,111.40	10,561.20	11,011.00	11,460.80	11,910.60	12,360.40	12,810.20	449.80
17	10,813.40	11,284.00	11,754.60	12,225.20	12,695.80	13,166.40	13,637.00	470.60
18	11,403.60	11,913.20	12,422.80	12,932.40	13,442.00	13,951.60	14,461.20	509.60
19	12,071.80	12,620.40	13,169.00	13,717.60	14,266.20	14,814.80	15,363.40	548.60
20	12,802.40	13,369.20	13,936.00	14,502.80	15,069.60	15,636.40	16,203.20	566.80
21	13,468.00	14,076.40	14,684.80	15,293.20	15,901.60	16,510.00	17,118.40	608.40
22	14,214.20	14,861.60	15,509.00	16,156.40	16,803.80	17,451.20	18,098.60	647.40

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 the thirty-first, nineteen hundred and seventy by an amount equal to six per cent thereof.

SECTION 3. This act shall take effect as of January the first, nineteen hundred and seventy-one.

(This Bill, returned by the governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, September 13, 1971, and, in concurrence, by the Senate, September 13, 1971, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 756. AN ACT EXTENDING BENEFITS UNDER THE EMPLOYMENT SECURITY LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish for weeks beginning on or after September the nineteenth, nineteen hundred and seventy-one, a program further extending benefits under the employment security law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 30A of chapter 151A of the General Laws, inserted by section 1 of chapter 866 of the acts of 1970, is hereby amended by adding the following paragraph: —

If the Federal-State Extended Unemployment Compensation Act of 1970 is amended so as to authorize the commonwealth to pay benefits for a period of extended duration beyond that currently provided by this section, the amended provisions of such federal law shall become a part of this section to the extent necessary to authorize the payment of benefits for such extended duration.

SECTION 2. Said chapter 151A is hereby further amended by inserting after section 30A the following section: —

Section 30B. (*a*) An individual who, with respect to his applicable benefit year, has exhausted all the extended benefits to which he is entitled under the provisions of section thirty A shall, except as otherwise provided in this section, be eligible for additional benefits under the same terms and conditions as provided in section thirty A.

(*b*) The weekly benefit amount shall be the amount as was determined under subsection (4) of section thirty A.

(*c*) Except as provided in subsection (d) of this section, the total amount of additional benefits payable to an eligible individual with respect to his applicable benefit year shall be the total amount of extended benefits which were payable to him.

(*d*) No payment shall be made under this section to any individual for any week for which he is receiving, has received or will receive payments in the form of retirement benefits, any part of which was financed by the individual's former employer or employers.

(*e*) The additional benefits provided by this section shall be payable only for weeks during an extended benefit period which is in effect under the operation of a "state 'on' indicator" determined in accordance with the provisions of paragraphs (a), (d) and (e) of subsection (1) of section thirty A.

If at any time the provisions of the last paragraph of section thirty A become operative, no further benefits shall be payable under this section.

SECTION 3. Notwithstanding any provision of this act to the contrary, payments shall be made under section thirty B of chapter one hundred and fifty-one A of the General Laws, inserted by section two of this act, for weeks beginning on or after September the nineteenth, nineteen hundred and seventy-one, and no payments shall be made under said section for any week which begins after March the third, nineteen hundred and seventy-three. *Approved September 15, 1971.*

Chap. 757. AN ACT CLARIFYING THE LAW RELATIVE TO THE GRANTING OF EASEMENTS FOR AIRPORT PURPOSES IN CERTAIN LAND LOCATED WITHIN THE MARTHA'S VINEYARD STATE FOREST.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to expedite the grant of easements to certain land of the Martha's Vineyard State Forest to the county of Dukes County for airport purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

The first sentence of chapter 762 of the acts of 1970 is hereby amended by inserting after the word "land", in line 3, the words: — located within the Martha's Vineyard State Forest and.

Approved September 16, 1971.

Chap. 758. AN ACT AUTHORIZING THE CITY OF FITCHBURG 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 Fitchburg may appropriate and pay to the Water Street Merchants Association the sum of five hundred dollars, for part of the expense incurred by said Association in the erection and maintenance of illumination of public streets in the observance and celebration of the Christmas season in the year nineteen hundred and seventy.

SECTION 2. The city of Fitchburg is hereby authorized to appropriate money for the payment of and, after such appropriation, to pay Francis J. Fitzgerald, Veterinarian, in an amount not to exceed three hundred twenty dollars, as set forth in a list on file in the office of the city auditor, for the boarding and care of dogs during the absence of

the city dog officer, which bills are legally unenforceable against the city, by reason of their being in excess of available appropriations, provided that the money so appropriated shall be raised by taxation in the city, and further provided that no bill shall be approved by the city auditor for payment or paid by the treasurer under authority of this section until certificates have been signed and filed with the city auditor, stating under the penalties of perjury that the services for which the bills have been submitted were ordered by an official or an employee of said city and such services were actually performed for and rendered to said city.

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

Approved September 16, 1971.

Chap. 759. AN ACT TO ASCERTAIN THE WILL OF THE VOTERS OF THE CITY OF LYNN RELATIVE TO THE CONTINUATION OF THE MODEL CITIES PROGRAM IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. In order to ascertain the will of the voters of the city of Lynn, there shall be placed upon the ballot to be used at the regular election in the current year in said city the following question: "Shall the city of Lynn continue with the Model Cities Program?" If a majority of the votes in answer to said question is in the affirmative, it shall be deemed and taken to be the will of the voters of said city that the Model Cities Program be continued in said city, and, if a majority of said votes is in the negative, it shall be deemed and taken to be the will of said voters that said Model Cities Program in said city be discontinued.

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

Approved September 16, 1971.

Chap. 760. AN ACT FURTHER REGULATING THE TREATMENT AND COMMITMENT OF MENTALLY ILL AND MENTALLY RETARDED PERSONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide workable procedures for the protection of the rights of the mentally ill, 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 paragraph defining "Facility" in section 1 of chapter 123 of the General Laws, as appearing in section 4 of chapter 888 of the acts of 1970, is hereby amended by inserting after the word "persons", in line 2, the words:—, other than the Bridgewater state hospital.

SECTION 1A. Said section 1 of said chapter 123, as so appearing, is hereby further amended by striking out the paragraph defining "Probate court".

SECTION 2. The second paragraph of section 4 of said chapter 123, as so appearing, is hereby amended by adding the following sentence:— Following any review under the provisions of this section, or at any other time, any patient who is no longer in need of care as an inpatient shall be discharged or placed on interim community leave.

SECTION 3. Paragraph (*a*) of section 6 of said chapter 123, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "paragraphs (*a*), (*b*) and (*c*) of section thirteen" and inserting in place thereof the words:—section thirteen.

SECTION 4. Said section 6 of said chapter 123, as so appearing, is hereby further amended by striking out paragraphs (*b*) and (*c*) and inserting in place thereof the following paragraph:—

(*b*) Following the filing of a petition for commitment to a facility or to the Bridgewater state hospital, a person, or his nearest relative or guardian on his behalf, shall have a right to a hearing which may be exercised (1) prior to the issuance of such order providing a request for a hearing is filed within fourteen days after the giving of notice by the court, or (2) if the right to a hearing prior to the issuance of such order has not been exercised at any time after the issuance of such order during the valid period of such order. The person may exercise his right to a hearing under clause (2) by notifying the superintendent or medical director, who shall immediately notify the court; and the court shall hold the hearing without delay.

SECTION 5. Said chapter 123 is hereby further amended by striking out section 7, as so appearing, and inserting in place thereof the following section:—

Section 7. (*a*) The superintendent of a facility may petition the district court in whose jurisdiction the facility is located for the commitment to said facility and retention of any patient at said facility whom said superintendent determines that the failure to hospitalize would create a likelihood of serious harm by reason of mental illness.

(*b*) The medical director of the Bridgewater state hospital, the commissioner of mental health, or, with the approval of the commissioner of mental health, the superintendent of a facility, may petition the district court in whose jurisdiction the facility or hospital is located for the commitment to the Bridgewater state hospital of any male patient at said facility or hospital when it is determined that the failure to hospitalize in strict security would create a likelihood of serious harm by reason of mental illness.

(*c*) Whenever a court receives a petition filed under any provisions of this chapter for an order of commitment of a person to a facility or to the Bridgewater state hospital such court shall further notify the person and his nearest relative or guardian of the receipt of such petition and of the right to request a hearing by filing within fourteen days of notice by the court a written request for a hearing. Such notice shall also contain a statement of the right to a hearing after the issuance of the order of commitment as set forth in clause (2) of paragraph (*b*) of section six.

SECTION 6. Section 8 of said chapter 123, as so appearing, is hereby amended by adding the following two paragraphs:—

(*e*) Whenever a hearing has been requested, the court shall render its decision on the petition within ten days of the completion of the

hearing, provided, that for reasons stated in writing by the court the chief justice of the district courts may extend said ten-day period.

(*f*) The first order of commitment of a person to a facility under this section and the first order of commitment of a person to the Bridgewater state hospital under this section shall be valid for a period of six months, and all subsequent orders of commitment shall be valid for a period of one year. If no hearing is held before the expiration of the six months' commitment, the court may not recommit the person without a hearing.

SECTION 7. Said chapter 123 is hereby further amended by striking out section 9, as so appearing, and inserting in place thereof the following section:—

Section 9. (*a*) Matters of law arising in commitment hearings or incompetency for trial proceedings in a district court may be reviewed by the appellate division of the district courts in the same manner as in civil cases generally.

(*b*) Any person may make written application to a justice of the superior court at any time and in any county, stating that he believes or has reason to believe that a person named in such application is retained in a facility or the Bridgewater state hospital, who should no longer be so retained, giving the names of all persons interested in his confinement and requesting his discharge. The justice within seven days thereof shall order notice of the time and place for a hearing to be given to the superintendent or medical director and to such other persons as he considers proper; and such hearing shall be given promptly before a justice of the superior court in any county. The justice shall appoint an attorney to represent any applicant whom he finds to be indigent. The alleged mentally ill person may be brought before the justice at the hearing upon a writ of habeas corpus, upon a request approved by the justice. Pending the decision of the court such person may be retained in the custody of the superintendent or medical director. If the justice decides that the person is not mentally ill or that failure to retain the person in a facility or the Bridgewater state hospital would not create a likelihood of serious harm, said person shall be discharged. If the justice decides that a patient at the Bridgewater state hospital does not require strict security, he shall be transferred to a facility.

SECTION 8. Section 11 of said chapter 123, as so appearing, is hereby amended by striking out the last two sentences.

SECTION 9. Paragraph (*b*) of section 12 of said chapter 123, as so appearing, is hereby amended by striking out the last three sentences.

SECTION 10. Said section 12 of said chapter 123, as so appearing, is hereby further amended by striking out paragraphs (*d*) and (*e*) and inserting in place thereof the following two paragraphs:—

(*d*) A person shall be discharged at the end of the ten-day period unless the superintendent applies for a commitment under the provisions of sections seven and eight of this chapter or the person remains on a voluntary status.

(*e*) Any person may make application to a district court justice for a ten-day commitment to a facility of a mentally ill person, whom the failure to confine would cause a likelihood of serious harm. After

hearing such evidence as he may consider sufficient, a district court justice may issue a warrant for the apprehension and appearance before him of the alleged mentally ill person, if in his judgment the condition or conduct of such person makes such action necessary or proper. Following apprehension, the court shall have the person examined by a qualified physician. If said physician reports that failure to hospitalize the person would create a likelihood of serious harm by reason of mental illness, the court may order the person committed to a facility for a period not to exceed ten days, but the superintendent may discharge him at any time within the ten-day period.

SECTION 11. Said chapter 123 is hereby further amended by striking out sections 13 and 14, as so appearing, and inserting in place thereof the following two sections:—

Section 13. If the superintendent of any facility determines that failure to retain a male resident therein in strict security would create a likelihood of serious harm by reason of mental illness and that the person's violent behavior constitutes an emergency, he may, with the consent of the commissioner, transfer the person to the Bridgewater state hospital for a period not to exceed five days. At the end of the five days the person shall be returned to the facility unless before the end of the five-day period the superintendent of the facility or medical director of the Bridgewater state hospital has filed a petition for his commitment to the Bridgewater state hospital under sections seven and eight. Such commitment shall not be ordered without a hearing. Such petition shall be brought in the district court of Brockton unless already filed in some other court before the emergency transfer.

Section 14. Whenever the medical director of the Bridgewater state hospital certifies that the failure to retain any person in strict security would not create a likelihood of serious harm by reason of mental illness but that such person is in need of further care and treatment in a facility, he shall request the commissioner to transfer such person to a facility designated by the commissioner. Within thirty days of the receipt of such request the commissioner shall execute the transfer, unless within said period he files a petition under sections seven and eight for the further commitment of the person to the Bridgewater state hospital.

SECTION 12. Section 15 of said chapter 123, as so appearing, is hereby amended by striking out paragraphs (*a*), (*b*), (*c*) and (*d*) and inserting in place thereof the following four paragraphs:—

(*a*) Whenever a court of jurisdiction doubts whether a defendant in a criminal case is competent to stand trial or is criminally responsible by reason of mental illness or mental defect, it may at any stage of the proceedings after the return of an indictment or the issuance of a criminal complaint against the defendant order an examination of such defendant to be conducted by one or more qualified physicians. Whenever practicable, examinations shall be conducted at the court house or place of detention where the person is being held. When an examination is ordered, the court shall instruct the examining physician or physicians in the law for determining mental competence to stand trial and criminal responsibility.

(*b*) After the examination described in paragraph (*a*), the court may order that the person be hospitalized at a public facility or, if such person is [a] male and appears to require strict security, at the Bridgewater state hospital, for a period not to exceed twenty days for observation and further examination, if the court has reason to believe that such observation and further examination are necessary in order to determine whether mental illness or mental defect have so affected a person that he is not competent to stand trial or not criminally responsible for the crime or crimes with which he has been charged. If, before the expiration of such twenty-day period, an examining qualified physician believes that observation for more than twenty days is necessary, he shall so notify the court and shall request in writing an extension of the twenty-day period, specifying the reason or reasons for which such further observation is necessary. Upon the receipt of such request, the court may extend said observation period, but in no event shall the period exceed forty days from the date of the initial court order of hospitalization.

(*c*) At the conclusion of the examination or the observation period, the examining qualified physician or physicians shall forthwith give to the court written signed reports of their findings including the clinical findings bearing on the issue of competence to stand trial or criminal responsibility. Such reports shall also contain an opinion, supported by clinical findings, as to whether the defendant is in need of treatment and care offered by the department.

(*d*) Within five days after the receipt of an observation report on the question of competency to stand trial, or if no observation pursuant to paragraph (*b*) has been ordered within five days after the report on said issue following an examination under paragraph (*a*), the court shall make a finding on the issue of whether the defendant is competent for trial. A finding of incompetence for trial shall require a preponderance of the evidence. Notice of such findings shall be sent to the defendant, his nearest relative or guardian and his counsel. If the court orders or if the defendant or any other person on his behalf within a reasonable time requests a hearing on such finding, a hearing shall be held by the court within fourteen days of the date such finding or such request has been made. In all such hearings, the defendant shall have the right to be represented by counsel and may introduce independent medical testimony. If the defendant is found to be indigent, counsel shall be appointed by the court and an independent psychiatric or other clinical examination, if requested by counsel, may be provided by the court.

SECTION 13. Section 16 of said chapter 123, as so appearing, is hereby amended by striking out paragraphs (*b*), (*c*), (*d*) and (*e*) and inserting in place thereof the following four paragraphs:—

(*b*) During the period of observation of a person believed to be incompetent to stand trial or within sixty days after a person is found to be incompetent to stand trial or not guilty of any crime by reason of mental illness or other mental defect, the district attorney, the superintendent of a facility or the medical director of the Bridgewater state hospital may petition the court having jurisdiction of the criminal case for the commitment of the person to a facility or to

the Bridgewater state hospital. However, the petition for the commitment of an untried defendant shall be heard only if the defendant is found incompetent to stand trial or, if the petitioner is the superintendent of a facility or the medical director of the Bridgewater state hospital, if the criminal charges are dismissed. If the court makes the findings required by paragraph (*c*) of section eight, it shall order the person committed to a facility; if the court makes the findings required by paragraph (*d*) of section eight, it shall order the commitment of the person to the Bridgewater state hospital; otherwise the petition shall be dismissed and the person discharged. An order of commitment under the provisions of this paragraph shall be valid for six months. In the event a period of hospitalization under the provisions of paragraph (*a*) has expired, or in the event no such period of examination has been ordered, the court may order the temporary detention of such person in a jail, house of correction, facility or the Bridgewater state hospital until such time as the findings required by this paragraph are made or a determination is made that such findings cannot be made.

(*c*) After the expiration of a commitment under paragraph (*b*) of this section, a person may be committed for additional one-year periods under the provisions of sections seven and eight of this chapter, but no untried defendant shall be so committed unless in addition to the findings required by sections seven and eight the court also finds said defendant is incompetent to stand trial. All subsequent proceedings for the further commitment of a person committed under this section shall be in the court which has jurisdiction of the facility or hospital.

(*d*) The district attorney for the district within which the alleged crime or crimes occurred shall be notified of any hearing conducted for a person under the provisions of this section or any subsequent hearing for such person conducted under the provisions of this chapter relative to the commitment of the mentally ill and shall have a right to be heard at such hearings.

(*e*) Any person committed to a facility under the provisions of this section may be restricted in his movements to the buildings and grounds of the facility at which he is committed by the court which ordered the commitment. If such restrictions are ordered, they shall not be removed except with the approval of the court. In the event the superintendent communicates his intention to remove or modify such restriction in writing to the court and within fourteen days the court does not make written objection thereto, such restrictions shall be removed by the superintendent. Notwithstanding the provisions of section four no person initially committed to a facility or to the Bridgewater state hospital under this section shall be discharged from a facility or the Bridgewater state hospital unless the superintendent or medical director communicates his intention to discharge such person to the committing court and to the district attorney of the district within which the alleged crime or crimes occurred. If within thirty days of the receipt of such communication neither the court nor the district attorney makes written objection to such discharge, the medical director or the superintendent may discharge

such person. In the event of a written objection by either such district attorney or such court a hearing shall be held by such court and the person shall be discharged unless the court makes the findings required by paragraph (*c*) of section eight in the case of a person committed to a facility or paragraph (*d*) of said section in the case of a person committed to Bridgewater state hospital. In the case of a person committed to said hospital, if the court is unable to make the findings required by paragraph (*d*) of section eight, but makes the findings required by paragraph (*c*) of said section, the court shall order the transfer of the person to a facility designated by the department.

SECTION 14. Paragraph (*f*) of said section 16 of said chapter 123, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—If a person is found incompetent to stand trial, the court shall send notice to the department of correction which shall compute the date of the expiration of the period of time equal to the time of imprisonment which the person would have had to serve prior to becoming eligible for parole if he had been convicted of the most serious crime with which he was charged in court and sentenced to the maximum sentence he could have received, if so convicted. For purposes of the computation of parole eligibility, the minimum sentence shall be regarded as one half of the maximum potential sentence.

SECTION 15. Section 17 of said chapter 123, as so appearing, is hereby amended by striking out paragraph (*a*) and inserting in place thereof the following paragraph:—

(*a*) The periodic review of a person found incompetent to stand trial shall include a clinical opinion with regard to the person's competence to stand trial, which opinion shall be noted in writing on the patient's record. If any person found incompetent to stand trial is determined by the superintendent of a facility or the medical director of the Bridgewater state hospital to be no longer incompetent, the superintendent or medical director shall notify the court, which shall without delay hold a hearing on the person's competency to stand trial. Any person found incompetent to stand trial may at any time petition the court for a hearing on his competency. Whenever a hearing is held and the court finds that the person is competent to stand trial, his commitment, if any, to a facility or to the Bridgewater state hospital shall be terminated and he shall be returned to the custody of the court for trial. However, if the person requests continued care and treatment during the pendency of the criminal proceedings against him and the superintendent or medical director agrees to provide such care and treatment, the court may order the further hospitalization of such person at the facility or the Bridgewater state hospital.

SECTION 16. Said section 17 of said chapter 123, as so appearing, is hereby further amended by striking out paragraph (*d*).

SECTION 17. Paragraph (*a*) of section 18 of said chapter 123, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—An initial court order of commitment issued subject to the provisions of this section

shall be valid for a six-month period, and all subsequent commitments during the term of the sentence shall take place under the provisions of sections seven and eight and shall be valid for one year.

SECTION 18. The first paragraph of section 19 of chapter 125 of the General Laws, as most recently amended by section 6 of chapter 888, is hereby further amended by striking out, in line 5, the words "chapter one hundred and twenty-three" and inserting in place thereof the words:—chapter one hundred and twenty-three or one hundred and twenty-three A.

SECTION 19. Paragraph (*a*) of section 10 of chapter 888 of the acts of 1970 is hereby amended by striking out, in line 1 and in line 13, the words "six months" and inserting in place thereof, in each instance, the words:—one year. *Approved September 16, 1971.*

Chap. 761. AN ACT AUTHORIZING THE CITY OF TAUNTON TO PAY CERTAIN MEMBERS OF ITS FIRE DEPARTMENT CERTAIN AWARDS GRANTED TO THEM BY AN ARBITRATOR.

Be it enacted, etc., as follows:

SECTION 1. The city of Taunton is hereby authorized to pay to the following members of its fire department the following sums: — Lieutenant Martin A. Hooben, two hundred and three dollars and ninety-six cents; Private James McKenna, seventy-one dollars and ninety-one cents; Private Frederick Wood, seventy-three dollars and eighty-two cents; Private Eugene O'Brien, seventy-three dollars and six cents; Private Norman F. Gordon, eighty dollars and seventy-two cents; Captain Antone Viera, one hundred and thirty-six dollars and twenty-five cents; Private Roy E. Cahill, seven hundred and seventy-four dollars and forty-four cents; Private Frank Mendes, eighteen dollars; Private Daniel Faria, seven dollars and twenty cents; Private William Boarman, three dollars and sixty cents; Private Jose Ferreira, three dollars and sixty cents; Private Richard Arikian, eighteen dollars and ninety cents; Private Ernest Hirschy, six dollars and thirty cents; Private Joseph C. Martin, six dollars and thirty cents. Said sums represent awards granted to each of the above as a result of arbitration due to a labor dispute which arose prior to the year nineteen hundred and seventy-one under a contract between said city and the International Association of Firefighters, Local 1391.

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

Approved September 16, 1971.

Chap. 762. AN ACT DEFINING THE TERM "PROPER PHYSICAL CARE" UNDER THE LAW RELATIVE TO CARE OF CHILDREN BY A PARENT.

Be it enacted, etc., as follows:

Section 1 of chapter 273 of the General Laws is hereby amended by inserting after the first sentence the following sentence: — A child shall not be deemed to be neglected or lack proper physical care for the sole reason that he is being provided remedial treatment by spiritual means alone in accordance with the tenets and practice of a recognized church or religious denomination by a duly accredited practitioner thereof.

Approved September 16, 1971.

Chap. 763. AN ACT INCREASING THE AMOUNT OF MONEY PAYABLE AS ANNUITIES TO WIDOWS AND CHILDREN OF RETIRED EMPLOYEES.

Be it enacted, etc., as follows:

Section 95A of chapter 32 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by chapter 738 of the acts of 1969, and inserting in place thereof the following paragraph: —

For the purpose of promoting the public good, and in consideration of the long and meritorious service of any official or employee who was retired or pensioned under the provisions of any noncontributory retirement law or who was qualified for retirement under the provisions of any such law but died before being retired, and who had no rights under any such law to elect that benefits thereunder be paid to a survivor, a county, a city or a town which accepts this section, in the manner hereinafter provided, shall grant an annuity to his surviving spouse, so long as such spouse survives and does not remarry, or, if there is no surviving spouse, to a legal guardian for the benefit of any surviving child who is unmarried and under age eighteen, in such amount as it may determine, but not to exceed one half of the regular annual compensation received by such official or employee or two thousand dollars, whichever is less; provided, that such official or employee had been permanently employed on a full-time basis by such county, city or town for not less than fifteen years; and provided, further, that such spouse or child is not receiving a retirement allowance or pension under the provisions of any general or special law other than a retirement allowance or pension based on the service of such spouse or child to the commonwealth or to any political subdivision thereof; and provided, further, that any annuity granted hereunder to such spouse or for the benefit of any such child is less than fifteen hundred dollars, it may be increased to an amount not exceeding fifteen hundred dollars. In the case of a town, the board of selectmen shall, subject to subsequent disapproval or modification by the town meeting, grant such annuity and determine the amount. *Approved September 16, 1971.*

Chap. 764. AN ACT RELATIVE TO THE CONSTRUCTION OF A REGIONAL VOCATIONAL SCHOOL BY THE SOUTHERN WORCESTER COUNTY REGIONAL VOCATIONAL SCHOOL DISTRICT AND TO THE REIMBURSEMENT TO THE MEMBER TOWNS THEREOF.

Be it enacted, etc., as follows:

For the purposes of section sixteen D of chapter seventy-one of the General Laws, the award of the contract for the construction of the regional vocational school by the Southern Worcester County Regional Vocational School District shall be deemed to have been awarded during the fiscal year ending on June the thirtieth, nineteen hundred and seventy. The towns of Auburn, Charlton, Dudley, Oxford, Southbridge and Webster, which are the member towns of said district, shall receive in the calendar year nineteen hundred and seventy-one not only their entitlement under chapter seventy of the General Laws for the previous fiscal year but also an additional amount equal to fifteen per cent of said entitlement. The state treasurer, in making the payments

due the aforesaid towns in the calendar year nineteen hundred and seventy-one under the provisions of paragraph (4) of subsection (*b*) of section eighteen A of chapter fifty-eight of the General Laws shall make such payments in accordance with the provisions of this act.

Approved September 16, 1971.

Chap. 765. AN ACT PROVIDING FOR ADDITIONAL ASSISTANT CLERKS IN 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 appearing in section 1 of chapter 585 of the acts of 1970, 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 East Boston district court, 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 Lowell, the district court of Newton, the second district court of Plymouth, the district court of Brockton, 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 fourth paragraph, as amended by chapter 101 of the acts of 1971, and inserting in place thereof the following paragraph: —

Fifth assistant clerks with salaries payable by the county may be appointed in the municipal court of the Dorchester district, in the district court of East Norfolk and in the municipal court of the West Roxbury district.

SECTION 3. Said section 10 of said chapter 218 is hereby further amended by striking out the eighth paragraph, as most recently amended by section 2 of chapter 585 of the acts of 1970, and inserting in place thereof the following paragraph: —

A sixth, seventh and eighth assistant clerk with salaries payable by the county may be appointed in the third district court of eastern Middlesex, one of whom shall be in charge of six-man jury sessions and whose salary shall be the same as that of the first assistant clerk.

Approved September 16, 1971.

Chap. 766. AN ACT MAKING CORRECTIVE CHANGES IN THE LAW CHANGING THE FISCAL CYCLES OF COUNTIES, CITIES, TOWNS AND CERTAIN DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 849 of the acts of 1969 is hereby amended by striking out section 3 and inserting in place thereof the following section:—

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 lines 13 and 14, the words "January of such fiscal year" and inserting in place thereof the words:—the following May,— and by striking out, in the last line, the words "on or before the first day of July next following" and inserting in place thereof the words:—one half on the first day of July next following and the remainder on the first day of the following January.

SECTION 2. Said chapter 849 is hereby further amended by striking out section 10 and inserting in place thereof the following section:—

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,—and by striking out, in line 18, the word "preceding" and inserting in place thereof the words:—then current.

SECTION 3. Said chapter 849 is hereby further amended by striking out section 11 and inserting in place thereof the following section:—

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,—and by striking out, in line 11, the word "previous" and inserting in place thereof the words:—then current.

SECTION 4. Said chapter 849 is hereby further amended by striking out section 16 and inserting in place thereof the following section:—

Section 16. Said chapter 35 is hereby further amended by striking out section 34A, as appearing in chapter 201 of the acts of 1947, and inserting in place thereof the following section:—

Section 34A. Notwithstanding the provisions of sections thirty-two and thirty-four, county commissioners may in any fiscal year enter into agreements with cities and towns for the allocation of funds for highway maintenance and construction in accordance with the provisions of chapters eighty-two and eighty-four for such year; provided, that the aggregate amounts so allocated by any county shall not exceed the amount appropriated for highways for such county in the appropriation act for the previous fiscal year; and provided, further, that any unexpended balance of such allocations remaining at the end of a fiscal year may be expended under such agreements until September the thirtieth of the following fiscal year.

SECTION 5. Said chapter 849 is hereby further amended by inserting after section 28 the following section:—

Section 28A. Section 5A of said chapter 40, as most recently amended by chapter 135 of the acts of 1949, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—To provide for extraordinary or unforseen expenditures a city may, prior to the date when the tax rate for a fiscal year is fixed, include in the appropriations for such fiscal year as a reserve fund a sum not exceeding three per cent of the tax levy for the fiscal year next preceding such fiscal year.

SECTION 6. Said chapter 849 is hereby further amended by striking out section 29 and inserting in place thereof the following section:—

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 inserting after the word "preceding", in line 4, the word:—fiscal,—and 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 7. Said chapter 849 is hereby further amended by inserting after section 29 the following two sections:—

Section 29A. Section 5C of said chapter 40, as inserted by section 3 of chapter 44 of the acts of 1967, is hereby amended by inserting before the word "year", in line 4, the word:—fiscal.

Section 29B. Section 6 of said chapter 40, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the word "preceding" and inserting in place thereof the words:—then current fiscal.

SECTION 8. Said chapter 849 is hereby further amended by inserting after section 34 the following section:—

Section 34A. Section 49 of said chapter 40, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the word "financial" and inserting in place thereof the word:—calendar.

SECTION 9. Said chapter 849 is hereby further amended by inserting after section 43 the following section:—

Section 43A. The first paragraph of section 69B of said chapter 41, as appearing in section 4 of chapter 172 of the acts of 1938, is hereby amended by inserting before the word "year", in line 16, in line 18 and in line 21, the word:—fiscal.

SECTION 10. Said chapter 849 is hereby further amended by striking out sections 44 and 45 and inserting in place thereof the following two sections:—

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 12 and 13, 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 paragraph added by chapter 87 of the acts of 1960.

SECTION 11. Said chapter 849 is hereby further amended by striking out sections 48 and 49 and inserting in place thereof the following two sections:—

Section 48. Sections five, five A, five B, thirteen, 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 after the word "clauses", in line 20, the words:—; and provided, further, that sums appropriated, voted or transferred in a fiscal year for the following fiscal year shall be deemed for the purposes of this paragraph to be appropriated, voted or transferred in such following fiscal year.

SECTION 12. Said chapter 849 is hereby further amended by striking out section 52 and inserting in place thereof the following section:—

Section 52. The third paragraph of section 10 of said chapter 44, as most recently amended by section 9 of chapter 23 of the acts of 1968, is hereby further amended by inserting before the word "year" in line 4, in line 5, in line 10 and in line 11, the word:—fiscal.

SECTION 13. Said chapter 849 is hereby further amended by striking out section 53.

SECTION 14. Said chapter 849 is hereby further amended by inserting after section 55 the following section:—

Section 55A. The third sentence of section 31 of said chapter 44, as appearing in chapter 46 of the acts of 1954, is hereby amended by inserting before the word "year", in line 2, the word:—fiscal.

SECTION 15. Said chapter 849 is hereby further amended by inserting after section 61 the following section:—

Section 61A. The first sentence of section 33B of said chapter 44, as appearing in chapter 62 of the acts of 1943, is hereby amended by striking out, in line 3 and in lines 5 and 6, the words:—"in the then current year".

SECTION 16. Said chapter 849 is hereby further amended by striking out section 62 and inserting in place thereof the following section:—

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 the first and end with the following June the 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 on June the thirtieth; provided, that the treasurer shall, until July the fifteenth, 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 the thirtieth preceding.

SECTION 17. Said chapter 849 is hereby further amended by striking out section 63 and inserting in place thereof the following section:—

Section 63. Said chapter 44 is hereby further amended by striking out section 56A, as inserted by section 1 of chapter 229 of the acts of 1934, and inserting in place thereof the following section:—

Section 56A. The fiscal year of all cities of the commonwealth shall begin with July the first and end with the following June the 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 the thirtieth; provided, that the treasurer shall, until July the fifteenth, 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 the thirtieth preceding.

SECTION 18. Said chapter 849 is hereby further amended by inserting after section 63 the following two sections:—

Section 63A. Section 63A of said chapter 44, as inserted by chapter 247 of the acts of 1955, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:—Whenever in any fiscal year a town, which term, as used in this section, shall include city, shall sell any real estate, the board or officer executing the deed therefor in the name and behalf of the town shall, as a condition precedent to power to deliver such deed, receive from the grantee, as a payment in lieu of taxes allocable to the days ensuing in said fiscal year after the date of such deed, a sum which shall be equal to such portion of a pro forma tax computed as hereinafter provided as would be allocable to the days aforesaid if such pro forma tax were apportioned pro rata according to the number of days in such fiscal year. Such pro forma tax shall be computed by applying the town's tax rate for such fiscal year, or, if such rate is not known, the town's tax rate for the next preceding fiscal year, to the sale price after crediting any exemption to which, if the deed had been executed and delivered on January the first of such next preceding fiscal year, the grantee would have been entitled under section five of chapter fifty-nine.

Section 63B. Section 64 of said chapter 44, as most recently amended by chapter 730 of the acts of 1969, is hereby further amended by inserting before the word "years", in line 1 and also in line 29, and before the word "year", in line 3, the word:—fiscal.

SECTION 19. Said chapter 849 is hereby further amended by inserting after section 66 the following two sections:—

Section 66A. The first sentence of section 7A of chapter 59 of the General Laws, as appearing in section 2 of chapter 367 of the acts of 1945, is hereby amended by striking out, in line 12, the words "in such year" and inserting in place thereof the words:—for the next following fiscal year.

Section 66B. Chapter 59 of the General Laws is hereby amended by striking out section 21, as most recently amended by section 2 of chapter 432 of the acts of 1946, and inserting in place thereof the following section:—

Section 21. The assessors shall assess state and county taxes duly certified to them. The assessors shall also assess as estimated in advance by the commissioner charges and assessments for which the state treasurer will be required under section twenty to send his warrant not later than November the first next following the assessment by the assessors. If at the time of fixing the tax rate for a fiscal year the warrant for the state tax, if any, for such year has not been received or the county tax for such year has not been certified, the assessors may nevertheless fix the tax rate for such year and shall in such event assess for such year such state and county taxes as estimated in advance by the commissioner. The commissioner shall notify the assessors of his estimate of such assessments, charges and taxes annually on or before March the first. Any balance of such assessments, charges and taxes not so assessed for such year by reason of an underestimate by the commissioner shall be assessed for the next subsequent fiscal year and any excess assessed in accordance with the foregoing provision by reason of an over-estimate by him shall be deducted in determining the amount to be assessed for the next

subsequent fiscal year. The assessors shall also assess town taxes voted by their respective towns and all taxes duly voted and certified by fire, water, light and improvement districts therein or certified by the joint committee of a health district formed under section twenty-seven A of chapter one hundred and eleven. Such district taxes shall be subject to the law relative to the assessment and collection of town taxes, sofar as applicable. Except as otherwise provided, all taxes shall be assessed as of January the first preceding the fiscal year with respect to which the taxes are assessed.

SECTION 20. Said chapter 849 is hereby further amended by striking out section 67 and inserting in place thereof the following section:—

Section 67. Said chapter 59 is hereby further amended by striking out section 23, as most recently amended by chapter 563 of the acts of 1971, and inserting in place thereof the following section:—

Section 23. 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 the fiscal year for which such taxes are being assessed, of all debt and interest charges matured and maturing during such 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 fiscal 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 fiscal year for which such taxes are being assessed, 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 the aggregate amount of actual receipts received during the preceding calendar 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 the first not otherwise appropriated, 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 July the 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 the thirty-first of the then current fiscal year. 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.

The auditor or similar accounting officer shall certify as soon as may be to the board of assessors the total of the proceeds from the sale of tax title possessions and receipts from tax title redemptions, in addition to the total real and personal taxes of prior years, collected from July the first of the then current fiscal year up to and including March the thirty-first of such year.

If, prior to May the tenth the assessors of any city except Boston shall not have received from the city clerk a certificate under section fifteen A of chapter forty-one of the appropriations voted for the annual budget for the next fiscal year and if it appears to them, after inquiry of the city clerk, that such appropriations have not been voted, they shall forthwith assess a tax for said year in accordance with the provisions of this section, except that, in determining the amount of the tax to be assessed, there shall be considered as having been appropriated for the annual budget for said year an amount equal to the aggregate appropriations voted for the annual budget for the then current fiscal year.

Notwithstanding the provisions of any general or special law, the provisions of this section, sofar as apt, shall apply to fire, water and improvement districts.

SECTION 21. Said chapter 849 is hereby further amended by inserting after section 67 the following two sections:—

Section 67A. Section 23A of said chapter 59, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 1 and 2, the words "the year" and inserting in place thereof the words:—a fiscal year.

Section 67B. The first sentence of section 25 of said chapter 59, as appearing in chapter 257 of the acts of 1950, is hereby amended by striking out, in line 9, the words "in the year in" and inserting in place thereof the words:—for the fiscal year for.

SECTION 22. Said chapter 849 is hereby further amended by striking out section 68 and inserting in place thereof the following section:—

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 sentence:—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 the first of the fiscal year in which it is payable, interest at the rate of eight per cent per annum, computed from October the first of such fiscal 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 the first of such fiscal year, in lieu of interest as aforesaid, interest at such rate shall be paid thereon, computed from said October the first on any betterment assessment, or apportionment thereof, water rate or annual sewer use charge added thereto and not paid by said November the 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 the first of such fiscal year on the balance of such tax outstanding from time to time.

SECTION 23. Said chapter 849 is hereby further amended by inserting after section 70 the following two sections:—

Section 70A. Section 3 of chapter 60 of the General Laws, as most recently amended by section 25 of chapter 160 of the acts of 1963, is hereby further amended by striking out the fifth sentence and inserting in place thereof the following sentence:—All tax bills or notices issued pursuant to this section shall state (*a*) the date as of which the tax was assessed and (*b*) the fiscal year to which the tax relates.

Section 70B. Said chapter 60 is hereby further amended by striking out section 17, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 17. If any tax, betterment or special assessment remains unpaid fourteen days after demand therefor, the collector, in the case of any tax, betterment or special assessment upon real estate, within two years from April the first in the calendar year in which the assessment was made, and, in case of any other tax, within three years from said April the first, shall collect the tax, together with all incidental charges and fees, in the manner provided by law.

SECTION 24. Said chapter 849 is hereby further amended by striking out section 74 and inserting in place thereof the following section:—

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 two sentences:—The commissioners shall annually in May apportion the estimated 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 then current 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. Any balance of such cost not so assessed for such year by reason of an underestimate by the commissioners shall be assessed for the next subsequent fiscal year and any excess assessed in accordance with the foregoing provision by reason of an over-estimate by them shall be deducted in determining the amount to be assessed for the next subsequent fiscal year.

SECTION 25. Said chapter 849 is hereby further amended by striking out section 76, as most recently amended by section 1 of chapter 194 of the acts of 1970, and inserting in place thereof the following section:—

Section 76. Notwithstanding any provision of general or special law to the contrary, the fiscal year of every county, city, town and district which begins on January the first, nineteen hundred and seventy-three shall consist of an eighteen month period and shall not end with the following December the thirty-first but with June the thirtieth, nineteen hundred and seventy-four; and cities, towns and districts may appropriate for said fiscal year for the purposes of clauses (34), (37), (41), (42), (43) and (50) of section five of chapter forty of the General Laws, and for the purposes of sections five A, five B, five C, six, six A, nine, eleven and thirteen of said chapter forty and section eighteen of chapter forty B of the General Laws and may borrow under 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. For the fiscal year which begins on July the first, nineteen hundred and seventy-four, cities, towns and districts may appropriate and borrow amounts not exceeding two thirds of the amounts severally authorized by said sections five A, five B, five C and six of said chapter forty and said section four of said chapter forty-four.

Section five of chapter fifty-nine of the General Laws shall be construed to provide an exemption from a tax for the eighteen month fiscal year which begins on January the first, nineteen hundred and seventy-three, based upon the valuation exempt under said section five multiplied by the tax rate for such eighteen month fiscal year, except that in determining the amount of the exemption under clause Thirty-seven, and also under clause Forty-one, of said section five the sum specified in clause Thirty-seven, or clause Forty-one, as the case may be, shall be deemed to be five hundred and twenty-five dollars instead of three hundred and fifty dollars.

SECTION 26. Said chapter 849 is hereby further amended by striking out section 77, as amended by section 2 of chapter 194 of the acts of 1970, and inserting in place thereof the following section:—

Section 77. The estimate required in the year nineteen hundred and seventy-two by section twenty-eight of chapter thirty-five, by section thirty of chapter thirty-six, 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 the first, nineteen hundred and seventy-three and ending with June the thirtieth, nineteen hundred and seventy-four; the estimate required in the year nineteen hundred and seventy-three by section twenty-five A of chapter fifty-eight and section twenty-one of chapter fifty-nine shall be for said eighteen month period; and the apportionment required by section eighty-five of chapter one hundred and eleven of the General Laws to be made in May, nineteen hundred and seventy-four, respecting the balance of the cost of maintenance, operation and repair of institutions under section eighty-two of said chapter shall be for said eighteen month period.

The deduction on account of estimated receipts, other than those estimated by the commission, made under clause (*a*) of the first paragraph of section twenty-three of chapter fifty-nine of the General Laws for said eighteen month period shall not exceed one hundred and fifty per cent of the aggregate amount of actual receipts received during the calendar year nineteen hundred and seventy-two, from the same sources, except with the written approval of the commission.

Every other estimate involved in the finances of cities, towns, counties and districts required to be made for the calendar year nineteen hundred and seventy-three under any provision of general or special law shall not be for the calendar year nineteen hundred and seventy-three but for the eighteen month period beginning with January the first, nineteen hundred and seventy-three and ending with June the thirtieth, nineteen hundred and seventy-four.

SECTION 27. Said chapter 849 is hereby further amended by inserting after section 77 the following section:—

Section 77A. Notwithstanding any contrary provision of general or special law, in cities and towns in determining the amount of available funds which the assessors 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, for the eighteen month period beginning with January the first, nineteen hundred and seventy-three, such funds shall constitute the amounts certified by the director of accounts as available on said January the first, in accordance with the provisions of said section twenty-three, 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 the 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 the thirty-first, nineteen hundred and seventy-three.

For the fiscal year beginning July the first, nineteen hundred and seventy-four, in determining the amount of available funds which the assessors may be required to deduct under the provisions of said clauses (*b*) and (*c*), such funds shall constitute the amounts certified by the director of accounts as available on January the first, nineteen hundred and seventy-three, 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 fiscal years, collected or received between said January the first and the last day of the month preceding the month in which the tax rate for said fiscal year is determined, but in no event later than March the thirty-first, nineteen hundred and seventy-four, less so much thereof as was deducted in assessing taxes for said eighteen month period and less also so much, if any, thereof as was appropriated or used during said eighteen month period.

SECTION 28. Said chapter 849 is hereby further amended by striking out section 78, as amended by section 3 of chapter 194 of the acts of 1970, and inserting in place thereof the following section:—

Section 78. Notwithstanding any contrary provision of general or special law, bills for real estate and personal property taxes assessed as of January the first, nineteen hundred and seventy-three, shall be sent out not later than June the fourteenth of said year and shall be

due and payable on July the first of said year in every city, town and district in which the same are assessed. If the whole or any part of such tax remains unpaid after November the first of said year, interest at the rate of eight per cent per annum shall be paid thereon, computed for the whole or any part of the period from October the first of such year until April the second, nineteen hundred and seventy-three, on any betterment assessment, or apportionment thereof, water rate or annual sewer use charge added thereto and not paid by said November the first and on so much of the tax, exclusive of assessments, rates and charges added thereto, as exceeds one third of such tax as reduced by abatement, if any, and computed for any period after said April the first, on so much of such tax, including assessments, rates and charges added thereto, as is outstanding thereafter.

SECTION 29. Section 79 of said chapter 849 is hereby amended by striking out the word "seventy-two", inserted by section 4 of chapter 194 of the acts of 1970, and inserting in place thereof the word "seventy-three". *Approved September 16, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, September 16, 1971

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 1971, entitled "AN ACT MAKING CORRECTIVE CHANGES IN THE LAW CHANGING THE FISCAL CYCLES OF COUNTIES, CITIES, TOWNS AND CERTAIN DISTRICTS." and the enactment of which received my approval on September 16, 1971, 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 provide immediately for notification to municipal officials of the postponement of the eighteen-month transition period required by this law.

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

OFFICE OF THE SECRETARY, BOSTON, September 16, 1971.

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

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

Chap. 767. AN ACT FURTHER REGULATING THE DISCONTINUANCE OF SERVICE BY A GAS OR ELECTRIC UTILITY TO A HOSPITAL, NURSING HOME OR SIMILAR FACILITY.

Be it enacted, etc., as follows:

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

Section 124C. No gas or electric utility intending to shut off gas or electricity in any licensed nursing home, home for the aged, convalescent home or hospital shall do so without first giving fourteen days' notice in writing to the customer and to the department. Such utility may thereafter shut off such service only upon such terms and conditions as may be determined by the department.

Approved September 16, 1971.

Chap. 768. AN ACT RELATIVE TO LIENS FOR UNPAID STATE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*a*) of section 33 of chapter 58 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 559 of the acts of 1969, and inserting in place thereof the following sentence: — If any person liable to pay any tax administered by the commissioner of corporations and taxation neglects or refuses to pay the same after demand, the amount, including any interest, additional amount, addition to tax, assessable penalty or forfeiture, together with any costs that may accrue in addition thereto, shall be a lien in favor of the commonwealth upon all property and rights to property, whether real or personal, belonging to such person.

SECTION 2. Paragraph (*a*) of section thirty-three of chapter fifty-eight of the General Laws, as amended by section one of this act, shall apply to liens acquired thereunder on and after the effective date of this act.

Approved September 16, 1971.

Chap. 769. AN ACT INCREASING THE FEE FOR THE RENEWAL OF A CERTIFICATE OF NUMBER OF A MOTORBOAT.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 3 of chapter 90B of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 505 of the acts of 1961, and inserting in place thereof the following sentence: — The application shall be signed by the owner of the motorboat, and shall be forwarded to the director together with a fee of five dollars for an original certificate of number or renewal thereof, or a fee of one dollar and fifty cents for the substitution of a certificate of number of a motorboat for a motorboat previously numbered.

Approved September 16, 1971.

Chap. 770. AN ACT DEFINING THE WORDS "LICENSED PRIVATE DRIVER SCHOOL" AND FURTHER REGULATING THE APPLICATION AND RENEWAL FEES FOR SUCH A BUSINESS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90 of the General Laws is hereby amended by inserting after the definition "Department" the following definition: —

"Licensed private driver school", a person, partnership or corporation licensed by the registrar to give instruction for hire in the operation of motor vehicles.

SECTION 2. Section 32G of said chapter 90 is hereby amended by striking out the first paragraph, as amended by chapter 467 of the acts of 1960, and inserting in place thereof the following paragraph: —

No person shall engage in the business of giving instruction for hire in the operation of motor vehicles without being licensed for such purpose and designated by the registrar as a licensed private driver school, hereinafter called driver school. Every person giving instruction for hire shall maintain an office as prescribed by the registrar, and a separate license shall be secured for each such place of business. Application for a license under this section may be filed with the registrar and shall contain such information as he shall prescribe. Each such application shall be accompanied by an application fee of twenty-five dollars, which in no event shall be refunded. If an application is approved by the registrar, the applicant upon the payment of an additional fee of seventy-five dollars for a main office and fifty dollars for a branch office shall be granted a license, which shall be valid for a period of one year from the date of its issuance. The annual fee for renewal thereof shall be seventy-five dollars for the main office and fifteen dollars for a branch office. The registrar shall issue a license certificate to each licensee, which certificate shall be conspicuously displayed in the place of business of the licensee. In case of the loss, mutilation or destruction of a license certificate, the registrar shall issue a duplicate certificate upon a proper proof thereof and payment of a fee of one dollar and fifty cents. *Approved September 16, 1971.*

Chap. 771. AN ACT AUTHORIZING THE MASSACHUSETTS PORT AUTHORITY TO APPLY FOR, OPERATE AND MAINTAIN OR LEASE TO OTHERS TO OPERATE AND MAINTAIN A FOREIGN TRADE ZONE.

Be it enacted, etc., as follows:

Section 3 of chapter 465 of the acts of 1956 is hereby amended by adding the following paragraph: —

(*q*) To apply for, establish, operate and maintain or lease to others to operate and maintain, subject to the approval of the local municipality, a foreign trade zone and subzones in the commonwealth in accordance with the Foreign Trade Zones Act of 1934 (Title 19 U.S.C. Sections 81a–81u). Land acquired by the Authority after the effective date of this act which was subject to taxation on the assessment date next preceding the acquisition thereof and used by the Authority for a foreign trade zone shall not be exempt from local real estate taxes, and

any such land leased by the Authority to others for said purpose shall be taxed by the city or town in which the land is situated to the lessees thereof in the same manner as if they were the owners.

Approved September 16, 1971.

Chap. 772. AN ACT FURTHER REGULATING THE LICENSING OF CINEMATOGRAPHERS AND PROVIDING FOR THE INSPECTION OF CINEMATOGRAPHS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 143 of the General Laws is hereby amended by striking out sections 72, 73 and 74 and inserting in place thereof the following three sections: —

Section 72. No cinematograph or similar apparatus, thirty-five millimeter or larger, involving the use of so-called safety film shall be kept or used for the purpose of exhibiting such films in or upon the premises of a public building until a booth or enclosure, which has been inspected and approved by an inspector and his certificate issued therefor, has been provided; nor until such precautions against fire as the commissioner of public safety may specify have been taken by the owner, user or exhibitor.

Section 73. The inspector shall inspect any booth or enclosure in which a cinematograph or similar apparatus is to be kept or used as specified in the preceding section, and the commissioner of public safety shall make such rules and regulations as he may deem necessary for the safe use thereof.

Section 74. For the inspection of a booth or enclosure, as provided by the preceding section, a fee of five dollars shall be paid by the owner or user thereof.

SECTION 2. Section 75 of said chapter 143 is hereby amended by striking out the second sentence, as amended by section 1 of chapter 227 of the acts of 1968, and inserting in place thereof the following sentence: — No such license shall be granted until the applicant has passed an examination proving him to be thoroughly skilled in the working of the mechanical and electrical apparatus or devices used therein or connected therewith, nor unless he has submitted evidence as to his responsibility in regard to the safety of the public, and no person under nineteen shall be eligible for such examination.

SECTION 3. Sections seventy-six and seventy-nine of said chapter one hundred and forty-three are hereby repealed.

SECTION 4. Section 81 of said chapter 143, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "or an assistant's permit", — and by striking out, in line 3, the words "or permit".

SECTION 5. Section 82 of said chapter 143, as most recently amended by section 6 of chapter 553 of the acts of 1941, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — The commissioner of public safety may grant permits for the special exhibition of pictures by the use of a cinematograph or similar apparatus in a public building which in his opinion is in safe condition for such exhibitions, and he may prescribe such regulations as he may deem necessary for the presentation of the same.

SECTION 6. Said chapter 143 is hereby further amended by striking out sections 83 and 84 and inserting in place thereof the following two sections: —

Section 83. Sections seventy-two to seventy-five, inclusive, shall not apply to any motion picture machine operated with only cellulose acetate film less than thirty-five millimeters and requiring not more than five hundred watts of electrical current to operate the arc or lamp.

Section 84. Any person keeping or using a cinematograph or similar apparatus contrary to any provision of sections seventy-two to eighty-four, inclusive, or in violation of any rule or regulation made by the commissioner of public safety shall be punished by a fine of not less than fifty nor more than five hundred dollars.

SECTION 7. Sections eighty-six and eighty-eight of said chapter one hundred and forty-three are hereby repealed.

SECTION 8. Said chapter 143 is hereby further amended by striking out section 89, added by section 1 of chapter 152 of the acts of 1955, and inserting in place thereof the following section: —

Section 89. The storage or distribution for purposes of public exhibition and all public exhibition of thirty-five millimeter or larger nitrate motion picture film is hereby prohibited. Violation of this section shall be punished by a fine of not less than fifty dollars nor more than five hundred dollars. *Approved September 16, 1971.*

Chap. 773. AN ACT PROVIDING FOR REHABILITATION HEARINGS BEFORE THE INDUSTRIAL ACCIDENT BOARD.

Be it enacted, etc., as follows:

The third paragraph of section 30B of chapter 152 of the General Laws, as appearing in section 15 of chapter 602 of the acts of 1956, is hereby amended by striking out the first sentence and inserting in place thereof the following two sentences: — An insurer or self-insurer shall furnish rehabilitation services by a rehabilitation facility or a physician who, in the opinion of the board, is qualified to render rehabilitation services, and shall also furnish vocational services to any injured worker eligible for or receiving compensation under the provisions of this chapter who is determined to be fit and eligible for vocational rehabilitation by the Massachusetts rehabilitation commission, established by section seventy-four of chapter six; provided, that any dispute concerning liability or payments for such vocational rehabilitation by said insurer or self-insurer shall be decided by the industrial accident board after a hearing before a member thereof at which both the employee and the Massachusetts rehabilitation commission, whether or not it has paid for rehabilitation services, shall be parties and the attorney general shall, if requested by the Massachusetts rehabilitation commission, represent said commission in any matter relating thereto. The decision of the member shall be filed in accordance with section eight and unless a claim for review is filed within the period prescribed in section eight, the decision, including any order to the insurer or self-insurer to reimburse a party, shall be enforceable under section eleven.

Approved September 16, 1971.

Chap. 774. AN ACT PROVIDING TWO ADDITIONAL COURT OFFICERS FOR THE FIRST DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

Chapter 218 of the General Laws is hereby amended by striking out section 62, as most recently amended by chapter 153 of the acts of 1971, 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 and in the first district court of eastern Middlesex 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 second district court of eastern 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 district court of Newton, the first district court of Barnstable, the third district court of southern Worcester, the district court of northern Norfolk, the second district court of Plymouth, the first district court of Essex and the district court of Lawrence 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. In the Boston juvenile court six court officers may be appointed; in the Worcester juvenile court two court officers may be appointed; and in the Springfield juvenile court two court officers may be appointed. *Approved September 16, 1971.*

Chap. 775. AN ACT INCREASING THE AMOUNT OF FUNERAL AND BURIAL EXPENSES PAYABLE TO CERTAIN BLIND PERSONS.

Be it enacted, etc., as follows:

Section 130 of chapter 6 of the General Laws, as appearing in section 2 of chapter 535 of the acts of 1966, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

The commission may, if no other means are available, pay for the expense of the funeral and burial of blind persons aided under this

section a sum not exceeding three hundred dollars; provided, that the total expense of the funeral and burial does not exceed five hundred dollars; and provided, further, that any payment made by said commission shall be reduced by whatever resources may exist in the estate of such deceased blind person. Payment under this section may be made directly to the person furnishing such service.

Approved September 16, 1971.

Chap. 776. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO INSTALL TRAFFIC CONTROL SIGNALS AT THE INTERSECTION OF PINE STREET, BRIDGE STREET AND AMES STREET IN THE TOWN OF DEDHAM.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to install traffic control signals at the intersection of Pine, Bridge and Ames streets in the town of Dedham. For said purpose said department may expend such sums as may be appropriated therefor.

Approved September 16, 1971.

Chap. 777. AN ACT INCREASING THE FILING FEE FOR CERTAIN DOCUMENTS IN REGISTRIES OF DEEDS.

Be it enacted, etc., as follows:

Section 9–403 of chapter 106 of the General Laws is hereby amended by striking out subsection (5), as most recently amended by section 1 of chapter 131 of the acts of 1961, and inserting in place thereof the following subsection: —

(5) The fee for filing, indexing and furnishing filing data for an original or a continuation statement or any amendment of either shall be three dollars, except in registries of deeds where it shall be five dollars, but if an original financing statement or any amendment thereof which is filed in a registry of deeds consists of more than one page, the fee for filing and indexing the same and furnishing filing data with respect thereto shall be as set forth in sections thirty-eight and thirty-nine of chapter two hundred and sixty-two. *Approved September 16, 1971.*

Chap. 778. AN ACT RELATING TO THE APPOINTMENT OF THE CITY TREASURER OF THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of chapter thirty-one of the General Laws and the vote under section forty-nine A thereof passed at the regular municipal election held in the city of Brockton on the fourth day of November in nineteen hundred and forty-seven, the city treasurer of said city shall be appointed in accordance with the charter of said city and such other laws as may be applicable.

SECTION 2. Nothing contained in this act shall prevent the placing of the office of city treasurer within the classified civil service pursuant to the provisions of said chapter thirty-one.

SECTION 3. This act shall be submitted for acceptance to the voters of the city of Brockton at the municipal election to be held in the year nineteen hundred and seventy-one in the form of the following question,

which shall be placed upon the official ballot to be used for the election of city officers at said election: — "Shall the city vote that the office of city treasurer be removed from the classified civil service?" If a majority of votes in answer to said question is in the affirmative, this act shall thereupon take effect, but not otherwise.

Approved September 16, 1971.

Chap. 779. AN ACT MAKING THE LAWS RELATING TO THE ERECTION, ALTERATION AND INSPECTION OF BUILDINGS APPLICABLE TO BUILDINGS USED AS CLINICS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 143 of the General Laws is hereby amended by inserting after the paragraph defining "Building", added by chapter 480 of the acts of 1945, the following paragraph: —

"Clinic", any building or part thereof licensed by and under the supervision of the department of public health as a clinic pursuant to section fifty-one of chapter one hundred and eleven.

SECTION 2. The first sentence of section 15 of said chapter 143, as most recently amended by section 7 of chapter 614 of the acts of 1966, is hereby further amended by inserting after the word "a", in line 6, the word: — clinic,.

SECTION 3. The first sentence of section 21 of said chapter 143, as most recently amended by section 8 of said chapter 614, is hereby further amended by inserting after the word "a", in line 4, the word: — clinic,.

SECTION 4. Section 33 of said chapter 143, as most recently amended by section 9 of said chapter 614, is hereby further amended by inserting after the word "than", in line 11, the word: — clinics,.

Approved September 16, 1971.

Chap. 780. AN ACT RELATIVE TO THE BOURNE RECREATION AUTHORITY LEASING GOVERNMENT OWNED LAND AT THE CAPE COD CANAL FOR RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Clause (*e*) of the first paragraph of section 3 of chapter 820 of the acts of 1970 is hereby amended by adding the words: — provided, however, that any land leased by the federal government to the Authority for recreational purposes shall be made available to the general public without discrimination in any form;.

SECTION 2. The second paragraph of said section 3 of said chapter 820 is hereby amended by inserting after the word "Authority", in line 3, the words: — ; provided, however, that any fee assessed by the Authority for use of recreational facilities of the land leased by the federal government shall require prior approval of the Secretary of the Army or his duly authorized representative.

SECTION 3. Section 6 of said chapter 820 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — On or before the fifteenth day of January in each year, the Authority shall make an annual report of its activities for the preceding calendar year to the governor, to the general court, to the board

of selectmen of the town of Bourne and to the division engineer of the United States Army Corps of Engineers, New England division, as specified in any lease of government property to the Authority.

SECTION 4. Said chapter 820 is hereby further amended by inserting after section 8 the following section: —

Section 8A. If the Authority leases noncontiguous parcels of land from the federal government upon which it constructs and maintains recreational facilities, any surplus of funds over and above operating expenses may be used for the maintenance and operation of the recreational facilities on any other noncontiguous areas under lease from the federal government in said town. *Approved September 16, 1971.*

Chap. 781. AN ACT FURTHER REGULATING THE PERMIT FEES OF STUDENT AND APPRENTICE BARBERS.

Be it enacted, etc., as follows:

Section 87I of chapter 112 of the General Laws is hereby amended by inserting after the seventh sentence, as amended by chapter 287 of the acts of 1958, the following two sentences: — Any such permit not renewed at its expiration date shall become void but shall be reinstated within one year upon the payment of a fee of eight dollars. If such a permit is not reinstated within one year from its expiration date, it shall be reinstated only after reexamination of the apprentice and the payment of a fee of twenty-five dollars; provided, however, that if an apprentice fails to pass such examination his permit shall be reinstated upon completion of a refresher course of two hundred and fifty hours in a barber school or barber college approved by the board.

Approved September 16, 1971.

Chap. 782. AN ACT INCREASING THE AMOUNT OF MONEY THAT MAY BE BORROWED BY THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY FOR THE RENOVATION, ALTERATION AND CONSTRUCTION AND EQUIPPING OF AN ADDITION TO THE SUPERIOR AND PROBATE COURT HOUSE IN THE CITY OF BROCKTON.

Be it enacted, etc., as follows:

SECTION 1. Chapter 537 of the acts of 1970 is hereby amended by striking out section 1 and inserting in place thereof the following section: —

Section 1. The county commissioners of Plymouth county are hereby authorized to provide for the renovation, alteration and the construction and equipping of an addition to the superior and probate court house located in the city of Brockton. Said commissioners may expend for the purposes of this act such sums as may be necessary not exceeding, in the aggregate, nine hundred and two thousand five hundred 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. Section 2 of said chapter 537 is hereby amended by striking out, in line 4, the words "eight hundred and fifty thousand" and inserting in place thereof the words: — nine hundred and two thousand five hundred. *Approved September 16, 1971.*

Chap. 783. AN ACT FURTHER DEFINING THE TERM "FEDERAL SERVICE PERSONNEL" TO CONFORM WITH THE FEDERAL VOTING ASSISTANCE ACT OF 1955, AS AMENDED.

Be it enacted, etc., as follows:

Section 103B 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 the definition of "Federal service personnel" and inserting in place thereof the following definition: —

"Federal service personnel", those persons in the active service of the armed forces of the United States, and their spouses and dependents; persons in the merchant marine of the United States, and their spouses and dependents; and citizens of the United States temporarily residing outside the territorial limits of the United States and the District of Columbia, and their spouses and dependents when residing with or accompanying them; if otherwise qualified to vote and having the qualifications entitling them to register in the same election district.

Approved September 16, 1971.

Chap. 784. AN ACT INCREASING THE PENALTY FOR MAKING FALSE REPORTS RELATIVE TO THE LOCATION OF EXPLOSIVES OR OTHER DANGEROUS SUBSTANCES AND AUTHORIZING THE PAYMENT OF REWARDS TO CERTAIN PERSONS SUPPLYING INFORMATION RELATIVE THERETO.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 40 of the General Laws is hereby amended by inserting after clause (64), added by chapter 82 of the acts of 1970, the following clause: —

(65) For the purpose of payment of rewards under the provisions of paragraph (*b*) of section fourteen of chapter two hundred and sixty-nine.

SECTION 2. Chapter 269 of the General Laws is hereby amended by striking out section 14, as amended by chapter 322 of the acts of 1958, and inserting in place thereof the following section: —

Section 14. (*a*) Whoever, knowing the same to be false, transmits or causes to be transmitted to any person by telephone or other means a communication falsely reporting the location of any explosive or other dangerous substance or contrivance thereby causing anxiety, unrest, fear or personal discomfort to any person or group of persons shall be punished by imprisonment in the state prison for not more than twenty years, or 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 ten thousand dollars or by both such fine and imprisonment in a jail or house of correction.

(*b*) A city or town may, upon recommendation of its chief law enforcement officer, pay a reward, not to exceed one thousand dollars to any person or persons, other than law enforcement officers, who supply information or assistance in obtaining a conviction under the provisions of this section. *Approved September 16, 1971.*

Chap. 785. AN ACT LIMITING THE LIABILITY OF CERTAIN CHARITABLE ORGANIZATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to forthwith limit the liability of certain charitable corporations, societies and associations in certain actions of tort, 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 231 of the General Laws is hereby amended by inserting after section 85J, added by chapter 450 of the acts of 1971, the following section: —

Section 85K. It shall not constitute a defense to any cause of action based on tort brought against a corporation, trustees of a trust or members of an association that said corporation, trust or association is or at the time the cause of action arose was a charity; provided, that if the tort was committed in the course of any activity carried on to accomplish directly the charitable purposes of such corporation, trust or association, liability in any such cause of action shall not exceed the sum of twenty thousand dollars exclusive of interest and costs. Notwithstanding any other provision of this section, the liability of charitable corporations, the trustees of charitable trusts and the members of charitable associations shall not be subject to the limitations set forth in this section if the tort was committed in the course of activities primarily commercial in character even though carried on to obtain revenue to be used for charitable purposes.

SECTION 1A. Section 141 of said chapter 231 is hereby amended by inserting after the word "eighty-five D", in line 15, as appearing in section 4 of chapter 616 of the acts of 1954, the word: — , eighty-five K.

SECTION 1B. Section 144 of said chapter 231 is hereby amended by inserting after the word "eighty-three", in lines 3 and 4, as appearing in the Tercentenary Edition, the word: — , eighty-five K.

SECTION 2. Nothing in section eighty-five K of chapter two hundred and thirty-one of the General Laws, inserted by section one of this act, shall be construed to enlarge any protection from tort liability afforded by the common law of the commonwealth prior to the effective date of this act. *Approved September 16, 1971.*

Chap. 786. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO GRANT LICENSES FOR THE CONSTRUCTION OF STRUCTURES EXTENDING CHANNELWARD BEYOND THE HARBOR LINE INTO THE ACUSHNET RIVER IN THE TOWN OF FAIRHAVEN FROM THE PREMISES OF THE JESSICA REALTY TRUST.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to authorize the department of public works to grant licenses forthwith to the Jessica Realty Trust for the construction of structures into the Acushnet river to expedite the safe mooring of boats in that area, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section fourteen of chapter ninety-one of the General Laws, the department of public works is hereby

authorized to grant licenses for the construction of structures extending channelward beyond the harbor line into the Acushnet river in the town of Fairhaven from the premises now occupied by the Jessica Realty Trust such distances, not exceeding three hundred feet, as may be deemed advisable by said department for approaching deep water, but said structures shall not extend within fifty feet of any state or federal channel now established. *Approved September 20, 1971.*

Chap. 787. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO COMPLETE CONSTRUCTION OF THE WESTERN EXPRESSWAY IN THE CITY OF FALL RIVER.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to complete the construction of the western expressway in the city of Fall River on or before September the first, nineteen hundred and seventy-four. *Approved September 20, 1971.*

Chap. 788. AN ACT DIRECTING THE DIRECTOR OF THE DIVISION OF MARINE AND RECREATIONAL VEHICLES TO PROMULGATE RULES AND REGULATIONS RELATIVE TO THE USE OF SASSAQUIM POND IN THE CITY OF NEW BEDFORD.

Be it enacted, etc., as follows:

The director of the division of marine and recreational vehicles shall promulgate rules and regulations relative to the use of Sassaquim Pond in the city of New Bedford restricting the size of motorboats and the horsepower of motors which may be used on said pond, establishing speed limits for such boats, prohibiting the use of internal combustion engines and restricting water skiing and racing. Such rules and regulations shall supersede any ordinance enacted by said city.

Approved September 20, 1971.

Chap. 789. AN ACT FURTHER REGULATING THE PENSIONS OF WIDOWS OF CERTAIN SPECIAL JUSTICES.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the widow of any special justice of a district court who would otherwise be entitled to a pension under the provisions of section sixty-five C of chapter thirty-two of the General Laws shall receive such pension notwithstanding the fact that said special justice died prior to the effective date of said section sixty-five C. *Approved September 20, 1971.*

Chap. 790. AN ACT PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A HOUSING REVIEW BOARD TO REVIEW AND REGULATE CONDITIONS IN LOW AND MODERATE INCOME RENTAL HOUSING ACCOMMODATIONS IN THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

SECTION 1. Declaration of Emergency. The general court finds and declares that a serious public emergency exists in the city of Waltham

with respect to the housing of a substantial number of the low and moderate income residents of said city, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration within the existing housing stock and the national and area economic conditions which have deterred new construction of housing accommodations and placed such new housing above the means of low and moderate income residents. The general court further finds that because of the substantial and increasing shortage of rental housing accommodations abnormally high rents have resulted, and, that unless the residential rents of persons of low and moderate income become subject to review and control on a case basis, such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the residents of Waltham; that such emergency should be met by the commonwealth immediately with due regard for the rights and responsibility of the city of Waltham.

SECTION 2. There is hereby established in the city of Waltham the Waltham Housing Review Board, hereinafter referred to as the board, to review, act upon and to regulate on a case basis conditions affecting rental housing accommodations of low and moderate income residents that are allegedly below existing municipal standards and accommodations in which the rent charge appears to be excessive and inequitable.

SECTION 3. The board shall consist of seven members, residents of the city of Waltham, to be appointed by the mayor subject to confirmation by the city council to serve without compensation for a term of one year. In addition to seven said members there shall be seven unpaid associate members, appointed in like manner, with like powers and terms of office. To provide for a diversification of housing interests, appointment to the board shall be made in the number and from persons representative of the following:

1. Two landlords
2. Two tenants
3. Three citizens of Waltham as may be representative of the public at large, none of whom shall be landlord or tenant.

In serving in such capacity no member shall act upon any case wherein he may have a material interest and in the event of such a member shall absent himself from consideration of the case in favor of an associate member in like capacity.

SECTION 4. The jurisdiction of the board shall be limited to a consideration and review of housing units, rented, or continued to be rented, or occupied on or after January the first, nineteen hundred and seventy-one by families or persons of low or moderate income as so defined by federal and state housing legislation, excepting therefrom the following:

1. Rental units in motels, inns, tourists homes and rooming or boarding houses which are rented primarily to transient guests, for a period of less than fourteen consecutive days.
2. Rental units, the construction of which was completed on or after January the first, nineteen hundred and sixty-five.
3. Rental units which a government unit or agency or authority either: (*a*) owns or operates, or (*b*) finances or subsidizes.
4. Rental units in cooperatives or condominiums.

5. Rental units in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes.

6. Rental units in nursing homes for the aged.

7. Rental units in owner-occupied two or three family houses.

SECTION 5. Such review, action and regulation shall include but not be limited to the following matters:

1. Any alleged violation of the building code or sanitary code of the city of Waltham by either a landlord or a tenant.

2. Any complaint of an unjustified or exorbitant rental increase during a time that a substantial violation of either the building code or the sanitary code exists.

3. Any complaint of an unjustified or exorbitant rental increase effected after January the first, nineteen hundred and seventy-one.

4. Any complaint by a tenant of discrimination practices by a landlord in violation of federal and state legislation.

SECTION 6. The board may, within the limits of its jurisdiction, have the following powers and duties:

1. To receive and record complaints on forms provided.

2. To secure information, make investigations and conduct studies by itself or through existing municipal agencies.

3. To arrange for and conduct hearings.

4. To summons landlords or tenants or other witnesses.

5. To provide for accurate recording of all hearings, as may be conducted.

6. To make advisory recommendations to both landlord and tenant after review of each matter it considers.

7. To adjust rents in such a manner that landlords receive a fair return on their investment by permitting them a fair net operating income in accordance with standards established by the board, with the approval of the mayor and city council.

8. To promulgate rules, regulations and procedures subject to the approval of the mayor and the city council.

SECTION 7. Any person who may be aggrieved by any action or orders of the board may file a complaint against the board in the second district court of eastern Middlesex, which court shall have original jurisdiction to review and either affirm or reverse such action of the board. Any decision of such district court may be appealed in the same manner as is provided in other civil actions in said court.

SECTION 8. It shall be unlawful for any person to demand, accept, receive or retain any rent for the use of a rental unit in excess of the maximum rent prescribed by the board.

Whoever willfully violates any provision of this act or whoever knowingly makes any false statement or gives any false information to the board shall be punished by a fine of not more than five hundred dollars.

SECTION 9. The need for the board shall be reviewed annually by the mayor and council, but in no event shall its existence be continued after January the first, nineteen hundred and seventy-five without the authority of the mayor and city council.

SECTION 10. If any provision of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the application of such provision to other persons or circumstances shall not be affected thereby.

SECTION 11. This act shall be submitted for acceptance to the qualified voters of the city of Waltham at the next regular election in the form of the following question, which shall be placed upon the official ballot to be used in said city at said election: — "Shall an act passed by the general court in the year nineteen hundred and seventy-one, entitled 'An Act providing for the establishment and administration of a housing review board to review and regulate conditions in low and moderate income rental housing accommodations in the city of Waltham', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise. *Approved September 20, 1971.*

Chap. 791. AN ACT PROVIDING FOR THE PAYMENT BY THE COMMONWEALTH OF FIFTY PER CENT OF THE HEALTH INSURANCE PREMIUM REQUIRED TO BE PAID TO THE GROUP INSURANCE COMMISSION BY THE SURVIVING SPOUSE OF AN INSURED EMPLOYEE OR RETIRED EMPLOYEE.

Be it enacted, etc., as follows:

Chapter 32A of the General Laws is hereby amended by striking out section 11, as amended by section 1 of chapter 414 of the acts of 1961, and inserting in place thereof the following section: —

Section 11. Upon the death of an employee or retired employee insured under this chapter, the surviving spouse may continue the group general or blanket insurance covering himself or his dependents providing hospital, surgical, medical and other health insurance until the remarriage or death of said surviving spouse; provided, that application for such insurance coverage shall be filed with the commission and a method for the payment of premiums shall be determined in accordance with its rules and regulations; and provided, further, that said surviving spouse shall pay fifty per cent of the monthly premium for such insurance and the commonwealth shall contribute the remaining fifty per cent of said premium subject, where applicable, to reimbursement as provided under section ten B. Said commission shall determine the amount of said premium which may be the entire average group premium for hospital, surgical, medical and other health insurance applicable to an employee, an employee and his dependents or a premium computed on a basis considered by said commission to be equitable in relation to all insured employees and all former employees who have retired and who have continued such coverage under the provisions of section ten or are insured under the provisions of section ten B.

Approved September 22, 1971.

Chap. 792. AN ACT PROVIDING FOR A FIFTH ASSISTANT REGISTER OF PROBATE IN WORCESTER COUNTY.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by striking out section 25A, as most recently amended by section 2 of chapter 669 of the acts of 1968, and inserting in place thereof the following section: —

Section 25A. The judges of probate for the counties of Essex and Hampden may appoint a third and fourth assistant register for their respective counties and the judges of probate for the counties of Norfolk and Worcester may appoint a third, fourth and fifth assistant register for said counties, who shall hold office for three years, unless sooner removed by the judges. They shall be subject to the laws relative to assistant registers. *Approved September 22, 1971.*

Chap. 793. AN ACT AUTHORIZING THE PAYMENT OF EXPENSES OF MEMBERS OF THE STATE COUNCIL ON JUVENILE BEHAVIOR AND EXEMPTING ITS EXECUTIVE SECRETARY FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Section 159 of chapter 6 of the General Laws, inserted by section 32B of chapter 859 of the acts of 1969, is hereby amended by striking out the next to the last sentence and inserting in place thereof the following two sentences: — The members of the council shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their duties. The council shall appoint an executive secretary who shall have had at least ten years of experience in juvenile delinquency work and who shall be exempt from the provisions of chapter thirty-one. *Approved September 22, 1971.*

Chap. 794. AN ACT RELATIVE TO WAGE CONTINUATION PROGRAMS UNDER THE NO-FAULT INSURANCE LAW, SO-CALLED.

Be it enacted, etc., as follows:

The paragraph defining "Personal injury protection" in section 34A of chapter 90 of the General Laws, added by section 2 of chapter 670 of the acts of 1970, is hereby amended by adding the following sentence: — In all cases where an insured is compensated under such a wage continuation program and also recovers these benefits from another source, he shall be entitled to reimburse the wage continuation program with no loss in standing under such a program. *Approved September 22, 1971.*

Chap. 795. AN ACT TRANSFERRING CERTAIN LAW ENFORCEMENT AUTHORITY FROM THE DIRECTOR OF THE MASSACHUSETTS AGRICULTURAL EXPERIMENT STATION OF THE UNIVERSITY OF MASSACHUSETTS TO THE COMMISSIONER OF AGRICULTURE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 94 of the General Laws is hereby amended by inserting after the definition of "Cheese" the following definition: —

"Commissioner", commissioner of agriculture., — and by striking out the definition of "Director" and inserting in place thereof the following definition: —

"Director", in sections twenty-five to thirty-one, inclusive, director of the Massachusetts agricultural experiment station of the university of Massachusetts.

SECTION 2. Section 227 of said chapter 94, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 3 and 7, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 3. Section 228 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 3, 7 and 12, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 4. Section 229 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 3 and 11, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 5. Section 230 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 1, 12 and 15, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 6. Section 231 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 3 and 4, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 7. Said chapter 94 is hereby further amended by inserting after section 231 the following section: —

Section 231A. Samples for analysis as stipulated in section two hundred and thirty-one shall be collected by the commissioner or his duly authorized deputy and shall be delivered to the Massachusetts agricultural experiment station of the university of Massachusetts for analyses according to methods approved by the Association of Official Agricultural Chemists of North America.

SECTION 8. Section 232 of said chapter 94, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 1, 6 and 13, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 9. Section 233 of said chapter 94, as so appearing, is hereby amended by striking out, in line 16, the word "director" and inserting in place thereof the word: — commissioner.

SECTION 10. Section 234 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 4, 5 and 7, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 11. Section 235 of said chapter 94, as so appearing, is hereby amended by striking out, in line 1, the word "director" and inserting in place thereof the word: — commissioner.

SECTION 12. Section 254 of said chapter 94, as amended by section 8 of chapter 67 of the acts of 1933, is hereby further amended by striking out, in lines 3 and 8, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 13. Section 255 of said chapter 94, as amended by section 9 of said chapter 67, is hereby further amended by striking out, in lines 4, 9 and 15, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 14. Section 256 of said chapter 94, as amended by section 10 of said chapter 67, is hereby further amended by striking out, in lines 3, 9, 21, 35 and 39, respectively, and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 15. Said chapter 94 is hereby further amended by inserting after section 256 the following section: —

Section 256A. Samples for analysis as stipulated in section two hundred and fifty-six shall be collected by the commissioner or his duly authorized deputy and shall be delivered to the Massachusetts agricultural experiment station of the university of Massachusetts for analyses according to methods approved by the Association of Official Agricultural Chemists of North America.

SECTION 16. Section 257 of said chapter 94, as appearing in section 11 of chapter 67 of the acts of 1933, is hereby amended by striking out, in lines 3, 4, 16, 21 and 31, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 17. Section 258 of said chapter 94, as appearing in section 12 of said chapter 67, is hereby amended by striking out, in line 21, the word "director" and inserting in place thereof the word: — commissioner.

SECTION 18. Section 259 of said chapter 94, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 3, the word "director" and inserting in place thereof the word: — commissioner.

SECTION 19. Section 260 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 1 and 10, respectively, the word "director" and inserting in place thereof, in each instance, the word: — commissioner.

SECTION 20. Section 261 of said chapter 94, as so appearing, is hereby amended by striking out, in line 1, the word "director" and inserting in place thereof the word: — commissioner.

Approved September 22, 1971.

Chap. 796. AN ACT FURTHER REGULATING THE INFORMATION REQUIRED ON APPLICATIONS FOR CIVIL SERVICE EXAMINATIONS RELATIVE TO ARRESTS, COURT APPEARANCES, CERTAIN DISPOSITIONS AND CERTAIN OFFENSES.

Be it enacted, etc., as follows:

Section 13 of chapter 31 of the General Laws is hereby amended by striking out the second sentence, added by chapter 214 of the acts of 1952, and inserting in place thereof the following sentence: — In filing such application, no applicant shall be required to furnish any information of arrests for any misdemeanor or felony which did not result in a court appearance, unless court action is pending, nor shall such applicant be required to furnish information on any complaint which was dismissed for want of prosecution or which resulted in a finding or verdict of not guilty, nor shall such applicant be required to furnish any information of arrests for the following misdemeanors: — drunkenness, simple assault, speeding, minor traffic violations, affray or disturbance of the peace; provided, that the date of disposition of said offenses was ten years or more prior to the filing of said application.

Approved September 22, 1971.

Chap. 797. AN ACT REQUIRING PERSONS OWNING, OPERATING OR CONTROLLING AIR CONTAMINATION SOURCES TO REGISTER SUCH SOURCES WITH THE DEPARTMENT OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

Section 142B of chapter 111 of the General Laws, as appearing in section 1 of chapter 676 of the acts of 1960, is hereby amended by inserting after the fifth paragraph the following paragraph: —

The department may, for the purpose of conducting a continuing inventory of air pollution source emissions, require any person owning, operating or having control of any air contamination source to register said source with the department and to supply such information pertaining to said source as the department may specify. Registration shall be on a form supplied by the department and shall be accomplished within a period of time specified by the department after public notice, provided said period of time shall be not less than thirty days.

Approved September 22, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, September 22, 1971

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 797 of the Acts of 1971, entitled "AN ACT REQUIRING PERSONS OWNING, OPERATING OR CONTROLLING AIR CONTAMINATION SOURCES TO REGISTER SUCH SOURCES WITH THE DEPARTMENT OF PUBLIC HEALTH." and the enactment of which received my approval on September 22, 1971, 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 obtain immediately the information made available by this Act and to conform with federal requirements of law.

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

OFFICE OF THE SECRETARY, BOSTON, September 22, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and fifty-one 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 ninety-seven of the acts of nineteen hundred and seventy-one.

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

Chap. 798. AN ACT DIRECTING THE TRANSFER OF CERTAIN LANDS OF THE COMMONWEALTH TO THE CONTROL OF THE DEPARTMENT OF PUBLIC WORKS FOR HIGHWAY PURPOSES AND AUTHORIZING SAID DEPARTMENT TO ACQUIRE CERTAIN PUBLIC LANDS IN THE CITY OF PITTSFIELD FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the board, officers and agencies having control of the lands of the commonwealth hereinafter described are hereby authorized and directed to transfer said lands, or such portions thereof as the department of public works may determine, to the control of said department, and said department is hereby authorized to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled "Commonwealth of Massachusetts Department of Public Works — Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

For the construction of Route 7 in the city of Pittsfield.

In the city of Pittsfield, approximately one acre of land adjacent to the National Guard Armory.

SECTION 2. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so acquired and diverted are shown on plans contained in the map referred to in section one and are identified as follows:

For construction of Route 7 in the city of Pittsfield and the town of Lanesborough.

1. In the city of Pittsfield, approximately seven acres of city owned playground.

2. In the city of Pittsfield, approximately fifteen acres of city owned land, Wachonah park.

3. In the city of Pittsfield, approximately three acres of land owned by the city and used for a park and for parking area.

4. In the city of Pittsfield, approximately eight acres of land adjacent to the new High School.

5. In the city of Pittsfield, approximately one acre owned by the city of Pittsfield used for the Naval Reserve Center.

Approved September 22, 1971.

Chap. 799. AN ACT REDUCING THE AMOUNT OF PAYMENT DUE WITH AN APPLICATION FOR AN EXTENSION OF TIME FOR FILING A CORPORATION EXCISE RETURN.

Be it enacted, etc., as follows:

SECTION 1. Section 68B of chapter 63 of the General Laws is hereby amended by striking out the last paragraph, added by section 1 of chapter 621 of the acts of 1969, and inserting in place thereof the following paragraph: —

If the corporation does not pay at least fifty per cent of the unpaid amount of the tax shown on its 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 such return granted hereunder shall be null and void, and the return filed 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. Section sixty-eight B of chapter sixty-three of the General Laws, as amended by section one of this act, shall apply to applications for extension of time filed on and after the effective date of this act. *Approved September 22, 1971.*

Chap. 800. AN ACT FURTHER REGULATING THE PROCEDURES UNDER WHICH PUBLIC HEALTH INSPECTIONS TO CONTROL AIR POLLUTION MAY BE CONDUCTED.

Be it enacted, etc., as follows:

Section 142B of chapter 111 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 1 of chapter 676 of the acts of 1960, and inserting in place thereof the following paragraph: —

Personnel of the department may in the performance of their duties under this section enter and inspect any premises, providing said personnel receive the consent of the owner or person in control of such premises. A court, judge or justice authorized to issue warrants in criminal cases may, upon sworn testimony by said personnel that consent for such entry and inspection has been requested and refused, and upon further sworn testimony either (1) that a reasonable inspection of industrial or commercial premises is necessary to detect, prevent or warn against conduct or conditions which may threaten the public health, comfort and convenience by contributing to air pollution, or (2) that a reasonable nondiscriminatory public health inspection, of which the inspection of the particular premises is a part, has been authorized by the department and is being undertaken to detect, prevent or warn against conduct or conditions which may threaten the public health, comfort and convenience by contributing to air pollution, if satisfied that such testimony is true, issue a warrant identifying the particular premises and authorizing said personnel seeking the warrant to conduct a reasonable search of such premises during daylight hours if the premises is residential, or during operating hours if the premises is industrial or commercial. For the purposes of securing a warrant under this section, belief or knowledge regarding actual con-

duct or conditions in a particular premises shall not be necessary. Any information relating to secret processes, methods of manufacture or production obtained in the course of such inspection shall be kept confidential upon request. *Approved September 22, 1971.*

Chap. 801. AN ACT INCREASING THE MAXIMUM RECOVERY UNDER THE WRONGFUL DEATH STATUTE.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 2 of chapter 229 of the General Laws, as most recently amended by section 1 of chapter 683 of the acts of 1965, is hereby further amended by striking out, in line 11, the word "fifty" and inserting in place thereof the words: — one hundred.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-two. *Approved September 22, 1971.*

Chap. 802. AN ACT PROVIDING FOR THE DESIGNATION OF THE CHIEF JUDGE OF THE PROBATE COURT AS A MEMBER OF THE COMMITTEE ON PROBATION.

Be it enacted, etc., as follows:

The first paragraph of section 99A of chapter 276 of the General Laws is hereby amended by inserting after the word "court", the first time it appears in line 4 as appearing in section 21 of chapter 731 of the acts of 1956, the words: — , the chief judge of the probate court.

Approved September 22, 1971.

Chap. 803. AN ACT REQUIRING THE OPERATOR OF A SCHOOL BUS TO BE SECURED BY A SAFETY SEAT BELT.

Be it enacted, etc., as follows:

Section 7B of chapter 90 of the General Laws is hereby amended by adding after clause (7) the following clause: —

(8) Every school bus shall be equipped with a safety seat belt for the operator thereof, and said operator shall securely fasten said seat belt while transporting children. *Approved September 22, 1971.*

Chap. 804. AN ACT AUTHORIZING THE BOARD OF REGIONAL COMMUNITY COLLEGES TO GRANT EASEMENTS THROUGH, UNDER AND UPON CERTAIN LAND OF THE COMMONWEALTH TO THE BROCKTON HOUSING AUTHORITY OR THE HOUSING DEVELOPMENT COMPANY OF CLEVELAND, OHIO FOR SEWER EXTENSION, STORM DRAIN EXTENSION AND CATCH BASIN INSTALLATION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The board of regional community colleges, in the name and on behalf of the commonwealth, is hereby authorized to grant to the Brockton Housing Authority or the Housing Development Com-

pany of Cleveland, Ohio, or to both, a right-of-way and easement for a sewer extension, storm drain extension and catch basin headwall installation over, under and upon certain land of the commonwealth under the control of said board in the city of Brockton. Said easements shall consist of one strip of land for sewer line extension purposes twenty-five feet wide and eighty feet long and a second easement twenty-five feet wide and one hundred feet long for a storm drainage line extending from land of the Housing Development Company of Cleveland, Ohio at 755 Crescent Street, in said city, across the Massasoit Community College access road. Upon the installation of said sewer line, storm drain extension lines and catch basin or any repair of the same, the surface of said land shall be restored to its appearance and condition as existing immediately prior to such installation or repair.

SECTION 2. The deed conveying such right-of-way and easement shall provide that the rights described therein shall revert to the grantor unless such property is conveyed to the Brockton Housing Authority on or before December the thirty-first, nineteen hundred and seventy-three. *Approved September 22, 1971.*

Chap. 805. AN ACT REGULATING THE LAW RELATIVE TO CONSUMER CREDIT REPORTING.

Be it enacted, etc., as follows:

SECTION 1. Chapter 93 of the General Laws is hereby amended by adding after section 49 the following nineteen sections: —

Section 50. As used in this section and sections fifty-one through sixty-seven, inclusive, the following words shall have the following meanings:

"Consumer", an individual.

"Consumer report", any written, oral or other communication of any information by a consumer reporting agency bearing on a consumer's credit worthiness, credit standing or credit capacity which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for (1) credit or insurance to be used primarily for personal, family or household purposes, or (2) employment purposes, or (3) other purposes authorized under section fifty-one. The term does not include any report containing information solely as to transactions or experiences between the consumer and the person making the report, any authorization or approval of a specific extension of credit directly or indirectly by the issuer of a credit card or similar device, or any report in which a person who has been requested by a third party to make a specific extension of credit directly or indirectly to a consumer conveys his decision with respect to such request, if the third party advises the consumer of the name and address of the person to whom the request was made and such person makes the disclosures to the consumer required under section sixty-two.

"Consumer reporting agency", means any person which, for monetary fees, dues, or on a cooperative nonprofit basis, regularly engages in whole or in part in the practice of assembling or evaluating consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties.

"Employment purposes", when used in connection with a consumer report means a report used for the purpose of evaluating a consumer for employment, promotion, reassignment or retention as an employee.

"File", when used in connection with information on any consumer, means all of the information on that consumer recorded and retained by a consumer reporting agency regardless of how the information is stored.

"Investigative consumer report", a consumer report or portion thereof in which information on a consumer's character, general reputation, personal characteristics or mode of living is obtained through personal interviews with neighbors, friends or associates of the consumer reported on or with others with whom he is acquainted or who may have knowledge concerning any such items of information. However, such information shall not include specific factual information on a consumer's credit record obtained directly from a creditor of the consumer or from a consumer reporting agency when such information was obtained directly from a creditor of the consumer or from the consumer.

"Medical information", information or records obtained after the consent of the individual to whom it relates, from licensed physicians or medical practitioners, hospitals, clinics, or other medical or medically related facilities.

"Person", means any individual, partnership, corporation, trust, estate, cooperative, association, government or governmental subdivision or agency, or other entity.

Section 51. A consumer reporting agency may furnish a consumer report under the following circumstances and no other:

(1) In response to the order of a court having jurisdiction to issue such an order.

(2) In accordance with the written instructions of the consumer to whom it relates.

(3) To a person which it has reason to believe —

(*a*) intends to use the information in connection with a credit transaction involving the consumer on whom the information is to be furnished and involving the extension of credit to, or review or collection of an account of, the consumer; or

(*b*) intends to use the information for employment purposes; or

(*c*) intends to use the information in connection with the underwriting of insurance involving the consumer; or

(*d*) intends to use the information in connection with a determination of the consumer's eligibility for a license or other benefit granted by a governmental instrumentality required by law to consider an applicant's financial responsibility or status; or

(*e*) intends to use the information in connection with a transaction either entered into or being negotiated with a consumer, if by the terms of the transaction either party transfers an interest in real or personal property, pays money or renders services, or becomes obligated so to transfer property, pay money or render services.

Section 52. (*a*) Except as authorized under subsection (*b*) no consumer reporting agency shall make any consumer report containing any of the following items of information:

(1) Bankruptcies which, from date of adjudication of the most recent bankruptcy, antedate the report by more than fourteen years.

(2) Suits and judgments which, from date of entry, antedate the report by more than seven years or until the governing statute of limitations has expired, whichever is the longer period.

(3) Paid tax liens which, from date of payment, antedate the report by more than seven years.

(4) Accounts placed for collection or charged to profit and loss which antedate the report by more than seven years.

(5) Records of arrest, indictment or conviction of crime which, from date of disposition, release or parole, antedate the report by more than seven years.

(6) Any other adverse item of information which antedates the report by more than seven years.

(*b*) The provisions of subsection (*a*) are not applicable in the case of any consumer credit report to be used in connection with —

(1) a credit transaction involving, or which may reasonably be expected to involve, a principal amount of fifty thousand dollars or more;

(2) the underwriting of life insurance involving, or which may reasonably be expected to involve, a face amount of fifty thousand dollars or more; or

(3) the employment of any individual at an annual salary which equals or which may reasonably be expected to equal twenty thousand dollars or more.

Section 53. (*a*) A person may not procure or cause to be prepared an investigative consumer report on any consumer unless it is clearly and accurately disclosed to the consumer that an investigative consumer report including information as to his character, general reputation, personal characteristics and mode of living, whichever are applicable, may be made, and such disclosure is made in a writing mailed, or otherwise delivered, to the consumer, not later than three days after the date on which the report was first requested, and includes a statement informing the consumer of his right to request the additional disclosures provided for under subsection (*b*) of this section, or the report is to be used for employment purposes for which the consumer has not specifically applied.

(*b*) Any person who procures or causes to be prepared an investigative consumer report on any consumer, shall, upon written request made by the consumer within a reasonable period of time after the receipt by him of the disclosure required by subsection (*a*), make a complete and accurate disclosure of the nature and scope of the investigation requested. This disclosure shall be made in a writing mailed, or otherwise delivered, to the consumer not later than five days after the date on which the request for such disclosure was received from the consumer or such report was first requested, whichever is the later.

(*c*) No person may be held liable for any violation of subsection (*a*) or (*b*) of this section if he proves by a preponderance of the evidence that at the time of the violation he maintained reasonable procedures to assure compliance with subsections (*a*) and (*b*).

Section 54. (*a*) Every consumer reporting agency shall maintain reasonable procedures designed to avoid violations of section fifty-two and to limit the furnishing of consumer reports to the purposes listed under section fifty-one. These procedures shall require that prospective users of the information identify themselves, certify the purposes for which the information is sought and certify that the information will

be used for no other purpose. Every consumer reporting agency shall make a reasonable effort to verify the identity of a new prospective user and the uses certified by such prospective user prior to furnishing such user a consumer report. No consumer reporting agency may furnish a consumer report to any person if it has reasonable grounds for believing that the consumer report will not be used for a purpose listed in section fifty-one.

(*b*) Whenever a consumer reporting agency prepares or disseminates a consumer report it shall follow reasonable procedures to assure maximum possible accuracy of the information concerning the individual about whom the report relates.

Section 55. Notwithstanding the provisions of section fifty-one, a consumer reporting agency may furnish identifying information respecting any consumer, limited to his name, address, former addresses, places of employment or former places of employment, to a governmental agency.

Section 56. Every consumer reporting agency shall, upon request and proper identification of any consumer, clearly and accurately disclose to the consumer:

(1) The nature, contents and substance of all information, except medical information, in its files on the consumer at the time of the request.

(2) The sources of the information, except that the sources of information acquired solely for use in preparing an investigative consumer report and actually used for no other purpose need not be disclosed; provided, that in the event an action is brought pursuant to section sixty-five, such sources shall be available to the plaintiff under appropriate discovery procedures in the court in which the action is brought.

(3) The recipients of any consumer report on the consumer which it has furnished for employment purposes within the two year period preceding the request, and for any other purpose within the six-month period preceding the request.

Section 57. (*a*) A consumer reporting agency shall make the disclosures required under section fifty-six during normal business hours and on reasonable notice.

(*b*) The disclosures required under said section fifty-six shall be made to the consumer —

(1) in person if he appears in person and furnishes proper identification; or

(2) by telephone if he has made a written request, with proper identification, for telephone disclosure and the toll charge, if any, for the telephone call is prepaid by or charged directly to the consumer.

(*c*) Any consumer reporting agency shall provide trained personnel to explain to the consumer any information furnished to him pursuant to section fifty-six.

(*d*) The consumer shall be permitted to be accompanied by one other person of his choosing, who shall furnish reasonable identification. A consumer reporting agency may require the consumer to furnish a written statement granting permission to the consumer reporting agency to discuss the consumer's file in such person's presence.

(*e*) Except as provided in sections sixty-three and sixty-four, no consumer may bring any action or proceeding in the nature of defamation,

invasion of privacy, or negligence with respect to the reporting of information against any consumer reporting agency, any user of information, or any person who furnishes information to a consumer reporting agency, based on information disclosed pursuant to section fifty-six, fifty-seven or sixty-two except as to false information furnished with malice or willful intent to injure such consumer.

Section 58. (*a*) If the completeness or accuracy of any item of information contained in his file is disputed by a consumer, and such dispute is directly conveyed to the consumer reporting agency by the consumer, the consumer reporting agency shall within a reasonable period of time reinvestigate and record the current status of that information unless it has reasonable grounds to believe that the dispute by the consumer is frivolous or irrelevant. If after such reinvestigation such information is found to be inaccurate or can no longer be verified, the consumer reporting agency shall promptly delete such information. The presence of contradictory information in the consumer's file shall not in and of itself constitute reasonable grounds for believing the dispute is frivolous or irrelevant.

(*b*) If the reinvestigation does not resolve the dispute, the consumer may file a brief statement setting forth the nature of the dispute.

(*c*) Whenever a statement of a dispute is filed, unless there is reasonable grounds to believe that it is frivolous or irrelevant, the consumer reporting agency shall, in any subsequent consumer report containing the information in question, clearly note that it is disputed by the consumer and provide either the consumer's statement or a clear and accurate summary thereof.

(*d*) Following any deletion of information which is found to be inaccurate or whose accuracy can no longer be verified or any notation as to disputed information, the consumer reporting agency shall, at the request of the consumer, furnish notification to any person specifically designated by the consumer who has within two years prior thereto received a consumer report for employment purposes, or within six months prior thereto received a consumer report for any other purpose, which contained the deleted item or disputed information that the item has been deleted or forward to him a copy of the statement or summary provided for in subsection (*b*) or (*c*). The consumer reporting agency shall clearly and conspicuously disclose to the consumer his rights to make such a request. Such disclosure shall be made at or prior to the time the information is deleted or the consumer's statement regarding the disputed information is received.

Section 59. A consumer reporting agency shall make all disclosures pursuant to section fifty-six and furnish all consumer reports pursuant to subsection (*d*) of section fifty-eight without charge to the consumer if, within thirty days after receipt by such consumer of a notification pursuant to section sixty-two or notification from a debt collection agency affiliated by contract or corporate relationship with such consumer reporting agency stating that the consumer's credit rating may be or has been adversely affected, the consumer makes a request under section fifty-six or subsection (*d*) of section fifty-eight, otherwise the consumer reporting agency may impose a reasonable charge on the consumer for making disclosure to such consumer pursuant to section fifty-six the charge for which shall be indicated to the consumer prior

to making disclosure; and for furnishing notifications, statements or summaries to a person designated by the consumer pursuant to subsection (*d*) of section fifty-eight the charge for which shall be indicated to the consumer prior to furnishing such information and shall not exceed the charge that the consumer reporting agency would impose on each designated recipient for a consumer report except that no charge may be made for notifying such persons of the deletion of information which is found to be inaccurate or which can no longer be verified.

Section 60. A consumer reporting agency which furnishes a consumer report for employment purposes and which for that purpose compiles and reports items of information on consumers which are matters of public record and are likely to have an adverse affect upon a consumer's ability to obtain employment shall, at the time such public record information is reported to the user of such consumer report, notify the consumer of the fact that public record information is being reported by the consumer reporting agency, together with the name and address of the person to whom such information is being reported; or maintain strict procedures designed to insure that whenever public record information which is likely to have an adverse affect on a consumer's ability to obtain employment is reported it is complete and up to date. For purposes of this section, items of public record relating to arrests, indictments, convictions, suits, tax liens and outstanding judgments shall be considered up to date if the current public record status of the item at the time of the report is reported. Nothing contained in this section shall permit the use of public record information otherwise prohibited by section fifty-two.

Section 61. Whenever a consumer reporting agency prepares an investigative consumer report, no adverse information in the consumer report, other than information which is a matter of public record, may be included in a subsequent consumer report unless such adverse information has been verified in the process of making such subsequent consumer report, or the adverse information was received within the three-month period preceding the date the subsequent report is furnished.

Section 62. (*a*) Whenever credit or insurance for personal, family, or household purposes or employment involving a consumer is denied or terminated or the charge for such credit or insurance is increased either wholly or partly because of information contained in a consumer report from a consumer reporting agency, the user of the consumer report shall so advise the consumer against whom such adverse action has been taken and supply the name and address of the consumer reporting agency making the report.

(*b*) Whenever credit for personal, family or household purposes involving a consumer is denied or the charge for such credit is increased either wholly or partly because of information obtained from a person other than a consumer reporting agency bearing upon the consumer's credit worthiness, credit standing, credit capacity, character, general reputation, personal characteristics or mode of living, the user of such information shall, within a reasonable period of time, upon the consumer's written request for the reasons for such adverse action received within sixty days after learning of such adverse action, disclose the nature of the information to the consumer. The user of such informa-

tion shall clearly and accurately disclose to the consumer his right to make such written request at the time such adverse action is communicated to the consumer.

(*c*) No person shall be held liable for any violation of this section if he proves by a preponderance of the evidence that at the time of the alleged violation he maintained reasonable procedures to assure compliance with the provisions of subsections (*a*) and (*b*).

Section 63. Any consumer reporting agency or user of information which willfully fails to comply with any requirement imposed under sections fifty to sixty-two, inclusive, with respect to any consumer shall be liable to that consumer in an amount equal to the sum of —

(1) any actual damages sustained by the consumer as a result of the failure;

(2) such amount of punitive damages as the court may allow; and

(3) in the case of any successful action to enforce any liability under this section, the costs of the action together with reasonable attorney's fees as determined by the court.

Section 64. Any consumer reporting agency or user of information which is negligent in failing to comply with any requirement imposed under sections fifty to sixty-two, inclusive, with respect to any consumer shall be liable to that consumer in an amount equal to the sum of any actual damages sustained by the consumer as a result of the failure and together with, in the case of any successful action to enforce any liability under this section, the costs of the action and reasonable attorney's fees as determined by the court. The remedies provided hereunder shall not be exclusive.

Section 65. An action to enforce any liability created under sections fifty through sixty-four, inclusive, may be brought in any court of competent jurisdiction, within two years from the date on which the liability arises, except that where a defendant has materially and willfully misrepresented any information required to be disclosed to an individual and the information so misrepresented is material to the establishment of the defendant's liability to that individual the action may be brought at any time within two years after discovery by the individual of the misrepresentation.

Section 66. Any person who knowingly and willfully obtains information relative to a consumer from a consumer reporting agency under false pretenses shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than one year, or both.

Section 67. Any officer or employee of a consumer reporting agency who knowingly and willfully provides information concerning an individual from the agency's files to a person not authorized to receive that information shall be punished by a fine of not more than five thousand dollars or by imprisonment for not more than one year, or both.

Section 68. Failure to comply with the provisions of sections fifty through sixty-seven shall constitute an unfair trade practice under the provisions of clause (*a*) of section two of chapter ninety-three A.

SECTION 2. Sections forty-four to forty-seven, inclusive, of said chapter ninety-three are hereby repealed.

SECTION 3. The requirements of section fifty-six of chapter ninety-three of the General Laws, inserted by section one of this act, shall not

apply to information received on consumer reports furnished prior to the effective date of this act except to the extent that the matter involved is contained in the files of the consumer reporting agency on that date.

Approved September 22, 1971.

Chap. 806. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO ISSUE CEASE ORDERS TO VIOLATORS OF POLLUTION REGULATIONS.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 2B the following section: —

Section 2C. The commissioner, or his designee, may, with the approval of the public health council, issue orders in the name of the department upon witnessing or being presented proof of the violation of any statute, rule, regulation or code which the department is authorized to enforce relative to pollution. Such orders shall have the same force and effect as any rule or regulation promulgated by said council, and any such order may be revoked by vote of said council.

Approved September 22, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, September 22, 1971

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 1971, entitled "AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO ISSUE CEASE ORDERS TO VIOLATORS OF POLLUTION REGULATIONS." and the enactment of which received my approval on September 22, 1971, 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 authorize immediately the Commissioner of Public Health to issue orders as provided in this Act and to comply with federal requirements.

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

OFFICE OF THE SECRETARY, BOSTON, September 22, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and fifty-two 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 six of the acts of nineteen hundred and seventy-one.

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

Chap. 807. AN ACT PROVIDING FOR THE PAYMENT OF THE DEATH BENEFIT TO MEMBERS OF THE LEOMINSTER FIREFIGHTERS RELIEF ASSOCIATION UPON RETIREMENT FROM THE FIRE DEPARTMENT OF THE CITY OF LEOMINSTER.

Be it enacted, etc., as follows:

SECTION 1. Any member of the Leominster Firefighters Relief Association, a corporation duly organized under the laws of the commonwealth, who ceases to be a member of the fire department of the city of Leominster shall thereupon cease to be a member of said Association, and shall no longer be entitled to any benefits therefrom; provided, however, that any member of said Association who ceases to be a member of said department by reason of being retired shall, within thirty days of such retirement, be paid from the funds of said Association a sum of money equal to the death benefit provided by its by-laws.

SECTION 2. Chapter fifty-two of the acts of nineteen hundred and fifty-nine is hereby repealed. *Approved September 22, 1971.*

Chap. 808. AN ACT AUTHORIZING THE MASSACHUSETTS AERONAUTICS COMMISSION TO EXPEND CERTAIN SUMS ANNUALLY TO ASSIST CIVIL AIR PATROL ACTIVITIES.

Be it enacted, etc., as follows:

Section 57 of chapter 6 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 1 of chapter 583 of the acts of 1946, and inserting in place thereof the following paragraph: —

The commission may, subject to appropriation, incur such expenses as may be necessary to administer and enforce the provisions of sections thirty-five to fifty-two, inclusive, of chapter ninety and other laws of the commonwealth relating to aeronautics, including 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 at a cost not to exceed twenty thousand dollars annually.

Approved September 22, 1971.

Chap. 809. AN ACT AUTHORIZING THE CITY OF MEDFORD TO GRANT RETROACTIVE PAY RAISES TO CERTAIN MEMBERS OF THE SCHOOL DEPARTMENT.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the city of Medford may grant a pay raise to custodians, maintenance workers, nurses, clerks and all other employees of the school department of said city who have concluded collective bargaining agreements with said city, which raise may be retroactive to January the first of the current year and may appropriate money for the payment thereof.

Approved September 22, 1971.

Chap. 810. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO INSTALL FLASHING SIGNS IN CERTAIN SCHOOL ZONES.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to install flashing signs at each crosswalk located in the immediate vicinity of any public or private school which the chief of police of the municipality in which the school is located determines to be necessary for safety purposes. Such signs shall bear the words "School Zone", numerals designating the maximum speed limit and shall be equipped with flashing lights regulated to flash during the period one half hour before and one half hour after school hours. The cost of such signs and the expense of their installation shall be borne by the commonwealth and for such purpose said department shall make payment out of the funds provided by section six of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven.

Approved September 27, 1971.

Chap. 811. AN ACT PROVIDING FOR COVERAGE UNDER THE WORKMEN'S COMPENSATION ACT OF NURSES EMPLOYED BY RELIGIOUS, CHARITABLE AND EDUCATIONAL INSTITUTIONS.

Be it enacted, etc., as follows:

The third paragraph of paragraph (4) of section 1 of chapter 152 of the General Laws, as most recently amended by chapter 306 of the acts of 1960, is hereby further amended by striking out clause (*a*) and inserting in place thereof the following clause: —

(*a*) Persons other than laborers, workmen, mechanics and nurses employed by religious, charitable or educational institutions.

Approved September 27, 1971.

Chap. 812. AN ACT PROVIDING FOR THE PARTIAL REIMBURSEMENT TO CITIES AND TOWNS OF THE COST OF MAKING THE DECENNIAL CENSUS OF INHABITANTS RESIDING THEREIN.

Be it enacted, etc., as follows:

Chapter 9 of the General Laws is hereby amended by inserting after section 7 the following section: —

Section 7A. No later than November the twentieth of the year in which the decennial census is taken in accordance with the provisions of section seven, the state treasurer shall reimburse each city and town towards the cost of such census a sum equal to the total number of inhabitants reported by the census, as submitted on the sworn statement by the respective city or town as provided in said section seven, multiplied by twenty-five cents.

Approved September 27, 1971.

Chap. 813. AN ACT PROVIDING FOR THE ESTABLISHMENT AND OPERATION OF A STATE LOTTERY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which in part is to provide at once additional revenue for the commonwealth by the establishment of a state lottery, 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 29 of the General Laws is hereby amended by inserting after section 2C the following section: —

Section 2D. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the Local Aid Fund. Revenue credited to said fund shall be used solely for state assistance to cities and towns in accordance with the provisions of clause (*c*) of section thirty-five C of chapter ten.

SECTION 2. Chapter 10 of the General Laws is hereby amended by inserting after section 21, under the caption STATE LOTTERY, the following fifteen sections: —

Section 22. This section and the following fourteen sections shall be known and may be cited as the "state lottery law".

Section 23. There shall be, in the office of the state treasurer, a state lottery commission, hereinafter called the commission, consisting of the state treasurer, the secretary of public safety or his designee, the state comptroller or his designee and two persons to be appointed by the governor for terms coterminous with that of the governor. No more than four members of the commission shall be of the same political party.

The state treasurer shall be the chairman of the commission. Upon the expiration of the term of office of an appointive member, his successor shall be appointed in like manner and shall serve until the qualification of his successor. Any vacancy in the case of appointive members of the commission, occurring for any reason other than the expiration of a term, shall be filled for the unexpired term in the same manner as the original appointment. The members of the commission shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their official duties. The commission shall be provided with quarters in the state house or elsewhere and may travel within and without the commonwealth.

Section 24. The commission is hereby authorized to conduct a state lottery and shall determine the type of lottery to be conducted, the price, or prices, of tickets or shares in the lottery, the numbers and sizes of the prizes on the winning tickets or shares, the manner of selecting the winning tickets or shares, the manner of payment of prizes to the holders of winning tickets or shares, the frequency of the drawings or selections of winning tickets or shares and the type or types of locations at which tickets or shares may be sold, the method to be used in selling tickets or shares, the licensing of agents to sell tickets or shares, provided that no person under the age of twenty-one shall be licensed as an agent, the manner and amount of compensation, if any, to be paid licensed sales agents and such other matters necessary or desirable for the efficient and economical operation and administration of the lottery and for the convenience of the purchasers of tickets or shares and the holders of winning tickets or shares. Each state lottery ticket or share and each coupon or receipt thereof shall have imprinted thereon the state seal and a serial number. The commission may establish, and from time to time revise, such rules and regulations as it deems necessary or desirable and shall file the same with the office of the state secretary.

The commission shall advise and make recommendations to the director regarding the operation and administration of the lottery. The commission shall report monthly to the governor, the attorney general and the general court the total lottery revenues, prize disbursements and other expenses for the preceding month, and shall make an annual report to the same which shall include a full and complete statement of lottery revenues, prize disbursements and other expenses, including such recommendations as it may deem necessary or advisable. The commission shall report immediately to the governor and the general court any matters which require immediate changes in the laws of the commonwealth in order to prevent abuses and evasions of the lottery law or rules and regulations promulgated thereunder or to rectify undesirable conditions in connection with the administration or operation of the state lottery.

The commission is authorized to carry on a continuous study and investigation of said lottery throughout the commonwealth in order (1) to ascertain any defects in the state lottery law or in the rules and regulations issued thereunder whereby any abuse in the administration and operation of the lottery or any evasion of said law or said rules and regulations may arise or be practiced, (2) to formulate recommendations for changes in said law and the rules and regulations promulgated thereunder to prevent such abuses and evasions and (3) to guard against the use of said law and rules and regulations issued thereunder as a cloak for the carrying on of organized gambling and crime.

The commission shall make a continuous study and investigation of the operation and administration of similar laws in other states or countries, of any literature on the subject which from time to time may be published or available, of any federal laws which may affect the operation of the lottery and of the reaction of citizens of the commonwealth to existing and potential features of the lottery with a view to recommending or effecting changes that will tend to better serve and implement the purposes of the state lottery law.

The concurrence of the chairman and of not less than two other members of the commission shall be required for all official actions of the commission. A copy of the minutes of each meeting of the commission, including any rules and regulations adopted by the commission or any amendments thereof, shall be forthwith transmitted, by and under the certification of the secretary thereof, to the governor.

The commission shall have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before it in any matter over which it has jurisdiction, control or supervision. The commission shall have the power to administer oaths and affirmations to persons whose testimony is required.

Section 25. The apportionment of the total revenues accruing from the sale of lottery tickets or shares and from all other sources shall be as follows: — (*a*) the payment of prizes to the holders of winning tickets or shares which in any case shall be no less than forty-five per cent of the total revenues accruing from the sale of lottery tickets; (*b*) the payment of costs incurred in the operation and administration of the lottery, including the expenses of the commission and the costs resulting from any contract or contracts entered into for promotional, advertising or operational services or for the purchase or lease of lottery equip-

ment and materials which in no case shall exceed fifteen per cent of the total revenues accruing from the sale of lottery tickets, subject to appropriation; and (c) the balance to be used for the purposes set forth in clause (c) of section thirty-five.

Section 26. The state treasurer shall, subject to the approval of the governor, appoint a director of the state lottery, hereinafter called the director, who shall serve at the pleasure of the state treasurer, shall devote his entire time and attention to the duties of his office and shall receive such salary as the commission may determine. He shall supervise and administer the operation of the lottery in accordance with the provisions of the state lottery law and rules and regulations made thereunder. He shall, subject to the approval of the commission, appoint such deputy directors and such other professional, technical and clerical assistants and employees as may be necessary; provided, however, that such deputies, assistants and employees shall not be subject to chapter thirty-one or section nine A of chapter thirty. He shall act as secretary and executive officer of the commission and shall license as agents to sell lottery tickets such persons as in his opinion will best serve the public convenience and promote the sale of tickets or shares, provided, however, that no person shall be assigned more than one license to sell lottery tickets or shares. He shall require a bond from every such licensed agent, in such amount as may be provided in the rules and regulations of the commission. Every licensed agent shall prominently display his license or a copy thereof. The director shall confer regularly as necessary or desirable and not less than once every month with the commission on the operation and administration of the lottery, shall make available for inspection by the commission, upon request, all books, records, files and other information and documents of the commission, shall advise the commission and recommend such matters as he deems necessary and advisable to improve the operation and administration of the lottery. He shall suspend or revoke any license for violation of the state lottery law or of the rules and regulations made thereunder. He shall, subject to the approval of the commission and the applicable laws relating to public contracts, enter into contracts for the operation of the lottery, or any part thereof, and into contracts for the promotion of the lottery. No contract awarded or entered into by the director shall be assigned by the holder thereof except with the specific approval of the commission. He shall certify monthly to the state treasurer and the commission a full and complete statement of lottery revenues, prize disbursements and other expenses for the preceding month.

Section 27. No person shall be licensed as an agent to sell lottery tickets or shares if such person engages in business exclusively as a lottery sales agent. Before issuing such license the director shall consider the financial responsibility and security of each applicant for licenses, his business or activity, the accessibility of his place of business or activity to the public, the sufficiency of existing licenses to serve the public convenience and the volume of expected sales. A person licensed as a state lottery sales agent shall not be subject to prosecution for setting up and promoting a lottery or any other crime incidental thereto or for selling or having in his possession lottery tickets or shares in said lottery. Any three persons objecting to the issuance of such a license or any person applying for and being denied such a license may

request and be granted a public hearing by the commission under the provisions of chapter thirty A. No such license shall be issued to which the local municipal licensing board has objected in writing except after a hearing under said chapter thirty A and unless four members of the commission approve the issue of such license, notwithstanding the objection of the local licensing board. No employer shall set up a payroll deduction plan for the purchase of lottery tickets by his employees.

No federal employee and no state, county or municipal employee, or member of the immediate family, as defined in section one of chapter two hundred and sixty-eight A, shall sell or be issued a license to sell lottery tickets. No person shall use a position in public service or a position of private employment in any manner so as to encourage the sale of tickets.

Section 28. No right of any person to a prize drawn shall be assignable, except that payment of any prize drawn may be paid to the estate of a deceased prize winner and except that any person pursuant to an appropriate judicial order may be paid the prize to which the winner is entitled. Neither the commission nor the director shall be liable for the payment of a prize pursuant to this section.

Section 29. No person shall sell a ticket or share at a price greater than that fixed by the commission. No person other than a licensed lottery sales agent shall sell lottery tickets or shares, except that nothing in this section shall be construed to prevent any person from giving lottery tickets or shares to another as a gift.

No ticket or share shall be sold to any person under age eighteen, provided that a person eighteen years of age or older may purchase a ticket or share for the purpose of making a gift to a person under age eighteen.

Whoever violates any provision of this section shall be punished by a fine of not less than one hundred nor more than five hundred dollars.

Section 30. Whoever, with intent to defraud, falsely makes, alters, forges, utters, passes or counterfeits a state lottery ticket or share shall be punished by imprisonment in the state prison for not more than three years or in a jail for not more than two years, or by a fine of not less than one hundred nor more than five hundred dollars.

Section 31. No ticket or share shall be purchased by and no prize shall be paid to any of the following persons: any member or employee of the commission or to any spouse, child, brother, sister or parent residing as a member of the same household in the principal place of abode of any member or employee of the commission.

Section 32. Unclaimed prize money for the prize on a winning ticket or share shall be retained by the director for the person entitled thereto for one year after the drawing in which the prize was won. If no claim is made for said money within such year, the prize money shall be allocated in the same manner as lottery revenues are allocated.

Section 33. The director may make such arrangements for any person, including a bank, to perform such functions, activities or services in connection with the operation of the lottery as he may deem advisable pursuant to the rules and regulations of the commission, for the deposit and handling of lottery funds, and may permit agents to deduct from the proceeds of sales of lottery tickets the agreed amount of compensation for services rendered. Arrangements, and any negotiations precedent to their being contracted or made under this section, shall be open

records, and should be made after such competitive negotiations as the commission finds are practical.

Section 34. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is less than five thousand dollars, the director may direct payment of the prize by delivery to an adult member of the minor's family or a guardian of the minor of a check or draft payable to the order of such minor. If the person entitled to a prize or any winning ticket is under the age of eighteen years, and such prize is five thousand dollars or more, the director may direct payment to such minor by depositing the amount of the prize in any bank to the credit of an adult member of the minor's family or a guardian of the minor as custodian for such minor. The director shall be discharged of all further liability upon payment of a prize to a minor pursuant to this section.

Section 35. There shall be established and set up on the books of the commonwealth a separate fund, to be known as the State Lottery Fund. Said fund shall consist of all revenues received from the sale of lottery tickets or shares and all other monies credited or transferred thereto from any other fund or source pursuant to law.

The state lottery fund shall be expended only for the following purposes: (a) for the payment of prizes to the holders of winning lottery tickets or shares; (b) for the expenses of the commission in administering and operating the lottery, as certified by the commissioner of administration, and the state treasurer shall transfer said amount to the General Fund; and (c) the balance of said fund, as determined by the comptroller, on June the thirtieth and December the thirtieth of each calendar year, shall be credited to the Local Aid Fund established under the provisions of section two D of chapter twenty-nine, and shall be distributed to the several cities and towns in accordance with the provisions of section eighteen C of chapter fifty-eight.

Section 36. The state auditor shall conduct an annual post-audit of all accounts and transactions of the commission and such other special post-audits as he may deem necessary.

SECTION 3. Chapter 58 of the General Laws is hereby amended by inserting after section 18B the following section: —

Section 18C. The state treasurer, upon certification of the commission and without further appropriation, shall annually distribute to the several cities and towns the amounts credited to the Local Aid Fund, established by section two D of chapter twenty-nine, as follows:

(*a*) The amount to be distributed to each city and town in any calendar year shall be the amount of the "equalizing municipal grant" for such city or town multiplied by the number of persons who reside in such city or town. The "equalizing municipal grant" for such city or town shall be the amount, to the nearest cent, determined by multiplying the amount of ten dollars by an "equalizing municipal percentage". The "equalizing municipal percentage" shall be the proportion, to the nearest tenth of one per cent, which the equalized valuation per person in the commonwealth bears to the equalized valuation per person in the city or town.

For the purposes of this section, the following words shall have the following meanings: —

(*1*) "Equalized valuation per person in the commonwealth", the equalized valuation of all property in the commonwealth subject to

local taxation, as most recently reported by the commission to the general court under the provisions of section ten C, divided by the number of persons who reside in the commonwealth.

(2) "Equalized valuation per person in such city or town", the equalized valuation of all property in such city or town subject to local taxation, as most recently reported by the commission to the general court under said section ten C, divided by the number of persons who reside in such city or town.

(3) "Persons who reside in the commonwealth", the total population of the commonwealth as enumerated in the most recent official state census conducted by the state secretary or in the most recent official federal census, adjusted by the commission to conform as nearly as possible to the same definitions as used in such state census.

(4) "Persons who reside in such city or town", the population of the city or town as enumerated in the most recent official state census conducted by the state secretary or in the most recent official federal census, adjusted by the commission to conform as nearly as possible to the same definitions as used in such state census.

(b) If upon any date of distribution the amount available for distribution under this section is insufficient to make the full distributions required by this section, the distributions thereunder shall be the amount otherwise due each city or town under this section multiplied by a fraction, the numerator of which shall be the amount available for distribution under this section and the denominator of which shall be the total amount otherwise due to the several cities and towns under this section. If upon any date of distribution the amount available for distribution under this section exceeds the amount necessary to make the full distributions required by this section, the distributions thereunder shall be the amount otherwise due each city or town under this section increased by an amount which shall be the total amount available for distribution less the total amount required for distribution multiplied by a fraction, the numerator of which shall be the amount otherwise due to each city or town under this section and the denominator of which shall be the amount otherwise due to the several cities and towns under this section.

SECTION 4. Section 25A of said chapter 58, as appearing in section 66 of chapter 849 of the acts of 1969, is hereby amended by inserting, in line three, after the words "eighteen A" the words: — eighteen B.

(This Bill, returned by the governor, to the House of Representatives, the branch in which it originated, with his objections thereto, was passed by the House of Representatives, September 22, 1971, and, in concurrence, by the Senate, September 27, 1971, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 814. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO BORROW MONEY FOR ARCHITECTURAL SERVICES FOR PLANS AND SPECIFICATIONS FOR THE PROPOSED BRIGHTWOOD COMMUNITY SCHOOL IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield, for the purpose of paying the cost of architectural services for plans and specifications for the

proposed Brightwood Community School in said city, is hereby authorized to borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, three hundred seventy-five thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, City of Springfield, School Planning Loan, Act of 1971. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than five years from their dates. Indebtedness incurred under this act shall be in excess of any statutory limit, but shall, except as provided herein, be subject to chapter forty-four of the General Laws, exclusive of any limitation or requirement contained in section seven thereof.

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

Approved September 28, 1971.

Chap. 815. AN ACT AUTHORIZING THE CITY OF TAUNTON TO GRANT RETROACTIVE PAY RAISES TO CERTAIN MUNICIPAL EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the city of Taunton may grant a pay raise to all municipal employees, excluding employees of the school department, which raise may be retroactive to the first of January, nineteen hundred and seventy-one and may appropriate money for the payment thereof.

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

Approved September 28, 1971.

Chap. 816. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWNS OF CHESTERFIELD AND LUNENBURG FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said land to be so transferred and diverted is shown on a map entitled "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing and is identified as follows:

Approximately five and four tenths acres in an eighty foot width of taking beginning at and near the northerly boundary of the Reservation land under control by the Trustees of Reservations in the Town of Chesterfield, then going southerly for a distance of approximately two

thousand feet and curving easterly and ending at the easterly boundary of this reservation. Northeastern boundary of land at Main Road five hundred feet east of intersection of Main Road and Smith Road.

SECTION 2. Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public land hereinafter described, or such portions thereof as said department may determine, and to divert said land from their present public uses to highway use, as hereinafter provided.

Said land to be transferred and diverted is shown on a map entitled "Commonwealth of Massachusetts Department of Public Works— Public Lands Needed for Highway Purposes, July 1, 1971", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and is identified as follows:

In the town of Lunenburg, to be used for the relocation and reconstruction of Route 2A:—

Approximately one acre of the Henry E. Cowdrey Nature Center as shown on said map, now owned by said town and dedicated to conservation purposes. *Approved September 28, 1971.*

Chap. 817. AN ACT REQUIRING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT AND MAINTAIN ROADS ON CERTAIN GROUNDS OR PROPERTY UNDER THE CONTROL OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Section 1 of chapter 19 of the General Laws is hereby amended by striking out the sixth paragraph, added by section 1 of chapter 888 of the acts of 1970, and inserting in place thereof the following paragraph:—

The department of public works shall construct and maintain roads on the grounds or property of a state mental health or retardation facility; and expenses so incurred shall be paid from appropriations for the maintenance of such facility. *Approved September 28, 1971.*

Chap. 818. AN ACT PROVIDING FOR TAKING AUTHORITIES TO PAY SUMS LESS THAN FIVE HUNDRED DOLLARS TO ANY PERSON IN WHOM THE RIGHT TO DAMAGES FOR LAND TAKING HAS VESTED IN ORDER THEREBY TO PREVENT A HARDSHIP ON SAID PERSON.

Be it enacted, etc., as follows:

Chapter 79 of the General Laws is hereby amended by inserting after section 7G the following section:—

Section 7H. If the board of officers who have made a taking under this chapter are unable to make or approve prompt payment of all

damages awarded in the order of taking as provided for under section seven B because of legal deficiencies in the title of the property subject to said order of taking, and if the total amount of the award for damages awarded under said order of taking is less than five hundred dollars, then said board of officers or any other person authorized to make or approve such payment are hereby authorized wherever feasible to make or approve such payment in order to prevent a hardship on the person or persons in whom the right to damage has vested. *Approved September 28, 1971.*

Chap. 819. AN ACT CONSOLIDATING, REARRANGING AND REVISING THE LAWS RELATING TO DOMESTIC CORPORATIONS FOR CHARITABLE AND CERTAIN OTHER PURPOSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to effect certain changes in the laws relating to domestic corporations for charitable and certain other purposes on October the first, nineteen hundred and seventy-one, which date has been widely publicized among members of the bench and bar as the scheduled effective date for such changes, 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 155 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 27 of chapter 392 of the acts of 1969, and inserting in place thereof the following section:—

Section 1. The provisions of this chapter, unless expressly limited in their application, shall apply to all corporations created by or organized under the laws of the commonwealth, except incorporated domestic insurance companies and except corporations subject to chapter one hundred and fifty-six A or corporations subject to chapter one hundred and fifty-six B or chapter one hundred and eighty except that section two B of this chapter shall apply to all corporations subject to either of said chapters and except insofar as such provisions are inconsistent with other provisions of law relative to particular corporations or classes of corporations, and such provisions shall apply to all corporations created by or organized under laws other than those of the commonwealth sofar as they are made applicable to them by reference in this or any other chapter. In this chapter, unless the context otherwise requires, "secretary" or "state secretary" means the secretary of the commonwealth.

SECTION 2. Section two A of said chapter one hundred and fifty-five is hereby repealed.

SECTION 3. Chapter 180 of the General Laws is hereby amended by striking out sections 1, 2, 2A, 2B, 3, 4, 5 and 6, inclusive, and inserting in place thereof the following eight sections:—

Section 1. This chapter shall apply to all corporations whenever established, except sofar as such application may be inconsistent with provisions still in force of any special acts of incorporation, enacted

before March the eleventh, eighteen hundred and thirty-one, and not subject to amendment, alteration or repeal by the general court, or with provisions of any special acts of incorporation enacted after October the first, nineteen hundred and seventy-one.

All corporations existing on October the first, nineteen hundred and seventy-one and their directors, officers, members and stockholders shall be entitled to all the rights, privileges and immunities and be subject to all the liabilities set forth in this chapter to the same extent as corporations formed under this chapter and their directors, officers and members; provided that this chapter shall not take away or impair any remedy which may exist by law against a corporation existing on said date, its directors, officers, members or stockholders, for a liability incurred prior thereto.

All corporations shall be subject to such laws as may be enacted after October the first, nineteen hundred and seventy-one affecting or altering their corporate rights or duties or dissolving them.

Section 2. In this chapter the following words shall, unless a contrary intention appears, have the following meanings:—

(*a*) "articles of organization", the articles of organization of a corporation, including any special acts, as from time to time restated or amended, including articles of merger or consolidation;

(*b*) "by-laws", the code or codes of rules adopted for the regulation or management of the affairs of the corporation irrespective of the name or names by which such rules are designated;

(*c*) "corporation", a domestic corporation (*i*) heretofore established either by general or special law for any one or more of the purposes mentioned in section four or (*ii*) organized under this chapter on or after October the first, nineteen hundred and seventy-one;

(*d*) "directors" or "board of directors", the directors of a corporation, including persons and officers having the powers of directors;

(*e*) "member", one having membership rights, whether or not designated as a member, in a corporation in accordance with the provisions of its articles of organization or by-laws.

Section 3. One or more persons, of the age of twenty-one years or more in the case of natural persons, may act as incorporators to form a corporation for any of the purposes mentioned in section four. The corporation shall be formed in the manner prescribed in and subject to section thirty of chapter sixty-nine, section two B of chapter one hundred and fifty-five and sections eleven, twelve and thirteen of chapter one hundred and fifty-six B, except that the corporation shall have no capital stock, the articles of organization shall omit references to stock and stockholders, the articles of organization shall specify the purposes for which the corporation is formed and the corporation may not assume a name that is misleading as to its corporate purposes.

A corporation may have one or more classes of members. If the corporation has one or more classes of members, the designation of such class or classes, the manner of election or appointment, the duration of membership and the qualifications and rights, including voting rights, of the members of each class shall be set forth in the articles of organization or the by-laws.

Section 4. A corporation may be formed for any one or more of the following purposes:—

(*a*) for any civic, educational, charitable, benevolent or religious purpose;

(*b*) for the prosecution of any antiquarian, historical, literary, scientific, medical, chiropractic, artistic, monumental or musical purpose;

(*c*) for establishing and maintaining libraries;

(*d*) for supporting any missionary enterprise having for its object the dissemination of religious or educational instruction in foreign countries;

(*e*) for promoting temperance or morality in the commonwealth;

(*f*) for fostering, encouraging or engaging in athletic exercises or yachting;

(*g*) for encouraging the raising of choice breeds of domestic animals and poultry;

(*h*) for the association and accommodation of societies of Free Masons, Odd Fellows, Knights of Pythias or other charitable or social bodies of a like character and purpose;

(*i*) for the establishment and maintenance of places for reading rooms, libraries or social meetings;

(*j*) for establishing boards of trade, chambers of commerce and bodies of like nature;

(*k*) for providing nonprofit credit counseling services, as defined in section four A;

(*l*) for encouraging agriculture or horticulture; for improving and ornamenting the streets and public squares of any city or town by planting and cultivating ornamental trees therein and also otherwise improving the physical aspects of such city or town and furthering the recreation and enjoyment of the inhabitants thereof.

Section 4A. 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.

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 5. Before making and issuing a certificate of incorporation to or approving a change of location of the principal office of a corporation formed for any of the purposes described in section four or

approving the change of name of any corporation formed as aforesaid which is subject to section twenty-six, the state secretary may forward a statement to the aldermen of any city, except Boston, or to the selectmen of any town where such corporation occupies or uses or is to occupy or use any premises for the transaction of any of its corporate activities, and, if such premises are or are to be in Boston, to the police commissioner, giving a list of the applicants for incorporation or the officers of the corporation seeking to change its name or location, the purposes of such proposed incorporation or change of name as stated by them, the location of the premises occupied or used or proposed to be occupied or used, which shall include the street and number, if any, and all other facts which may be stated in the application for incorporation or the petition for approval of change of name or location. The mayor and aldermen, selectmen or police commissioner, upon the receipt of such statement, shall immediately make investigation for the purpose of ascertaining whether any of the proposed incorporators, or officers of the petitioning corporation, or any other persons known to be, or apparently, identified with said proposed or petitioning corporation as members, employees or otherwise, and actually participating or to participate in the management of its affairs, or in the direction of its business, have been engaged in the illegal selling of alcoholic beverages, as defined in section one of chapter one hundred and thirty-eight, or in keeping places or tenements used for illegal gaming, or any other business or vocation prohibited by law, or are persons of ill repute, or whether any location to be occupied is unsuitable, and shall forthwith report to the state secretary all the facts ascertained. If, in his opinion, it appears from said report or otherwise that a probable purpose or probable result of the formation of the proposed corporation or of the proposed change of name or location is or will be to cover or shield any illegal business or practices, or any business not within the scope of the expressed corporate purposes, he shall refuse to issue a certificate of incorporation or approve the change of name or location, as the case may be.

Section 6. A corporation shall have, and may exercise in furtherance of its corporate purposes, the powers specified in paragraphs (*a*) through (*d*), inclusive, and (*k*) of section nine of chapter one hundred and fifty-six B and the power to convey land to which it has a legal title. If and to the extent provided in its articles of organization the corporation shall have, and may exercise in furtherance of its corporate purposes, any one or more or all of the other powers specified in said section nine except in paragraph (*m*) thereof, and also the power specified in section nine A of chapter one hundred and fifty-six B, provided that no such power shall be exercised in a manner inconsistent with this chapter or any other chapter of the General Laws. This chapter shall not limit or reduce any powers of corporations whether general or special existing on October the first, nineteen hundred and seventy-one.

Corporations organized under this chapter or corresponding provisions of earlier laws exclusively for religious purposes shall have the right to purchase, hold, preserve and maintain burial grounds; provided, that no land shall be so used for burial purposes unless such use shall have been permitted and approved in accordance with the provisions of chapter one hundred and fourteen.

Any corporation may hold real and personal estate to an unlimited amount, which estate or its income shall be devoted to the purposes set forth in its charter or articles of organization or in any amendment thereof, and it may receive and hold, in trust or otherwise, funds received by gift or bequest to be devoted by it to such purposes; this provision shall be applicable notwithstanding the specification of a limited amount in any special law.

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, by-laws, resolutions or votes of the corporation.

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 has an interest 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 members or (*iii*) a vote adopted by a majority of the members 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. No indemnification shall be provided for any person with respect to any matter as to which he shall have been adjudicated in any proceeding not to have acted in good faith in the reasonable belief that his action was in the best interests of the corporation. The absence of any express provision for indemnification shall not limit any right of indemnification existing independently of this section. 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 has an interest, 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 idemnify him against such liability.

Section 6A. A corporation may make, amend and repeal by-laws in the manner prescribed in and subject to sections sixteen and seventeen of chapter one hundred and fifty-six B, substituting members for stockholders. A corporation may prescribe by its by-laws the manner in which and the officers and agents by whom its purposes may be accomplished. Instead of the directors and other officers to be elected

at the first meeting, the corporation may have a board of other officers with the powers of directors and presiding, financial and recording officers with the powers of president, treasurer and clerk.

The clerk shall be a resident of the commonwealth unless the corporation shall have a duly appointed resident agent. Any corporation which shall fail to have either a clerk of the corporation who is a resident of the commonwealth or a duly appointed resident agent shall forfeit not more than five hundred dollars to be recovered in the manner described in section one hundred and thirteen of chapter one hundred and fifty-six B.

Except as otherwise expressly provided, the corporation may by its by-laws determine the manner of calling and conducting its meetings; the number of members which shall constitute a quorum; the mode of voting by proxy; and the tenure of office of the directors and officers and the manner of their election and removal; and may annex suitable penalties to such by-laws, not exceeding twenty dollars for one offence; but no by-law inconsistent with law shall be made by a corporation. Special meetings of the members may be called by the president or by the directors, and shall be called by the clerk or, in the case of the death, absence, incapacity or refusal of the clerk, by any other officer, upon written application of three or more members entitled to vote thereat. In case none of the officers is able and willing to call a special meeting, the supreme judicial or superior court, upon application of three or more members entitled to vote thereat, shall have jurisdiction in equity to authorize one or more of such members to call a meeting by giving such notice as is required by law.

SECTION 4. Said chapter 180 is hereby further amended by striking out section 7 and inserting in place thereof the following two sections:—

Section 7. A corporation may authorize, at a meeting duly called for the purpose, by vote of two thirds of its members legally qualified to vote in meetings of the corporation (or, in the case of a corporation having capital stock, by the holders of two thirds of the capital stock having the right to vote thereon) any amendment of its articles of organization, including a change of its purposes or name, or a restatement of its articles of organization which restatement may affect any permitted amendment; provided that any provision added to or change made in its articles of organization by such amendment could have been included in and any provision deleted thereby could have been omitted from, original articles of organization filed at the time of such meeting; and provided also, that no articles of amendment or restated articles of organization shall be approved and filed by the state secretary (*i*) if as a result thereof the name of a corporation subject to section twenty-six would be changed, until after approval of such change by the state secretary, or (*ii*) if the purposes of any corporation are to be amended to include purposes which are such that the articles of organization of a corporation newly organized under this chapter for such purposes must be approved by any department or officer of this commonwealth as a condition of organization under this chapter, until after approval of the articles of amendment or the restated articles of organization by such depart-

ment or officer. Articles of amendment shall be signed and submitted to the state secretary in the manner prescribed in and subject to section seventy-two of chapter one hundred and fifty-six B, and restated articles of organization shall be signed and submitted to the state secretary in the manner prescribed in and subject to section seventy-four of chapter one hundred and fifty-six B.

Section 7A. A corporation that is unable to comply with section seven or section ten may petition the state secretary for any amendment to its articles of organization, or for a restatement of its articles of organization, authorized by said section seven or for approval of articles of consolidation or merger authorized by said section ten. The petition shall state the relief sought and the reason for inability to comply, shall contain a list of the officers and members of the corporation, sofar as they are known, and shall be signed under the penalties of perjury by an officer or member. The state secretary may require the petitioner to supply information as to what attempt, if any, has been made to secure the vote required to comply with said section seven or said section ten with respect to the proposed action, as well as any other pertinent information, and may direct the petitioner to give further notice to the persons entitled to vote, sofar as they are known, by publication or otherwise, in such manner as he shall specify. If the state secretary becomes satisfied that the proposed action is approved by such persons entitled to vote as have expressed an opinion in relation thereto, or of a reasonable proportion thereof, and if he finds that the petition otherwise conforms to the provisions of law, he shall endorse his approval thereon, and the document shall be filed and otherwise dealt with in accordance with section seven or section ten as the case may be and other applicable provisions of law, and shall be treated in all respects as an amendment to or restatement of the articles of organization or as articles of consolidation or merger as the case may be.

SECTION 5. Said chapter 180 is hereby further amended by striking out sections 9 to 11B, inclusive, and inserting in place thereof the following seven sections:—

Section 9. Any civic, educational, charitable, benevolent, church or cemetery organization created or organized under the laws of the commonwealth, the evidence of the corporate existence of which is not on file in the records of the state secretary by reason of the destruction of records or by reason of the fact that it was organized before such recording was required, may file such evidence with the state secretary. The evidence of corporate existence shall include, sofar as originals are available, copies of agreements of association and articles of organization or similar documents, and a certificate executed by the president, treasurer, clerk and a majority of the directors, setting forth, sofar as known, the history and present status of the corporation and its structure such as would have been disclosed by the filing of the original corporation documents and amendments thereto. The state secretary, if satisfied of its corporate existence, shall endorse his approval upon such copies of the agreement of association and articles of organization or similar documents and upon such certificate, and, upon receipt of a filing fee of five dollars, shall file the same in his office, and shall issue a certificate of incorporation, in such

form as he shall determine, dated as of the earliest date upon which such documents shall indicate the corporation to have been in existence. Any civic, educational, charitable, benevolent, church or cemetery organization to which a certificate of incorporation is so issued shall thereafter comply with the provisions of the general laws relating to similar corporations.

Section 10. Any two or more corporations may consolidate to form a new corporation, or may merge into a single corporation, which may be any of the constituent corporations; and any one or more corporations may consolidate or merge with one or more other corporations organized under the laws of any other state or states of the United States, if the laws of such other state or states permit; the resulting or surviving corporation in the case of any such consolidation or merger to be a corporation having no capital stock organized under this chapter for any one or more of the purposes mentioned in section four. Any such consolidation or merger, carried out in the manner specified in this section, shall have the effect set forth in section eighty of chapter one hundred and fifty-six B.

Such corporations as desire to consolidate or merge shall enter into an agreement of consolidation or merger signed in the manner prescribed in section seventy-eight of chapter one hundred and fifty-six B, which shall set forth:—

(1) the names of the corporations proposing to consolidate or merge, the state of organization of each such constituent corporation not organized under the laws of this commonwealth and the name of the resulting or surviving corporation;

(2) the purposes of the resulting or surviving corporation;

(3) the terms and conditions of the consolidation or merger, including in the case of any constituent corporation having capital stock the method of retiring and cancelling such stock; and

(4) the manner of fixing the effective date of the consolidation or merger, which shall be fixed as provided in said section seventy-eight of chapter one hundred and fifty-six B.

The agreement of consolidation or merger may contain such other provisions as are permitted by section three to be included in the articles of organization of a corporation, together with any provisions deemed necessary or desirable in connection with the consolidation or merger, including without limitation a provision permitting the abandonment thereof, which are not inconsistent with the provisions of this chapter.

The agreement of consolidation or merger shall be adopted by each of the constituent corporations in accordance with the laws of the state in which it is organized and in the case of each constituent corporation organized under the laws of this commonwealth by vote of two thirds of its members legally qualified to vote in meetings of the corporation or, in the case of a constituent corporation having capital stock, by the holders of two thirds of the capital stock having the right to vote thereon at a meeting duly called for the purpose, in the manner prescribed in section seventy-eight of chapter one hundred and fifty-six B.

Unless such agreement is abandoned pursuant to provisions contained therein, articles of consolidation or articles of merger shall be

signed and submitted to the state secretary in the manner prescribed in and subject to section seventy-eight of chapter one hundred and fifty-six B and, in the case of one or more constituent corporations organized under the laws of any other state, section seventy-nine of said chapter one hundred and fifty-six B, and shall become effective as provided in said section seventy-eight of chapter one hundred and fifty-six B; provided, however, that no articles of consolidation or merger shall be approved and filed by the state secretary (*i*) if as a result thereof the name of a constituent corporation subject to section twenty-six would be changed, until after approval of such change by the state secretary, or (*ii*) if the purposes of the resulting or surviving corporation are such that the articles of organization of a corporation newly organized under this chapter for such purposes must be approved by any department or officer of this commonwealth as a condition of organization under this chapter, until after approval of the articles of consolidation or merger by such department or officer.

The resulting or surviving corporation shall within twenty days of the effective date of the consolidation or merger file a copy of the articles of consolidation certified by the state secretary in the registry of deeds in each district within the commonwealth in which real property of any constituent corporation is situated, or in lieu of such certified copy a certificate issued by the state secretary in accordance with the procedure set forth in section eighty-four of chapter one hundred and fifty-six B.

Section 10A. Every corporation shall, except as otherwise provided in this chapter, be subject to sections six, eight, ten, eleven, fourteen, thirty-two, thirty-five, thirty-seven, thirty-eight, forty-three, forty-nine, fifty-six, fifty-seven, fifty-eight, fifty-nine, sixty-eight, sixty-nine, one hundred and two, one hundred and four, one hundred and five, one hundred and six and one hundred and eight of chapter one hundred and fifty-six B, except that:—(*a*) the filing fees provided in section eleven C shall be applicable;

(*b*) the provisions of such sections of chapter one hundred and fifty-six B pertaining to stock and stockholders, shares and classes or series of shares and stock and transfer records, and the like shall, except in the case of a corporation having capital stock outstanding, be applicable as nearly as may be to members, classes of members and records of membership;

(*c*) the definitions of terms provided in this chapter shall be applicable;

(*d*) no corporation may assume a name that is misleading as to its corporate purposes.

Section 11. A corporation which does not constitute a public charity and which desires to close its affairs may, unless otherwise provided in its articles of organization, by the vote of a majority of its members legally qualified to vote in meetings of the corporation, authorize a petition for its dissolution to be filed in the supreme judicial or superior court setting forth in substance the grounds of the application; and after such notice as the court may order and after hearing, the court may decree a dissolution of the corporation. Upon any dissolution in accordance with this chapter, the existence of the corporation shall cease, subject to applicable provisions of law for

continuation to close its affairs, for the appointment of receivers and for revival.

Upon dissolution of a corporation in accordance with this chapter, the clerk of the court in which the decree therefor is entered shall forthwith make return thereof to the state secretary giving the name of the corporation and the date upon which such decree was entered. The state secretary shall thereupon notify the person shown by his records to have last served as clerk of the corporation of the entry of such decree and the date thereof.

Section 11A. A charitable corporation constituting a public charity organized under the provisions of general or special law, which desires to close its affairs, may, by vote of a majority of its board of directors, authorize a petition for its dissolution to be filed in the supreme judicial court setting forth in substance the grounds of the application for dissolution and requesting the court to authorize the administration of its funds for such similar public charitable purposes as the court may determine. The provisions of this section shall constitute the sole method for the voluntary dissolution of any such charitable corporation.

Section 11B. If any charitable corporation described in section eleven A fails to comply for two consecutive years with the provisions of section eight F of chapter twelve requiring the filing of annual financial reports with the office of the attorney general, or if the attorney general is satisfied that such corporation has become inactive and that its dissolution would be in the public interest, the attorney general may petition the supreme judicial court for the dissolution of such corporation, requesting the court to authorize the administration of its funds for such similar public charitable purposes as the court may determine, and the court, after notice by mail or otherwise as it may order, may dissolve such corporation. The attorney general may include as many corporations in a single application as he deems fit, and the court may include in its decree any or all of said corporations. The clerk of the supreme judicial court shall submit to the commissioner of corporations and taxation a list of corporations so dissolved.

Section 11C. (*a*) The fee for filing articles of organization required by section three shall be twenty-five dollars.

(*b*) The fee for filing articles of amendment required by section seven shall be five dollars.

(*c*) The fee for filing restated articles of organization in accordance with section seven shall be twenty-five dollars.

(*d*) The fee for filing a petition in accordance with section seven shall be twenty-five dollars.

(*e*) The fee for filing articles of consolidation or merger in accordance with section ten shall be twenty-five dollars.

(*f*) The fee for the reservation of a name, or the extension of a reservation, shall be two dollars and payment of the fee shall accompany the application.

(*g*) The fee for filing all other certificates, statements or reports required by this chapter shall be five dollars for each certificate, statement or report, unless another filing fee is specifically provided therefor.

SECTION 6. The first sentence of section 17 of said chapter 180, as amended by section 6 of chapter 559 of the acts of 1947, is hereby further amended by inserting after the word "treasurer", in line 14, the words:—; except that such by-laws may not restrict the right of the members thereof to offer nominations from the floor at the annual meeting of the corporation nor prevent any member thereof from receiving a copy of the by-laws upon written request, but may require that for such nominations from the floor to be valid a notice signed by not less than seven members, giving the names of such nominees, be first filed with the corporation's recording officer not later than ten days prior to the date of the annual meeting.

SECTION 7. Said section 17 of said chapter 180 is hereby further amended by inserting after the first sentence the following sentence:—If pursuant to the by-laws the report of a nominating committee is sent to the members at least thirty days prior to the date of the annual meeting, the by-laws may require, instead of the foregoing requirement, that the notice of nominations be first filed with the corporation's recording officer within twenty days after the nominating committee's report is sent out.

SECTION 8. The first paragraph of section 26A of said chapter 180 is hereby amended by striking out, in line 3, as appearing in chapter 390 of the acts of 1956, the word "two" and inserting in place thereof the word:—four.

SECTION 9. Section 27 of said chapter 180, as amended by section 22 of chapter 328 of the acts of 1934, is hereby further amended by striking out, in line 5, the word "two" and inserting in place thereof the word:—four.

SECTION 10. Section 28 of said chapter 180, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 6, the word "two" and inserting in place thereof the word:—four.

SECTION 11. Nothing in this act shall affect the validity of capital stock heretofore lawfully issued by a charitable corporation nor the rights of holders of such stock; provided, that no additional capital stock shall be issued by such corporation.

SECTION 12. This act shall take effect on October the first, nineteen hundred and seventy-one. *Approved October 1, 1971.*

Chap. 820. AN ACT PROVIDING FOR A TAKING OF A CENSUS OF INHABITANTS FOR REDIVISION OF WARDS AND PRECINCTS IN CITIES AND TOWNS IN ACCORDANCE WITH ARTICLE XCII OF THE AMENDMENTS TO THE CONSTITUTION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the taking of a census of inhabitants for redivision of wards and precincts in cities and towns in accordance with Article XCII of the Amendments to the Constitution, 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 six of chapter nine of the General Laws is hereby repealed.

SECTION 2. Said chapter 9 is hereby amended by striking out section 7, as most recently amended by section 1 of chapter 342 of the acts of 1939, and inserting in place thereof the following section:—

Section 7. In nineteen hundred and seventy-one and every tenth year thereafter, the mayor of every city and the selectmen of every town shall cause a census to be made of the inhabitants of their respective cities and towns residing therein on January the first, on forms provided by the secretary, and in accordance with his instructions, and shall return the same under oath to the office of the secretary, on or before December the first following, specifying the number of inhabitants residing in each precinct of each town and in each precinct and ward of each city. In making such census the services and facilities of the registrars of voters and police of a city or town shall be available to the mayor of such city or the selectmen of such town. The secretary may in his discretion verify any such census in such manner as he deems advisable, and for this purpose may inspect the records of any city or town and call upon the mayor or selectmen for such further information as he desires. From the returns so made, with such amendments as the secretary may find necessary to correct any errors or omissions therein, he shall compile the census of inhabitants of each city and town required by Article XCII of the Amendments to the Constitution, shall submit the result thereof to the general court by filing the same with the clerk of the house of representatives as soon as possible thereafter and may publish the results thereof in such form as he may determine.

SECTION 3. Chapter 54 of the General Laws is hereby amended by striking out section 1, as amended by chapter 424 of the acts of 1965, and inserting in place thereof the following section:—

Section 1. In nineteen hundred and seventy-one, no later than October, a city, in which councillors or aldermen are elected by and from the voters of a ward, by vote of its city council, if the existing wards do not contain an equal number of inhabitants, as nearly as may be ascertained, may make a new division of its territory into such number of wards as may be fixed by law and shall at the same time divide each such ward into precincts, as provided in section two. Any such division shall, for the purposes of reporting the census of inhabitants required by Article XCII of the Amendments to the Constitution, take effect as of January the first of said year, but for all other purposes shall take effect only as provided in section four.

In nineteen hundred and eighty, and every tenth year thereafter, in March, a city, by vote of its council, may, or, if the existing wards in such city do not contain as nearly as can be ascertained, an equal number of inhabitants, shall make a new division of its territory into such number of wards as may be fixed by law and shall at the same time divide each ward into such number of precincts as is required by section two. The boundaries of such new wards as are provided for herein 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 inhabitants. The city clerk shall forthwith give written notice to the state secretary of the number and designation of the wards and precincts provided

for in this section and in section two, together with an official description of said wards and precincts.

Beginning in the year nineteen hundred and eighty, if in April in any such year a complaint in writing is filed with the attorney general by ten or more voters of a city, alleging that such city was required to make a new division of the territory thereof into wards under the provisions of the preceding paragraph but has failed to do so within the time herein provided, the attorney general shall, if he is satisfied that the allegations of said complaint are true, not later than the end of the month of May in such year, bring a petition in the name of the commonwealth in the superior court to compel such city to comply with the provisions of this section. Upon such petition the superior court shall have jurisdiction in equity to enforce said provisions and may issue any appropriate orders or decrees it deems necessary to ensure such new division being made not later than November the first of such year.

Except as provided for the year nineteen hundred and seventy-one, any such new division made under the provisions of this section shall, for the purposes of the census of inhabitants in each ward and precinct of such city required by the constitution, take effect on January the first of the year following, but for all other purposes shall take effect only as provided in section four.

SECTION 4. Section 2 of said chapter 54, as amended by section 1 of chapter 411 of the acts of 1943, is hereby further amended by striking out, in line 13, the word "October" and inserting in place thereof the word:—June,—by striking out, in line 20, the word "three" and inserting in place thereof the word:—one,—and by adding the following paragraph:—

Notwithstanding any authorization or requirement of this chapter, any precinct wherein the inhabitants have been enumerated at a census provided for under Article XCII of the Amendments to the Constitution shall remain unchanged for the purpose of forming representative, senatorial or councillor districts based on said census until the formation thereof as aforesaid, and, if such precinct is within a ward the territory of which in such formation is included in two or more representative, senatorial or councillor districts, shall remain unchanged for the purpose of electing such officers so long as such districts are required by the constitution to be used for such purpose.

SECTION 5. Section three of said chapter fifty-four is hereby repealed.

SECTION 6. Section 4 of said chapter 54, as most recently amended by chapter 412 of the acts of 1937, is hereby further amended by inserting after the word "necessary", in line 17, the words:—; provided, however, that any such new wards and precincts may not be made effective for election purposes in the year nineteen hundred and seventy-one.

SECTION 7. The fifth sentence of section 6 of said chapter 54, as appearing in section 2 of chapter 411 of the acts of 1943, is hereby amended by inserting after the word "adoption", in line 3, the words:—; provided, however, that any such division adopted prior to August of nineteen hundred and seventy-one shall become effec-

tive for purposes of reporting the census taken in accordance with Article XCII of the Amendments to the Constitution forthwith; and, provided further, that no such division shall be made, beginning in the year nineteen hundred and eighty-one, during a year in which such a census is to be taken.

SECTION 8. Section 7 of said chapter 54, as most recently amended by section 1 of chapter 267 of the acts of 1947, is hereby further amended by inserting after the word "change", in line 10, the words:—; provided, however, that any such change made prior to August of the year nineteen hundred and seventy-one shall become effective forthwith for purposes of reporting the census taken under the provisions of Article XCII of the Amendments to the Constitution; and, provided further, that no such change shall be made, beginning in the year nineteen hundred and eighty-one, during a year in which such a census is to be taken.

SECTION 9. Section 9 of said chapter 54, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence:—No such discontinuance shall be effected during a year in which a census is to be taken under the provisions of Article XCII of the Amendments to the Constitution, provided, that any such discontinuance made prior to August of the year nineteen hundred and seventy-one shall be effective hereunder and shall be in effect for the purpose of the reporting of the census required under said amendment.

SECTION 10. Said chapter 54 is hereby further amended by striking out section 9A, as most recently amended by chapter 282 of the acts of 1966, and inserting in place thereof the following section:—

Section 9A. Notwithstanding any authorization or requirement in sections six to nine, inclusive, or in any special law, any precinct wherein a census of inhabitants has been taken under the provisions of Article XCII of the Amendments to the Constitution shall remain unchanged for the purpose of forming representative, senatorial or councillor districts based on said census until the formation of the districts as aforesaid, and if such precinct is in a town the territory of which in such formation is included in two or more representative, or senatorial districts, shall remain unchanged for the purpose of electing representatives and senators so long as such districts are required by the constitution to be used for such purpose. No precinct in any town the territory of which was so divided under the provisions of chapter eight hundred and seventy-seven of the acts of nineteen hundred and sixty-seven shall be changed for purposes of electing representatives while the districts formed under said act are required by the constitution to be used for such purpose.

In the year nineteen hundred and seventy-one, no later than October, the precincts of any town in which town meeting members are elected and which has a population of six thousand or more may be revised by the selectmen thereof, in the manner provided by law for such town, notwithstanding the effective date for final action contained in any such law, and such revision shall be effective for purposes of reporting the census of inhabitants required by Article XCII of the Amendments to the Constitution to be taken in said year.

In the year nineteen hundred and eighty and every tenth year thereafter, in March, the precincts of any town in which town meeting members are elected and which has a population of six thousand or more, which precincts do not contain, as nearly as may be ascertained, an equal number of inhabitants, shall be, and the precincts of any other town may be, revised by the selectmen thereof, in the manner provided by law for such town, for use in the next state census and formation of representative, senatorial and councillor districts; provided, that if a revision of the precincts in any town is required under the provisions of this section, such precincts shall be so revised as to contain, as nearly as may be ascertained, an equal number of inhabitants.

Beginning in the year nineteen hundred and eighty, if, in May of any such year, a complaint in writing is filed with the attorney general by ten or more voters of a town alleging that such town was required to revise its precincts under the provisions of this section but has failed to do so, the attorney general shall, if he is satisfied that the allegations of said complaint are true, not later than the last day of the following June, bring a petition in the name of the commonwealth in the superior court to compel the town to comply with the provisions of this section. Upon such petition the court shall have jurisdiction in equity to enforce said provisions, and may issue any appropriate order or decree which it deems necessary to ensure such revision being made not later than the following November the first. *Approved October 1, 1971.*

Chap. 821. AN ACT TRANSFERRING THE TOWN OF SHREWSBURY FROM THE JUDICIAL DISTRICT OF THE CENTRAL DISTRICT COURT OF WORCESTER TO THE JUDICIAL DISTRICT OF THE FIRST DISTRICT COURT OF EASTERN WORCESTER.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 218 of the General Laws is hereby amended by striking out the first paragraph under the caption "Worcester", as most recently amended by section 1 of chapter 713 of the acts of 1970, and inserting in place thereof the following paragraph:—

The central district court of Worcester, held at Worcester; Worcester, Auburn, Millbury, Leicester, Paxton, West Boylston, Holden, Rutland, Barre, Princeton and Oakham; excepting cases of juvenile offenders under seventeen and cases of neglected, wayward or delinquent children.

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

The first district court of eastern Worcester, held at Westborough and Grafton; Westborough, Grafton, Southborough, Northborough and Shrewsbury. *Approved October 1, 1971.*

Chap. 822. AN ACT FURTHER REGULATING THE OPERATION AND MANAGEMENT OF THE WOBURN GOLF AND SKI AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 526 of the acts of 1968 is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—The Authority shall establish, maintain and operate a public ski area and golf course thereon.

SECTION 2. Section 1 of said chapter 526 is hereby further amended by adding the following paragraph:—

The words "public ski area and golf course" as used in this act shall mean all land and facilities necessary for the operation of a ski area and a golf course including ski trails, ski tows or other lift facilities, snow making equipment, shelter building, a golf course and clubhouse and such other equipment and facilities as may be necessary for the complete operation of a ski area and golf course for the benefit of the public.

SECTION 3. Said chapter 526 is hereby further amended by striking out section 4 and inserting in place thereof the following section:—

Section 4. The Authority is hereby authorized and empowered:

(*a*) To adopt by-laws for the regulation of its affairs and the conduct of its business;

(*b*) To adopt an official seal and alter the same at pleasure;

(*c*) To sue and be sued, and to plead and be impleaded, in its own name;

(*d*) To take by eminent domain, acquire, hold and dispose of real and personal property, and to establish on property so taken, acquired or held, a ski area and golf course, in the exercise of its powers and the performance of its duties under this act; provided that no real estate acquired by the Authority shall be sold or developed by it for any purpose inconsistent with public outdoor recreation or conservation practices;

(*e*) To insure, maintain, repair and improve such ski area and golf course and operate the same for use of the public;

(*f*) To provide through its employees, or by the grant of one or more concessions, or in part through its employees and in part by the grant of one or more concessions, for the furnishing of services and things for the accommodation of persons admitted to or using such ski area and golf course or any part thereof;

(*g*) To establish rules and regulations, and fix policies, for the use of such ski area and golf course and for the other purposes provided for in this act;

(*h*) To fix from time to time and charge and collect fees for admission to, or the use or occupancy of, such ski area and golf course or any part thereof, and for the grant of concessions therein and for things furnished, or services rendered, by the Authority; and

(*i*) To make all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, to employ a general manager and such other employees and agents as may be necessary in its judgment, and to fix their compensation, and to do all acts and things necessary or convenient to carry out the powers expressly granted in this act; provided that the

provisions of chapter thirty-one of the General Laws shall not apply to any such employees.

The Authority shall fix such fees under clause (*h*) as in its judgment are best adapted to insure sufficient income to meet all expenses of the Authority.

SECTION 4. Said chapter 526 is hereby further amended by striking out section 8 and inserting in place thereof the following section:—

Section 8. The Authority is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of bonds or notes of the Authority for the purpose of paying all or any part of the cost of a project for the acquisition, construction, reconstruction, improvement or replacement of facilities relating to a ski area and golf course and expenses related thereto; provided, however, that the principal amount of bonds or notes issued under this act and outstanding at any one time, exclusive of refundings, shall not exceed, in the aggregate, the sum of one hundred thousand dollars. The principal and interest of such bonds or notes shall be payable solely from the funds herein provided for such payment. The bonds or notes of each issue shall be dated, shall bear interest at such rate or rates, shall mature at such time or times not exceeding five years from their date or dates as may be determined by the Authority, and may be made redeemable before maturity at the option of the Authority, at such price or prices and under such terms and conditions as may be fixed by the Authority prior to the issuance of the bonds or notes. The Authority shall determine the form of the bonds or notes, including interest coupons, if any, to be attached thereto, and the form and manner of execution of the bonds or notes, and shall fix the denomination or denominations of the bonds or notes and the place or places of payment of principal and interest, which may be at any bank or trust company within the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or notes or coupons appended thereto shall cease to be such officer before the delivery of such bonds or notes, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. All bonds or notes issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments under the Uniform Commercial Code. The bonds or notes may be issued in coupon or in registered form, or both, as the Authority may determine, and provision may be made for the registration of any coupon bonds as to principal alone, and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The Authority may sell such bonds or notes in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interest of the Authority.

The proceeds of such bonds or notes shall be used solely for the payment of the cost of the project, and shall be disbursed in such manner and under such restrictions, if any, as the Authority may provide. If the proceeds of such bonds or notes, by error of estimates or otherwise, shall be less than such cost, additional bonds or notes may, subject to the limitation as to aggregate principal amount

hereinbefore provided, in like manner be issued to provide the amount of such deficit, and, unless otherwise provided in the resolution authorizing the issuance of the bonds or notes, shall be deemed to be of the same issue and shall be entitled to payment from the same fund without preference or priority of the bonds or notes first issued. If the proceeds of the bonds or notes shall exceed the cost of the project, the surplus shall be used for the retirement of such bonds or notes. Prior to the preparation of definitive bonds or notes, the Authority may, under like restrictions, issue interim receipts or temporary bonds or notes, with or without coupons, exchangeable for definitive bonds or notes when such bonds or notes have been executed and are available for delivery. The Authority may also provide for the replacement of any bonds or notes which shall become mutilated or shall be destroyed or lost. Bonds or notes may be issued by the Authority under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth and without any other proceedings or the happening or any other conditions or things than those proceedings, conditions or things which are specifically required by this act.

The Authority is hereby authorized to provide by resolution for the issuance of refunding bonds or notes of the Authority for the purpose of refunding any bonds or notes that are outstanding and issued under the provisions of this act, including payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds or notes. The issuance of such refunding bonds or notes, the maturities and other details thereof, and the duties of the Authority in respect to the same, shall be governed by the provisions of this act insofar as the same may be applicable, provided that any such refunding bonds or notes shall mature at such time or times not exceeding five years from their dates as may be determined by the Authority and may likewise be refunded pursuant to this section.

Any resolution providing for the issuance of bonds or notes by the Authority may pledge or assign the fees and other revenues to be received by the Authority. Such resolution may contain such provisions for protecting and enforcing the rights and remedies of the bond or note holders as may be reasonable and proper and not in violation of law, and may include covenants setting forth the duties of the Authority in relation to the acquisition, construction, reconstruction, improvement, replacement, maintenance, operation, repair and insurance of the facilities of the Authority, the fees to be charged and the custody, safeguarding and application of moneys of the Authority.

While any bonds or notes issued by the Authority remain outstanding, the powers, duties or existence of the Authority shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds or notes.

All bonds, notes or interim receipts issued under the provisions of this act, and the income therefrom, shall at all times be free from taxation within the commonwealth. *Approved October 1, 1971.*

Chap. 823. AN ACT REPEALING THE LAW AUTHORIZING THE IMPOSITION OF SPECIAL WATER ASSESSMENTS UPON CERTAIN ESTATES WITHIN THE TOWN OF WESTMINSTER.

Be it enacted, etc., as follows:

SECTION 1. Chapter 369 of the acts of 1950 is hereby amended by striking out section 6A, as most recently amended by section 1 of chapter 133 of the acts of 1960, and inserting in place thereof the following section:—

Section 6A. When said town shall have accepted this act, a sum sufficient to pay the annual expense of operating its waterworks or the purchase of water and the maintenance of its pipe lines, as the case may be, and a further sum equal to the interest as it accrues on the bonds or notes issued as aforesaid and the principal thereof, as the same may become due under the provisions of this act, shall without further vote be assessed by the assessors of said town annually thereafter. The foregoing provisions shall apply to all loans subsequent to the original bond issue which have been, or may hereafter be, authorized for the purpose of making additional extensions to said water system.

SECTION 2. This act shall take effect upon its acceptance by the town of Westminster within one year after its passage.

Approved October 1, 1971.

Chap. 824. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE DISCONTINUANCE OF GAS OR ELECTRIC SERVICE BY A PUBLIC UTILITY.

Be it enacted, etc., as follows:

Section 124 of chapter 164 of the General Laws, as most recently amended by section 1 of chapter 118 of the acts of 1965, is hereby further amended by striking out, in line 2, the words "section one hundred and twenty-four A" and inserting in place thereof the words:—sections one hundred and twenty-four A, one hundred and twenty-four B and one hundred and twenty-four C.

Approved October 1, 1971.

Chap. 825. AN ACT INCREASING GROUP LIFE INSURANCE BENEFITS TO RETIRED EMPLOYEES OF THE COMMONWEALTH AND CERTAIN POLITICAL SUBDIVISIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 32A of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 5 of chapter 840 of the acts of 1965, and inserting in place thereof the following paragraph:—

The commission shall require that, upon retirement of an employee, the policy or policies of insurance as set forth in section six, except the optional group life insurance referred to therein, shall provide that the two thousand dollars of group life insurance, the two thou-

sand dollars of group accidental death and dismemberment insurance and the group general or blanket insurance providing hospital, surgical, medical and other health insurance, as provided under sections five and ten C, as may be applicable, shall be continued, provided said retiree makes application to the commission on a form prescribed by the rules and regulations of the commission. The retired employee shall pay fifty per cent of the average group premium as determined by the commission for such group life and accidental death and dismemberment insurance and fifty per cent of the average group premium as determined by the commission for the hospital, surgical, medical and other health insurance for such retired employee or for such retired employee and his dependents and the commonwealth shall contribute the remaining fifty per cent of such premium costs.

SECTION 2. This act shall apply to employees who have retired prior to the effective date of section ten of chapter thirty-two A of the General Laws, as amended by section one of this act.

Approved October 1, 1971.

Chap. 826. AN ACT PROHIBITING THE GRANTING OF MEDICAL ASSISTANCE TO APPLICANTS WHO ASSIGN OR TRANSFER THEIR REAL PROPERTY WITHIN A CERTAIN TIME PERIOD IN ORDER TO QUALIFY FOR SUCH ASSISTANCE.

Be it enacted, etc., as follows:

Chapter 118E of the General Laws is hereby amended by striking out section 13, as appearing in section 1 of chapter 800 of the acts of 1969, and inserting in place thereof the following section: —

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 real or personal property for the purpose of rendering himself eligible for such assistance.

Approved October 1, 1971.

Chap. 827. AN ACT PROVIDING THAT CERTAIN BUILDINGS WHICH ARE OPEN TO AND USED BY THE PUBLIC SHALL BE CONSTRUCTED SO AS TO FACILITATE THE USE THEREOF BY HANDICAPPED PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Section 13A of chapter 22 of the General Laws is hereby amended by adding the following two paragraphs: —

As used in this section, the term "public building" shall also be construed to mean privately financed buildings that are open to and used by the public.

Buildings that are open to and used by the public shall include the following buildings: — transportation terminals, institutional buildings, commercial buildings exceeding two stories in height or employing more than forty persons, buildings having places of assembly of a capacity of more than one hundred and fifty persons, public areas in funeral homes, rest rooms in shopping centers, hotels, motels and dormitories.

SECTION 2. The provisions of section thirteen A of chapter twenty-two of the General Laws, inserted by section one of this act, shall apply only to buildings constructed after January the first, nineteen hundred and seventy-two. *Approved October 1, 1971.*

Chap. 828. AN ACT DIRECTING THE DIRECTOR OF THE DIVISION OF FISHERIES AND GAME OF THE DEPARTMENT OF NATURAL RESOURCES TO ACQUIRE CERTAIN LAND IN THE TOWN OF NEW BRAINTREE FOR WILDLIFE MANAGEMENT PURPOSES.

Be it enacted, etc., as follows:

The director of the division of fisheries and game of the department of natural resources, with the approval of the fish and game board and the board of selectmen of the town of New Braintree, is hereby authorized and directed to acquire by purchase or by eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws, for wildlife management purposes, certain land with the buildings thereon in said town now or formerly owned by John B. Slein and Kathryne E. Slein, containing ninety-nine acres, more or less, and described on a deed recorded with the Worcester county registry of deeds in Book 2906, Page 308. *Approved October 1, 1971.*

Chap. 829. AN ACT PROVIDING FOR THE BIENNIAL RENEWAL OF CERTIFICATES OF REGISTRATION FOR BARBER SHOPS, AND INCREASING THE FEES THEREFOR.

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 sixth sentence, as appearing in chapter 295 of the acts of 1958, and inserting in place thereof the following sentence: — All certificates of registration for barber shops shall be renewed biennially by filing applications therefor on forms supplied by the board and the payment of a fee of fifteen dollars, and such renewal shall, unless cancelled, suspended or revoked, be in full force and effect until June the thirtieth of the second year following its issuance. *Approved October 1, 1971.*

Chap. 830. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE SUPERIOR COURT FOR THE COUNTY OF NORFOLK.

Be it enacted, etc., as follows:

Section 70 of chapter 221 of the General Laws is hereby amended by striking out the sixth paragraph, inserted by section 2 of chapter 570 of the acts of 1964, and inserting in place thereof the following paragraph: —

For Norfolk, seven for civil and criminal business, who shall, when required by the sheriff, attend the sessions of the supreme judicial or probate court when not in attendance on the superior court.

Approved October 1, 1971.

Chap. 831. AN ACT PERMITTING A PUBLIC EMPLOYEE RETIRED FOR ORDINARY DISABILITY TO EXERCISE A CERTAIN OPTION IN FAVOR OF HIS BENEFICIARY.

Be it enacted, etc., as follows:

Subdivision (1) of section 12 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 378 of the acts of 1963, and inserting in place thereof the following sentence: — Any member who is retired for disability under the provisions of section seven or who is retired under the provisions of subdivision (2) of section twenty-six, may elect to have his allowance paid in accordance with the terms of either option (a) or option (b) of subdivision (2) of this section and any such member who is retired under section six may elect to have his allowance paid in accordance with the terms of option (a), option (b) or option (c) of said subdivision.

Approved October 1, 1971.

Chap. 832. AN ACT FURTHER REGULATING THE APPOINTMENT OF CERTAIN ADMINISTRATORS IN THE OFFICE OF THE STATE AUDITOR.

Be it enacted, etc., as follows:

Chapter 11 of the General Laws is hereby amended by striking out section 5, as most recently amended by chapter 458 of the acts of 1968, and inserting in place thereof the following section: —

Section 5. He may, subject to confirmation by the governor, appoint and may for cause remove a second, third and fourth deputy auditor, administrator of field operations of state audits and an administrator of field operations of authority audits.

Approved October 1, 1971.

Chap. 833. AN ACT FURTHER REGULATING THE SALE OF BRAND NAME ALCOHOLIC BEVERAGES TO LICENSED WHOLESALERS.

Be it enacted, etc., as follows:

Chapter 138 of the General Laws is hereby amended by inserting after section 25D the following section: —

Section 25E. It shall be an unfair trade practice and therefore unlawful for any manufacturer, importer or wholesaler of any alcoholic beverages, except malt beverages, to refuse to sell, except for good cause shown, any item having a brand name to any licensed wholesaler to whom such manufacturer, importer or wholesaler has made regular sales of such brand item during a period of six months preceding any refusal to sell.

Any manufacturer, importer or wholesaler shall forward a notice in writing to the wholesaler, to whom it has sold any brand item, prior to discontinuing sales to such wholesaler of such brand item and shall forward a copy of said notice to the commission. The notice of discontinuance of sale shall be furnished by the manufacturer, importer or wholesaler to the wholesaler being discontinued at least one hundred and twenty days before the effective date of such discontinuance. The

notice shall state the specific grounds for such discontinuance. Either party may appeal to the commission for a hearing on the notice of discontinuance and the commission shall make a determination after hearing on the issue of good cause for discontinuance. Upon application by the wholesaler to the commission, the commission shall order the manufacturer, importer or wholesaler giving notice of refusal to sell to continue to make sales in the regular course to such wholesaler pending determination by the commission on the merits of said appeal. The commission shall, after notice to all parties and hearing, make a determination on the issue of good cause and grant such relief as may be appropriate under the circumstances. Good cause as used herein shall be limited to the following conduct:

(*a*) disparagement of the product so as to impair the reputation of the brand owner or the brand name of any product,

(*b*) unfair preferment in sales effort for brand items of a competitor,

(*c*) failure to exercise best efforts in promoting the sale of any brand item,

(*d*) engaging in improper or proscribed trade practices, or

(*e*) failure to comply with the terms of sale agreed upon between supplier and wholesaler. *Approved October 1, 1971.*

Chap. 834. AN ACT INCREASING THE NUMBER OF COURT OFFICERS AND PROVIDING FOR A CHIEF AND TWO ASSISTANT CHIEF COURT OFFICERS IN THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

Section 62 of chapter 218 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 2 of chapter 82 of the acts of 1971, and inserting in place thereof the following sentence: — In the Boston juvenile court eight court officers may be appointed, one of whom shall be designated by the justice of said court as chief court officer and two as assistant chief court officers; in the Worcester juvenile court two court officers may be appointed; and in the Springfield juvenile court two court officers may be appointed. *Approved October 1, 1971.*

Chap. 835. AN ACT ESTABLISHING THE OAKWOOD HEIGHTS WATER DISTRICT OF MILLBURY.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Millbury liable to taxation in said town and residing within the territory comprised within the following boundary lines, to wit: —

Westerly: From a point at New England Power substation due North to a point at Colton Rd.;

Northerly: From a point at Colton Rd. due East to the Millbury, Grafton town line;

Easterly: Following the Millbury, Grafton town line southerly, to the point where the Sutton town line intersects; and

Southerly: Due West from the point at which the Millbury, Sutton, Grafton town line, intersects, to the New England Power Substation;

shall constitute a water district, and are hereby made a body corporate by the name of Oakwood Heights Water District of Millbury, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, to assess and raise taxes as provided herein for the payment of such services, and to defray the necessary expenses of carrying on the business of the district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. Said 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 city or town, acting through its water department, or with any water company, or with any other water district, for whatever water may be required, authority to furnish the same being hereby granted, and may contract with any such person for the purpose of obtaining certain services for the district, including its operation and maintenance, or for the sale of the assets and liabilities of the district upon such terms as may be approved by a majority of the voters of the territory included within the boundaries set forth in section one hereof, present and voting thereon at an annual or special meeting called for that purpose, and may enter into such other contracts as may be necessary for the purposes set forth in section one of this act, and may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by lease, purchase or otherwise, and hold, the waters, or any portion thereof, of any pond, spring or stream, or of any ground sources of supply by means of driven, artesian or other wells within said town of Millbury 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 such purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights-of-way and other easements necessary for collecting, storing, holding, processing, purifying and preserving the purity of the water and for conveying the same to any part of the district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the state department of public health, and that the location of and arrangement of all dams, reservoirs, springs, standpipes, tanks, buildings, wells, pumping 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. Said 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 pipe lines, wells and reservoirs and establish pumping works, and may construct, lay and maintain aqueducts, conduits, pipes and other works under or over any land, water-

courses, railroads, railways and public or other ways, and along 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 all things done upon any such way shall be subject to the direction of the selectmen of the town of Millbury. The district shall not enter upon, construct or lay any aqueduct, conduit, pipe or other works within the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. Said district may enter upon any lands for the purpose of making surveys, test pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under chapter seventy-nine of the General Laws; 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 for the system of water supply under this act, other than expenses of maintenance and operation, the district may borrow, in addition to amounts authorized by chapter forty-four of the General Laws, from time to time such sums as may be necessary, not exceeding, in the aggregate, three hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Oakwood Heights Water District of Millbury Loan, Act of 1971. Each authorized issue shall constitute a separate loan, and such loans shall be payable in not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its 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 the provisions of this act, shall without further vote be assessed upon the district by the assessors of said town 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 the provisions of section nine.

SECTION 7. Whenever an appropriation is duly voted by the district for the purpose of this act, the clerk shall send a certified copy of the

vote to the assessors of said town. Any tax required to be assessed by said assessors on property within the district because of such vote shall be assessed 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 can receive no aid in the extinguishment of fire from said system of water supply, or receive no benefit in fire insurance grading therefrom, or both, 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 said 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. The first meeting of the voters of the territory included within the boundaries set forth in section one 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. 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 take effect, and the meeting may then proceed to act on the other articles in the warrant.

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 is accepted or at an annual meeting or a special meeting thereafter called for the purpose, three persons, resident taxpayers and voters of 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 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 commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot a clerk and a treasurer of the district, who shall not be a commissioner thereof, and who shall give bond to the district in such an amount as may be approved by the commissioners. A majority of said commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by the district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said commissioners or a majority of them.

SECTION 10. Said commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the waterworks 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 commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. If in any year there should be a deficit of revenue, the water commissioners shall in the following year fix the rate so as to meet such deficit together with the estimated operating costs including interest and debt. Said 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 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 waterworks, 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 said 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 acts shall be punished by a fine of not more than one hundred dollars or by imprisonment in jail for not more than one year.

SECTION 13. Upon a petition in writing addressed to said commissioners requesting that certain real estate, accurately described therein, located in said town and abutting on said district and not otherwise served by a public water supply be included within the limits thereof, and signed by the owners of such real estate, or a major portion thereof, said commissioners shall cause a duly warned meeting of the district to be called, at which meeting the voters may vote on the ques-

tion of including said real estate within the district. If a majority of the voters present and voting thereon vote in the affirmative the district clerk shall within ten days file with the town clerk of said town and with the state secretary an attested copy of said petition and vote; and thereupon said real estate shall become and be part of the district and shall be holden under this act in the same manner and to the same extent as the real estate described in section one.

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the district present and voting thereon at a district meeting called in accordance with the provisions of section eight within three years after its passage, but the number of meetings so called in any one year shall not exceed three.

Approved October 1, 1971.

Chap. 836. AN ACT AUTHORIZING THE TOWN OF WILMINGTON TO APPOINT ALFRED S. VENUTI AS A PERMANENT MEMBER OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any law or rule to the contrary regulating the maximum age of police officers, Alfred S. Venuti may be appointed as a permanent intermittent police officer in the town of Wilmington, provided he meets all other requirements for certification and appointment to such position, and provided further, that there is no person on the eligible list willing to accept appointment as a permanent intermittent police officer in the police department of said town on the effective date of this act. *Approved October 1, 1971.*

Chap. 837. AN ACT REQUIRING THE USE OF SAFETY GLAZING MATERIALS IN THE CONSTRUCTION OF CERTAIN BUILDINGS IN HAZARDOUS LOCATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 143 of the General Laws is hereby amended by inserting after section 3S the following three sections: —

Section 3T. The following phrases, as used in sections three U and three V shall, unless the context requires otherwise, have the following meanings: —

"Safety glazing material", any glazing material, such as tempered glass, laminated glass, wire glass or rigid plastic, which meets such test requirements as may be adopted by the department shall, insofar as possible, adhere to the American National Standard known as Z97–1 after notice and hearing as required by chapter thirty A, and which are so constructed, treated or combined with other materials as to minimize the likelihood of cutting and piercing injuries resulting from human contact with the glazing material.

"Hazardous locations", means those installations, glazed or to be glazed in commercial and public buildings, known as framed or unframed glass entrance doors; and those installations, glazed or to be glazed in residential buildings and other structures used as dwellings, commercial buildings and public buildings, known as sliding glass doors,

storm doors, shower doors, bathtub enclosures, and fixed glazed panels adjacent to entrance and exit doors which because of their location present a barrier in the normal path traveled by persons going into or out of these buildings, and because of their size and design may be mistaken as means of ingress or egress; and any other installation, glazed or to be glazed, wherein the use of other than safety glazing materials would constitute an unreasonable hazard as the commissioner may determine after notice and hearing as required by said chapter thirty A, whether or not the glazing in such doors, panels, enclosures and other installations is transparent.

Section 3U. Each light of safety glazing material manufactured, distributed, imported or sold for use in hazardous locations or installed in such a location within the commonwealth shall be permanently labeled by such means as etching, sandblasting, firing of ceramic material on the safety glazing material, or by other suitable means so as to be easily visible and legible. The label shall identify the labeler, whether manufacturer, fabricator or installer, and the nominal thickness and the type of safety glazing material and the fact that said material meets the test requirements of section three T.

Such safety glazing labeling shall not be used on other than safety glazing materials.

Section 3V. Whoever knowingly sells, fabricates, assembles, glazes, installs, consents or causes to be installed glazing materials other than safety glazing materials in, or for use in, any hazardous location shall be punished by a fine of not less than five hundred nor more than ten thousand dollars, or by imprisonment in a jail or house of correction for not more than one year, or both.

The provisions of this section shall not apply to an employee of any person charged with the responsibility of compliance with sections three T and three U.

SECTION 2. The provisions of sections three T to three V, inclusive, of chapter one hundred and forty-three of the General Laws, inserted by section one of this act, shall take effect on April the first, nineteen hundred and seventy-two, and shall not affect the construction or alteration of any building which has been commenced prior to said date.

Approved October 1, 1971.

Chap. 838. AN ACT FURTHER REGULATING THE APPOINTMENT OF AREA DIRECTORS AND ASSOCIATE AREA DIRECTORS OF COMMUNITY MENTAL HEALTH AND RETARDATION AREAS.

Be it enacted, etc., as follows:

The third paragraph of section 18 of chapter 19 of the General Laws is hereby amended by striking out the sixth sentence, as appearing in section 2 of chapter 372 of the acts of 1970, and inserting in place thereof the following two sentences: — Nothing in this paragraph shall be deemed to exempt the appointment of an area director from the provisions of chapter thirty-one, provided that the positions of area director and associate area director shall be filled by an examination which shall consist of grading an examinee on the basis of his training and experience and, notwithstanding the provisions of section ten of said

chapter thirty-one, an oral interview the weight and scope of which shall be determined by the director of the division of civil service, and which shall be conducted by a board of examiners chosen by said director which shall include members of the respective area board. Section twelve A of chapter thirty-one shall not apply to examinations held under this section; provided, however, that in the event of an error in grading said director shall have full authority to make any corrections he may deem necessary. *Approved October 1, 1971.*

Chap. 839. AN ACT PROVIDING FOR THE PERMANENT PROTECTION OF THE COASTAL MARSHES AND INLAND WETLANDS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The director of the division of fisheries and game is hereby authorized and directed to expend a sum not exceeding five million dollars for the acquisition of coastal wetlands and inland wetlands, including the expenses connected therewith and the cost of development and management of areas so acquired, for fish and wildlife conservation purposes. Acquisition may be made by purchase, gift or eminent domain in accordance with the provisions of chapter seventy-nine of the General Laws; provided, however, that eminent domain shall be exercised following approval of the governor and council, and, provided further, that lands situated within the areas covered by this act being actively used for agricultural or wildlife conservation purposes or both shall not, so long as they are within these classifications, be subject to the eminent domain provisions contained herein. When eminent domain is contemplated or considered necessary, said director shall submit to the city council or the board of selectmen of the city or town where the land in the proposed taking is located a copy of the order of taking, a plan showing the area involved and a list of the owners within the area of the proposed taking, said list having been compiled from the latest records of the assessors office in each community involved. Said city council or board of selectmen may accept or reject the proposed taking by a majority vote; provided, however, that if the city council or board of selectmen does not act within thirty days of the receipt of the order of taking and the plan, the proposed taking shall be considered approved and said director shall proceed with the taking. As used in this act, "coastal wetlands" shall mean coastal wetlands as defined in section one hundred and five of chapter one hundred and thirty of the General Laws, and "inland wetlands" shall mean inland wetlands as defined in section forty A of chapter one hundred and thirty-one of the General Laws.

SECTION 2. Lands bordering on coastal wetlands and inland wetlands deemed necessary by the director for the conservation of wildlife and inland fisheries resources may be acquired under the provisions of this act except that they will be exempt from the eminent domain provisions.

SECTION 3. Lands acquired under this act shall be considered to be in public ownership and are hereby exempted from any orders promulgated in accordance with the provisions of section one hundred

and five of chapter one hundred and thirty and section forty A of chapter one hundred and thirty-one of the General Laws.

SECTION 4. The director, in accordance with the provisions of section thirty-seven of chapter thirty and section two of chapter thirty A of the General Laws, shall make such rules and regulations as he deems necessary for the management of areas acquired under the provisions of this act.

SECTION 5. The director is hereby authorized to apply for and expend without further appropriation any and all federal funds which are now available or which will be made available for the purposes as set forth in this act.

SECTION 6. The assessed value which has been established by the local board of assessors as of January the first of the year preceding the year any lands or waters are acquired shall be the assessed value on the day and date title to said lands or waters passes to the commonwealth; said valuation shall remain unchanged until such time as a reevaluation is authorized by the general court.

SECTION 7. Nothing in this act shall prohibit or restrict the exercise or performance of the powers and duties conferred or imposed by law upon the state reclamation board or any mosquito control or other project acting under or authorized by chapter two hundred and fifty-two of the General Laws.

SECTION 8. Funds provided in this act shall be for the purposes defined in section one and shall not be subject to the provisions of section twenty-two of chapter six A of the General Laws, inserted by section three of chapter seven hundred and four of the acts of nineteen hundred and sixty-nine, provided that 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 or rates, file copies of the schedules or 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", said division 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 9. To meet the expenditure 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 million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Coastal Wetlands and Inland Wetlands Capital Outlay Loan, Act of 1971 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 arranged so 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 the thirtieth, nineteen hundred and eighty-six.

SECTION 10. All interest payments and payments on account of principal on the bonds authorized by this act shall be paid as follows: twenty per cent from the state recreation areas fund, to be assessed by methods fixed by law; twenty per cent from the public access fund; twenty per cent from the inland fisheries and game fund; twenty per cent from the tourism and industrial promotion fund; and twenty per cent from the harbors and inland waters maintenance fund.

Approved October 6, 1971.

Chap. 840. AN ACT ESTABLISHING A SYSTEM OF SCENIC AND RECREATIONAL RIVERS AND STREAMS IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 21 of the General Laws is hereby amended by inserting after section 17A the following section:—

Section 17B. The commissioner, with the approval of the board of natural resources, may from time to time, for the purpose of promoting the public safety, health and welfare and protecting public and private property, wildlife, fresh water fisheries and irreplaceable wild, scenic and recreational river resources, adopt, amend, modify or repeal orders regulating, restricting or prohibiting dredging, filling, removing or otherwise altering, or polluting the scenic and recreational rivers and streams of the commonwealth. The notice required by section two of chapter thirty A as a condition precedent to the adoption or amendment of any regulation shall be given to each assessed owner of any land on the banks of any such river or stream. In this section, the term "scenic and recreational rivers and streams of the commonwealth" shall mean rivers and streams of the commonwealth or portions thereof, and such contiguous land not to exceed one hundred yards on either side of the natural bank of such river as the commissioner reasonably deems it necessary to protect by any such order.

Upon adoption of any such order or any order amending, modifying or appealing the same, the commissioner shall cause a copy thereof, together with a plan of the river or stream or portion thereof affected and a list of the assessed owners of such lands, to be recorded in the registry of deeds for the county wherein said river or stream is located and shall mail a copy of such order and plan to each assessed owner of such lands affected thereby. Such order shall not be subject to the provisions of chapter one hundred and eighty-four. Any person

who violates any such order shall be punished by a fine of not less than ten dollars nor more than one hundred dollars, or by imprisonment for not more than six months, or both.

The superior court shall have jurisdiction in equity to restrain violations of such orders.

Any person having a recorded interest in land affected by any such order may, within ninety days after receiving notice thereof, petition the superior court to determine whether such order unreasonably restricts the use of his property as to deprive him of the practical uses thereof and which constitutes an unreasonable exercise of the police power so as to become the equivalent of a taking without compensation. If the court finds the order to be unreasonable, the court shall enter a finding that such order shall not apply to the land of the petitioner; provided, however, that such finding shall not affect any other land than that of the petitioner. The commissioner shall cause a copy of such finding to be recorded forthwith in the proper registry of deeds or, if the land is registered, in the registry district of the land court. The method provided in this paragraph for the determination of the issue of whether any such order constitutes a taking without compensation shall be exclusive, and such issue shall not be determined in any other proceeding nor shall any person have a right to petition for the assessment of damages under chapter seventy-nine by reason of the adoption of any such order.

The department may, after a finding has been entered that such order shall not apply to certain land as provided in the preceding paragraph, take the fee or any lesser interest in such land in the name of the commonwealth by eminent domain under the provisions of chapter seventy-nine and hold the same for the purposes set forth in this section.

No action by the commissioner or the department under this section shall prohibit, restrict or impair the exercise or performance of the powers and duties conferred or imposed by law on the department of public works, the state reclamation board or any mosquito control or other project operating under or authorized by chapter two hundred and fifty-two. No order adopted under the provisions of this section shall be deemed to invalidate any order imposed prior thereto by the department of natural resources pursuant to section twenty-seven A of chapter one hundred and thirty or of section forty, forty A or one hundred and five of chapter one hundred and thirty-one.

Costs incurred under this section including, but not limited to, the acquisition of lands or interests therein, awards of damages, surveying and mapping, the preparation of designation plans, printing of reports, conducting of public hearings and expenses incidental thereto may be paid in accordance with the provisions of section seventeen of chapter twenty-one. *Approved October 6, 1971.*

Chap. 841. AN ACT AUTHORIZING THE MASSACHUSETTS AERONAUTICS COMMISSION TO PROVIDE FOR INSURANCE FOR THE INDEMNIFICATION AND PROTECTION OF PILOTS OF AIRCRAFT UNDER ITS CARE, CUSTODY AND CONTROL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediate and adequate insurance

coverage of the pilots of the aircraft operated by the Massachusetts aeronautics commission, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

Section 57 of chapter 6 of the General Laws is hereby amended by inserting after the third paragraph the following paragraph:—

The commission may pay a proper charge for effecting insurance providing for the indemnification and protection of a pilot of the aircraft under its custody, care and control, for expenses or damages incurred by him in the defense or settlement of claims against him for bodily injuries, death or for damage to property arising out of his operation of such aircraft while acting within the scope of his official duties or employment. *Approved October 7, 1971.*

Chap. 842. AN ACT ESTABLISHING A MASSACHUSETTS FIRE TRAINING COUNCIL, A BUREAU OF FIRE TRAINING IN THE DIVISION OF OCCUPATIONAL EDUCATION AND A MASSACHUSETTS FIRE-FIGHTING ACADEMY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for the establishment of certain fire training facilities by the commonwealth for the purpose of the planning and operation of necessary fire training programs throughout the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health, safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by inserting after section 163, added by chapter 579 of the acts of 1971, under the caption MASSACHUSETTS FIRE TRAINING COUNCIL, the following two sections:—

Section 164. There shall be a Massachusetts fire training council, hereinafter called the council, to consist of seven members to be appointed by the governor, three of whom shall be fire chiefs selected from a list of nine names submitted by the Fire Chiefs Association of Massachusetts and of whom one shall represent a fully paid fire department, one a partially paid part-call fire department and one a full-call fire department, one of whom shall be selected from a list of three names submitted by the Massachusetts Institute of Fire Department Instructors, who is a fire department training instructor holding an officer's rank, but is not a fire chief, one of whom shall be a firefighter selected from a list of three names submitted by the Associate Firefighters Union of Massachusetts who is not a fire officer and two of whom shall be citizens of the commonwealth. The associate commissioner of occupational education in the department of education and the chief of fire training shall be ex officiis members of the council. Members shall be appointed for terms of three years, except that the terms of the first appointments shall be three members for one year, two members for two years and two members for three years. Subsequent appointments shall be made in the same manner,

except that only three names shall be submitted by the Fire Chiefs Association of Massachusetts. No person shall be appointed to serve more than two full terms and prior service on said council for a term of less than two years resulting from an initial appointment or an appointment for the remainder of an unexpired term shall not constitute a full term. Members shall hold office until a successor is appointed and no appointive member shall serve beyond the time he ceases to hold office or employment by reason of which he was eligible for appointment to the council.

The members of the council shall serve without compensation, but shall be reimbursed for their actual and necessary expenses incurred in the performance of their duties.

The council shall meet regularly each month, except that the chairman, with council approval, may omit meetings in July and August and the chairman or the governor may call additional meetings at other times, of which all members shall be given in writing at least five days notice. If any member is absent from three regularly scheduled meetings, exclusive of July and August, in any calendar year, his office as a member shall be deemed vacant. The chairman of the council shall make an annual report to the governor and the board of education and include in such report its recommendations for appropriate legislation.

Section 165. The council shall consult with and advise the bureau of fire training in the division of occupational education relative to the following matters:—

(1) The establishment of a minimum firefighting training standard for recruit firefighters and a minimum uniform training curriculum for all other levels of fire service personnel.

(2) The establishment of minimum requirements for instructors employed in the bureau of fire training.

(3) The location of the Massachusetts Firefighting Academy and area training centers.

(4) The establishment of standards and procedures for approving facilities of employing agencies desirous of conducting training under the bureau.

The council may provide such necessary services to local fire training centers meeting the established standards as are beyond their capacity to provide.

The council shall consult and cooperate with any employing agency, the division of civil service, state university, college, community college, regional vocational school or other educational institution concerning the development of firefighter training standards and facilities.

The council shall annually review all standards, courses and curriculum offered by the bureau.

SECTION 2. The sixth paragraph of section 1F of chapter 15 of the General Laws, as appearing in section 1 of chapter 837 of the acts of 1969, is hereby amended by adding after clause (7) the following clause:—

(8) To establish a bureau of fire training which shall operate a training school for firefighters to be known as the Massachusetts Firefighting Academy, and which shall be the sole agency of the com-

monwealth responsible for the training of firefighters. Said bureau shall be directed by a chief of fire training who shall be appointed by the board of education. Said bureau, with approval of the Massachusetts fire training council, may accept for any of its purposes and functions any donations of property and grants of money from any governmental unit, public agency, institution, person, firm or corporation. Said grants shall be kept in a separate fund by the state treasurer and shall be disbursed by the state treasurer at the direction of said council.

SECTION 3. The provisions of this act shall not apply to any city or town which has established fire training facilities and is employing full-time fire training personnel prior to its effective date.

Approved October 7, 1971.

Chap. 843. AN ACT ESTABLISHING THE HOUSING COURT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 185 the following chapter:—

CHAPTER 185A.

HOUSING COURT OF THE CITY OF BOSTON. JURISDICTION AND POWERS.

Section 1. There shall be in the city of Boston, in this chapter called the city, a court of the commonwealth known as the housing court of the city of Boston, in this chapter called the housing court.

Section 2. The housing court shall be a court of superior and general jurisdiction with reference to all cases and matters within its jurisdiction; and no order, decree, judgment, sentence, warrant, writ or process made, issued or pronounced by it need set out any adjudication or circumstances with greater particularity than would be required in other courts of superior and general jurisdiction, and the like presumption shall be made in favor of proceedings of the housing court as would be made in favor of proceedings of other courts of superior and general jurisdiction. The housing court shall be a court of record. Writs, subpoenas, citations, orders, notices, executions and all other processes issued by the housing court shall be under the seal of the housing court, signed by the clerk, temporary clerk or an assistant clerk, and bear the teste of the judge, and shall run throughout the commonwealth.

Section 3. The housing court shall have jurisdiction, concurrent with the district courts and the superior court, of all crimes, and of all civil actions, arising within the city under sections fourteen and eighteen of chapter one hundred and eighty-six and under so much of sections one hundred and twenty-seven A to one hundred and twenty-seven F, inclusive, and sections one hundred and twenty-seven H to one hundred and twenty-seven K, inclusive, of chapter one hundred and eleven, so much of section sixteen of chapter two hundred and

seventy, so much of chapters one hundred and forty-three, one hundred and forty-eight and two hundred and thirty-nine, and so much of any other general or special law, ordinance, rule or regulation as is concerned with the health, safety or welfare of any occupant of any place used, or intended for use, as a place of human habitation, including, without limiting the generality of the foregoing, so much of chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight and of acts and ordinances in amendment thereof, and so much of the provisions of ordinances validated and confirmed by chapter three hundred and fourteen of the acts of nineteen hundred and sixty-two and of ordinances made under said chapter as is so concerned. The housing court shall also have jurisdiction in equity, concurrent with the district courts, the probate courts, the superior court and the supreme judicial court, of all cases and matters so arising.

In all matters within its jurisdiction, the housing court shall have all the powers of the superior court in actions at law and suits in equity, including the power to grant temporary restraining orders and preliminary injunctions as justice and equity may require. The housing court shall have like power and authority for enforcing orders, sentences and decrees made or pronounced in the exercise of any jurisdiction vested in it, and for punishing contempts of such orders, sentences and decrees and other contempts of its authority, as are vested for such or similar purposes in the supreme judicial or superior court.

Section 4. The housing court shall hold its sittings in Boston; and suitable rooms for the sittings of the housing court and for the officers thereof shall be provided in the Suffolk county court house. With, in each instance, the approval of the assistant commissioner of real property of the city, space may be provided for sittings of the housing court in such other court houses in the city as may from time to time be expedient or convenient. The judge of the housing court may keep order therein.

Section 5. The housing court shall always be open and the business thereof, or of the judge thereof, may be transacted at any time; but such business shall not, except as provided in section six of chapter two hundred and twenty, be transacted on Saturday or Sunday or on a legal holiday unless it relates to an application which, in the opinion of the judge to whom it is made, is of pressing necessity; provided, that, if the convenience of the public so requires, the housing court shall be open for the transaction of business on such Saturdays, not legal holidays, and during such hours thereof, as the judge may determine.

Section 6. The housing court shall have a seal which shall be in the custody of its clerk, and shall be affixed to all processes issued by the housing court requiring a seal.

Section 7. The housing court shall from time to time make general rules and forms for procedure, which, before taking effect, shall be approved by the supreme judicial court or a justice thereof.

Section 8. The housing court shall have one judge, who shall be a resident of the city and a member of the bar. He shall devote his entire time during ordinary business hours to his duties, and shall not,

directly or indirectly, engage in the practice of law. In case of a vacancy in the office of judge, or of his illness or absence, his duties shall be performed by such associate or special justice of the municipal court of the city of Boston as the chief justice thereof may from time to time designate. The judge shall receive a salary of twenty-six thousand four hundred dollars a year or such other sum as shall from time to time be fixed by the city council of the city, with the approval of the mayor of the city, but in no event more than the annual salary of an associate justice of the superior court.

Section 9. The housing court shall have a clerk, who shall be appointed by the governor and shall hold office during good behavior, subject, however, to retirement under the provisions of any applicable general or special law relative to retirement systems.

Section 10. In case of the absence, death or removal of the clerk, the judge may appoint a temporary clerk, to act until the clerk resumes his duties or until the vacancy is filled. A temporary clerk shall be paid for each day's service an amount equal to the rate by the day of the minimum compensation of the clerk as established under sections forty-nine to fifty-six, inclusive, of chapter thirty-five; but compensation so paid to a temporary clerk for service in excess of thirty days in any one year shall be deducted from the salary of the clerk; provided, however, that if a clerk is absent due to illness or physical disability for a period not exceeding thirty days in any year, in addition to said thirty days, he shall be deemed to be on sick leave and no such deduction shall be made. Such thirty days sick leave or any portion thereof not used in any year may be accumulated, but shall, in any event, not exceed one hundred and eighty days in any consecutive six-year period. If the person so appointed holds an office or position the salary or compensation for which is paid out of the treasury of the commonwealth, or of a county, or of a city or town, he shall not receive the salary or compensation of both offices or positions during the period of such temporary service.

Section 11. The clerk may, subject to the approval of the judge, appoint such number of assistant clerks as the city council of the city, with the approval of the mayor of the city, may from time to time determine. All powers conferred by statute upon the clerk may be exercised, subject to the control of the clerk, by an assistant clerk. The clerk shall be responsible for all official acts of the assistant clerks; and they shall be removable at the pleasure of the clerk or of the judge.

Section 12. The clerk, any temporary clerk and all assistant clerks shall be sworn; and in the case of any temporary clerk and of every assistant clerk, the oath of office shall be administered by the judge who shall, upon administering the same, forthwith make return of such act with the date thereof to the state secretary.

Section 13. The clerk, any temporary clerk and every assistant clerk, before entering upon the performance of his official duties, and thereafter, at intervals of not more than one year, so long as he continues to hold such office, shall give to the city a bond, conditioned to perform faithfully his official duties, with a surety company, authorized to transact business in the commonwealth as surety, in a sum approved by the judge, but in no event less than five thousand

dollars. Failure to give such bond shall be sufficient cause for his removal.

Section 14. The clerk, temporary clerk and assistant clerks or one of them shall attend all sessions of the housing court and shall keep a record of all its proceedings. The clerk shall have the care and custody of all the records, books and papers appertaining to, or filed or deposited in, his office. The clerk shall make and issue writs and processes, shall make returns of the housing court, tax bills of costs and receive fines, forfeitures, fees and costs accruing from the civil and criminal business of the housing court, including fees for blanks and copies. The clerk shall have such other powers and duties as the judge may from time to time order. The clerk shall be allowed annually for clerical assistance such amount as the city council of the city, with the approval of the mayor of the city, may approve.

The clerk and assistant clerks of the housing court may sign process issued by the housing court, and housing court records, documents or other legal papers or copies thereof made or issued by such clerk or assistant clerks in conformity with law, except search warrants and process authorizing arrests or commitments, by imprinting thereon a facsimile of the signature of the clerk or assistant clerk; and such facsimile signatures shall have the same validity as their written signatures.

Section 15. The judge may appoint such number of court officers for the housing court as the city council of the city, with the approval of the mayor of the city, may from time to time determine. Any court officer may be removed for any cause considered by the judge to be sufficient. Any vacancy caused by removal or otherwise may be filled by the judge. The court officers shall attend the sessions of the housing court, shall preserve order and may serve warrants, mittimuses, precepts, orders and processes of the housing court. Each court officer shall give bond for the faithful performance of his duties in the sum of one thousand dollars payable to the city, with sufficient sureties approved by the judge. Each court officer, while on duty in the housing court, shall wear a uniform approved by the judge, which shall be furnished at the expense of the city.

Section 16. The judge may appoint such number of housing specialists as the city council of the city, with the approval of the mayor of the city, may from time to time determine. The judge may designate one of them as chief housing specialist. All housing specialists shall hold office at the pleasure of the judge, subject, however, to retirement under the provisions of any applicable general or special law relative to retirement systems. All housing specialists shall be knowledgeable in the maintenance, repair and rehabilitation of dwelling units, the problems of landlord and tenant as they pertain to dwelling units, the types of funds and services available to assist landlords and tenants in the financing and resolution of such problems and the federal and state laws, rules and regulations pertaining to the maintenance, repair and rehabilitation of such units and the financing and resolution of such problems. The housing specialists shall have such powers and perform such duties as the judge shall from time to time prescribe. Every housing specialist shall be sworn by the judge, who shall, upon administering the oath, forthwith make return of such act with the date thereof to the state secretary.

Section 17. No clerk, temporary clerk, assistant clerk or housing specialist shall be retained or employed as an attorney in any complaint, action or suit in the housing court or which has been examined or tried therein.

Section 18. At the trial of any issue of fact, the judge presiding at the trial may appoint a stenographer, who shall be sworn and shall attend the trial, or such part thereof as may be directed, and perform like duties and receive the same compensation therefor as a stenographer appointed by the superior court who is not on salary; and the sums so payable for his attendance at court and for any transcript of his notes or part thereof furnished to the judge presiding at the trial by his direction shall be paid by the city upon the certificate of the judge.

The judge may employ stenographic service for the housing court to such amount as the city council of the city, with the approval of the mayor of the city, may appropriate; and within the limits of available appropriations, the clerk of the housing court may procure such law books and such blank books, blanks, stationery and other incidentals required by the housing court as the judge may approve. Expenses so incurred shall be paid upon vouchers approved by the judge.

Section 19. All costs and expenses of the housing court, including the salaries of the judge, clerk, assistant clerks, court officers, housing specialists and others, shall be paid by the city. The clerk of the housing court shall pay into the treasury of the city all sums received by him whether as fees, fines, forfeitures or otherwise.

PROCEDURE.

Section 20. Proceedings shall be commenced in the housing court as follows:—a criminal case, by complaint in like manner as in a district court; an action at law, including an action for summary process, by writ in like manner as in the superior court or a district court; and a suit in equity, by bill or petition with a writ of subpoena according to the usual course of proceedings in equity, in like manner as in the superior court.

The clerk of the housing court shall charge a fee of two dollars for the entry of an action or suit, which shall be paid by the party entering the same; and no other fee shall be charged for taxing costs, for issuing any subpoena or execution or for issuing any order of notice or other mesne, interlocutory or final order, rule, decree or process authorized by law, except a temporary restraining order or preliminary injunction for the issuance of which the clerk shall charge five dollars; provided, however, that no fee for the entry of an action or suit or for the issuance of a temporary restraining order or preliminary injunction shall be charged the commonwealth or the city or any board or officer of either. If the housing court finds that the party entering the action or suit or obtaining the restraining order or preliminary injunction is destitute and unable to pay, it may order the payment of the fee or fees prescribed by this paragraph to be waived.

Notwithstanding that a proceeding under this chapter is commenced by complaint, if the housing court finds that the offense charged was not wilful, intentional, reckless or repeated, the proceeding shall not

be deemed criminal and no record of the case shall be entered in the probation records.

Suits in equity in the housing court shall be entered upon a separate equity docket.

Section 21. Upon the commencement of a suit in equity in the housing court, the clerk, at the request of the plaintiff or his counsel, shall issue a subpoena with a copy of the bill or petition attached. Such subpoena shall direct the defendant or defendants to appear and answer on or before a date specified therein, which shall be not less than ten nor more than fourteen days after the issuance of such subpoena. Such subpoena shall be served at least seven days prior to the date specified therein for appearance and answer. Such subpoena may be served by an officer qualified to serve civil process, by delivery to the defendant of an attested copy thereof in any manner provided by law, including, without limiting the generality of the foregoing, by leaving such copy at the last and usual place of abode of the defendant or, if the suit relates to premises of which the defendant is owner or landlord, by leaving such copy at the place to which the rent is sent or delivered or the bill for the real estate tax on such premises is sent pursuant to section three of chapter sixty. If the defendant is a corporation, such subpoena may be served by such an officer by leaving an attested copy thereof at the place of abode of the president, treasurer or clerk of the corporation, or, in the case aforesaid, by leaving such copy at the place to which the rent is sent or delivered or the bill for the real estate tax on the premises is sent pursuant to said section three. Service of such subpoena may also be made, within the time hereinbefore prescribed, by the plaintiff by registered mail, return receipt requested; provided, that an affidavit of such service and the return receipt is filed on or before the date specified in the subpoena for appearance and answer or within such further time as the housing court may allow.

Section 22. Any action at law or suit in equity within the jurisdiction of the housing court which is pending in another court may be transferred to the housing court by any party thereto; but no action at law or suit in equity originally entered in the housing court shall be transferred to any other court, except that the supreme judicial court may direct any cause pending in the housing court to be transferred to it in whole or in part for further action or directions, and in cases of partial transfer may issue such orders or directions in regard to the part of such cause not so transferred as justice may require.

Whenever cross actions between the same parties or two or more actions, including for the purposes hereof other court proceedings, arising out of or connected with the same housing accommodation are pending, one or more in the housing court and also one or more in one or more district courts or one or more probate courts, or in the superior court, the housing court, upon motion of any party to any of such actions, may order that the action or actions pending in the district court or courts and in the probate court or courts and in the superior court, with all the papers relating thereto, be transferred to the housing court without the payment of any entry fee; and such action or actions shall thereafter proceed in the housing court as though originally entered there.

Section 23. All cases in the housing court, including all demurrers, pleas, motions and the like, whether interlocutory or final, shall be heard and determined by the housing court sitting without a jury, except that in all cases where a jury trial is required by the constitution of the commonwealth or of the United States and the defendant has not waived his rights to a trial by jury, the cause shall be forthwith tried in the housing court before a jury selected in accordance with chapter two hundred and thirty-four. In the trial of any complaint, action or suit in the housing court, the report of any inspector serving in the housing inspection department of the city shall be prima facie evidence of the facts stated therein.

Section 24. Every judgment, order and decree entered by the housing court shall bear as its date the day when actually entered by the clerk, and at the time of the entry he shall note such date upon the judgment, order or decree and upon the docket. When a judgment or decree is entered by the housing court upon a demurrer or a case stated or when a judgment or decree is entered in an action or suit, except in open court, the clerk shall forthwith give notice thereof to the parties or to their attorneys.

In suits in equity under this chapter, a final decree shall be entered although exceptions have been taken or a bill of exceptions has been filed and allowed, but execution and operation of the decree so entered shall be stayed until the exceptions have been disposed of unless the judge who made the ruling to which the exceptions were taken finds that the exceptions are immaterial, frivolous or intended for delay.

Section 25. If a written request by any party entitled to appeal from a decree entered by the housing court in a suit in equity is filed in the office of the clerk of the housing court within three days after the entry of such decree in open court or within five days after notice of the entry of such decree is sent such party by the clerk, whichever is earlier, the judge by whom the decree was ordered entered shall report the material facts found by him within fourteen days after the filing of the request therefor. If no request for a report of material facts is filed as aforesaid, such report shall be in the discretion of the judge ordering the decree entered. A request for a report of material facts may be accompanied by a request for action on rulings of law duly filed during the trial; and in case of such additional request, exceptions may be taken to any ruling or refusal to rule thereon within five days after notice of the action of the housing court thereon is sent by the clerk. A request for action on such requested rulings may be made also within five days after a report of material facts made by the housing court in its discretion without previous request; and exceptions may be taken within five days after notice of the action of the housing court thereon is sent. In either case the filing of such requests after trial for action on rulings of law shall constitute a waiver of the right of appeal under section twenty-three. In case exceptions are taken as herein provided, sections one hundred and thirteen to one hundred and twenty-three, inclusive, of chapter two hundred and thirty-one shall apply.

Section 26. A party aggrieved by a final decree or final judgment of the housing court may, within three days after the entry of such decree in open court or within five days after notice of the entry of

such decree is sent such party by the clerk, whichever is earlier, appeal therefrom directly to the full court of the supreme judicial court; provided that simultaneously with filing such appeal or within such further time as the judge or clerk for cause shown allows, he shall file a bond executed by him or by his attorney of record on his behalf payable to the appellee in such reasonable sum and with such surety or sureties as may be approved by the appellee or by the judge or clerk, conditioned to enter and prosecute his appeal with effect, and to satisfy any judgment for costs which may be entered against him upon said appeal within thirty days after the entry thereof, except that no such bond shall be required if the appellant is the commonwealth or the city or any board or officer of either or if the judge is satisfied that the appeal is not frivolous and that the appellant is destitute and unable to pay for such bond. Instead of filing a bond as aforesaid, the appellant or any person in his behalf may deposit with the clerk, within the time required for filing a bond, a reasonable amount, to be fixed by the judge or clerk, as security for the prosecution of the appeal and the payment of costs. A certificate of such deposit shall be issued to the depositor by the clerk, who shall hold such deposit until the final disposition of the case, when he shall pay it, or any part thereof, to the appellee for his costs, or to the depositor thereof, as the housing court may order. The housing court may give directions as to the manner of keeping such deposit.

The completion of an appeal hereunder shall be governed by section one hundred and thirty-five of chapter two hundred and thirty-one as if the housing court were the superior court. When the appeal has been entered as aforesaid, all proceedings under such judgment or decree shall be stayed, and the cause shall thereupon be pending before the full court, which shall hear and determine the same, and affirm, reverse or modify the decree appealed from. Upon the reversal of a final decree, the supreme judicial court may remand the cause to the housing court with necessary and proper directions for further proceeding therein.

When an appeal has been taken, the housing court before the entry of the appeal in the supreme judicial court may in its discretion stay, pending the appeal, all temporary orders, judgments, injunctions, decrees or other orders of the housing court, and may make such orders for the appointment of a receiver, and of injunction or prohibition, or for continuing the same in force, as are needful for the protection of the rights of the parties pending the determination of the appeal.

A party aggrieved by an interlocutory decree of the housing court may, in like manner, appeal to the full court of the supreme judicial court; but the appeal shall not suspend the execution of such decree, except as provided in section twenty-two of chapter two hundred and fourteen, nor transfer to the full court the entire cause or any matter therein except the question whether the interlocutory decree appealed from shall be affirmed, reversed or modified. Interlocutory decrees not appealed from shall be open to revision upon appeal from the final decree so far only as it appears to the full court that the final decree is erroneously affected thereby.

Section 27. Upon an appeal, the testimony of witnesses who have been examined orally before the housing court shall, at the request of

any party, be reported to the full court. The housing court shall provide by general rules for some convenient and effectual means of having the same reported by the judge by whom the case is heard or by a person designated by him for that purpose. In appeals in suits in equity under this chapter, the provisions of sections twenty-four and twenty-five of chapter two hundred and fourteen shall apply.

Section 28. The housing court may issue execution in common form if such process is appropriate for the enforcement of a decree in equity; provided, however, that no process for the execution of a final decree of the housing court shall issue until the expiration of five days after the entry thereof, unless all parties against whom such decree is made waive an appeal by a writing filed with the clerk or by causing an entry thereof to be made on the docket, except that if the judge by whose order the final decree was made is of opinion that the appeal from such decree is groundless and intended merely for delay, process for the execution of the decree may be awarded notwithstanding the appeal.

Section 29. If upon making an interlocutory order or decree at law or in equity, the judge is of opinion that it so affects the merits of the controversy that the matter ought, before further proceedings, to be determined by the full court of the supreme judicial court, he may report the question for that purpose, and stay all further proceedings except those necessary to preserve the rights of the parties.

Section 30. The bond of any receiver appointed by the housing court shall be payable to the city and shall otherwise be in such form as the housing court shall require. Such bond may be enforced in the name of the city by its commissioner of housing inspection, or by any person interested therein and duly authorized by the housing court, after notice to said commissioner, to take such action. The housing court shall have exclusive original jurisdiction of actions on such bonds. Any sums recovered shall be paid over or administered as the housing court directs.

SECTION 2. The first sentence of section 49 of chapter 35 of the General Laws is hereby amended by inserting after the word "twenty-one", in line 26, as appearing in section 3 of chapter 859 of the acts of 1969, the words:—, and including also the clerk, assistant clerks, court officers and housing specialists of the housing court of the city of Boston.

SECTION 3. Section 127G of chapter 111 of the General Laws, as added by section 3 of chapter 898 of the acts of 1965, is hereby amended by adding the following sentence:—The provisions of this section shall not apply to any case brought in the housing court of the city of Boston.

SECTION 4. Section 22 of chapter 214 of the General Laws, as amended by chapter 309 of the acts of 1948, is hereby further amended by inserting after the words "superior court", in line 2, the words:—or of the housing court of the city of Boston,—by inserting after the word "court", in line 9, the words:—, or the judge of the housing court of the city of Boston by whom the order or decree appealed from was made, or any other judge of said court,—and by inserting after the word "justice", in line 14, the words:—or judge.

SECTION 5. Section 86A of chapter 223 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by insert-

ing after the word "court", in line 3, the words:—or in the housing court of the city of Boston,—and by inserting after the word "court", in line 5, the words:—or in the housing court of the city of Boston.

SECTION 6. The first sentence of section 6 of chapter 224 of the General Laws, as so appearing, is hereby amended by inserting after the word "kept", in line 9, the words:—; provided, however, that every proceeding for the examination, commitment or discharge of a defendant so arrested, and every supplementary proceeding under this chapter as to a judgment debtor, which is incidental to a case or matter in the housing court of the city of Boston shall be had in said housing court.

SECTION 7. Section 7 of chapter 227 of the General Laws, as so appearing, is hereby amended by inserting after the word "court", in line 2, the words:—or in the housing court of the city of Boston.

SECTION 8. Section 8 of said chapter 227, as so appearing, is hereby amended by inserting after the word "therefor", in line 2, the words:—or, in the case of the housing court of the city of Boston, on the day specified therefor.

SECTION 9. Section 55 of chapter 231 of the General Laws, as amended by section 6 of chapter 318 of the acts of 1935, is hereby further amended by inserting after the word "court", in line 2, the words:—or the housing court of the city of Boston.

SECTION 10. Section 60 of said chapter 231, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "courts", in line 2, the words:—and in the housing court of the city of Boston.

SECTION 11. Section 60A of said chapter 231, as so appearing, is hereby amended by inserting after the word "court", in line 2, the words:—or in the housing court of the city of Boston.

SECTION 12. Section 111 of said chapter 231, as so appearing, is hereby amended by inserting after the words "land court", in line 2, the words:—or of the judge of the housing court of the city of Boston.

SECTION 13. The first sentence of section 113 of said chapter 231, as so appearing, is hereby amended by striking out, in line 3, the words "or of the land court" and inserting in place thereof the words:—of the land court, or of the housing court of the city of Boston.

SECTION 14. Section 119 of said chapter 231, as so appearing, is hereby amended by inserting after the word "court", in line 2, the words:—or in the housing court of the city of Boston.

SECTION 15. Section 133 of said chapter 231, as amended by section 2 of chapter 300 of the acts of 1933, is hereby further amended by inserting after the word "court", in line 27, the words:—or in the housing court of the city of Boston.

SECTION 16. The first paragraph of section 135 of said chapter 231, as appearing in the Tercentenary Edition, is hereby amended by inserting after the words "the land court", in line 3, the words:—, the housing court of the city of Boston.

SECTION 17. Said chapter 231 is hereby amended by inserting after section 146 the following section:—

Section 146A. Sections one, one A, three, four, four A, five, six, six A, six B, six C, seven, nine, ten, eleven, twelve, thirteen A, fourteen,

fifteen, sixteen, seventeen, eighteen, nineteen, twenty, twenty-one, twenty-two, twenty-three, twenty-five, twenty-six, twenty-seven, twenty-eight, twenty-nine, thirty, thirty-one, thirty-two, thirty-three, thirty-four, thirty-five, thirty-six, thirty-seven, thirty-eight, thirty-nine, forty, forty-nine, fifty, fifty-one, fifty-two, fifty-three, fifty-four, fifty-five, fifty-six, fifty-eight, fifty-nine, fifty-nine A, fifty-nine B, sixty, sixty A, sixty-eight, sixty-nine, seventy, seventy-one, seventy-two, seventy-four, seventy-five, seventy-six, seventy-seven, seventy-nine, eighty, eighty-one, eighty-three, eighty-five, eighty-five D, eighty-six, eighty-seven, eighty-eight, ninety, ninety-five, ninety-six, one hundred and eleven, one hundred and twelve, one hundred and thirteen, one hundred and fourteen, one hundred and fifteen, one hundred and sixteen, one hundred and seventeen, one hundred and eighteen, one hundred and nineteen, one hundred and twenty, one hundred and twenty-one, one hundred and twenty-two, one hundred and twenty-three, one hundred and twenty-four, one hundred and twenty-five, one hundred and twenty-five A, one hundred and twenty-six, one hundred and twenty-seven, one hundred and twenty-eight, one hundred and twenty-nine, one hundred and thirty, one hundred and thirty-one, one hundred and thirty-two, one hundred and thirty-three, one hundred and thirty-four, one hundred and thirty-five, one hundred and thirty-six, one hundred and thirty-seven, one hundred and thirty-eight, one hundred and thirty-nine, one hundred and forty B and one hundred and forty C shall apply to civil actions before the housing court of the city of Boston and no other sections of this chapter shall so apply unless otherwise expressly provided.

SECTION 18. Section 9 of chapter 232 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "courts", in line 5, the words:—and in the housing court of the city of Boston.

SECTION 19. Section 8 of chapter 261 of the General Laws, as so appearing, is hereby amended by inserting after the words "superior court", in line 2, the words:—, in the housing court of the city of Boston.

SECTION 20. Section 4 of chapter 263 of the General Laws is hereby amended by inserting after the word "court", in line 3, as so appearing, the words:—or the housing court of the city of Boston.

SECTION 21. Section 6 of said chapter 263, as appearing in section 1 of chapter 246 of the acts of 1933, is hereby amended by inserting after the word "complaint", in line 9, the words:—, or any defendant in the housing court of the city of Boston in a criminal case.

SECTION 22. Said chapter 263 is hereby amended by striking out section 8A, as amended by section 29 of chapter 319 of the acts of 1953, and inserting in place thereof the following section:—

Section 8A. A person shall not be held to answer in a district court or the housing court of the city of Boston to a second complaint for an offense for which he has already been tried upon the merits in a district court or in the housing court of the city of Boston.

SECTION 23. The first paragraph of chapter 797 of the acts of 1969, as amended by section 2 chapter 863 of the acts of 1970, is hereby amended by striking out, in the fourth sentence, the words "within the jurisdiction of the location of that housing accommodation" and

inserting in place thereof the words:—for the judicial district within which the housing accommodation is located or to the housing court of the city of Boston, within seven days after such decision.

SECTION 24. Said chapter 797, as amended by section 3 of said chapter 863, is hereby further amended by inserting after the word "located" in the last sentence of the paragraph immediately preceding the caption *Civil Remedies* the words:—or to the housing court of the city of Boston.

SECTION 25. The last sentence of paragraph (*c*) under the caption *Criminal Penalties* in said chapter 797, as amended by said section 3 of said chapter 863, is hereby amended by striking out the words "shall have exclusive" and inserting in place thereof the words:—and the housing court of the city of Boston shall severally have concurrent.

SECTION 26. The next to the last paragraph of said chapter 797, as amended by said section 3 of said chapter 863, is hereby amended by striking out, in line 1, the word "shall" and inserting in place thereof the words:—and the housing court of the city of Boston shall severally.

SECTION 27. This act shall take effect upon its passage, sofar as the appointing, commissioning and qualifying of the judge and clerk of the court hereby established are concerned; and it shall be in full force and effect, and the authority and jurisdiction of the court hereby established shall begin on the first day of January, nineteen hundred and seventy-two. *Approved October 7, 1971.*

Chap. 844. AN ACT PROVIDING THAT THE DEFINITION OF SOLID WASTE DISPOSAL FACILITY SHALL INCLUDE SORTING AND RECYCLING OF SOLID WASTE.

Be it enacted, etc., as follows:

Section 18 of chapter 16 of the General Laws is hereby amended by striking out the definition of "solid waste disposal facility" and inserting in place thereof the following definition:—

"Solid waste disposal facility", incinerator, sanitary landfill, transfer station, composting plant, sorting machine or plant, or other sanitary means of solid waste disposal approved by the department of public health, recycling plant, or any combination of one or more of the above facilities and appurtenant facilities.

Approved October 7, 1971.

Chap. 845. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO PERMIT THE CITY OF PITTSFIELD TO USE A CERTAIN HUNDRED-FOOT-WIDE STRIP OF LAND ALONG THE ONOTA LAKE SHORE IN SAID CITY FOR CONSERVATION AND RECREATION PURPOSES.

Be it enacted, etc., as follows:

The department of mental health is hereby authorized to allow the city of Pittsfield to use for conservation and recreation purposes a certain hundred-foot-wide strip along the Onota lake shore in said city, owned by the commonwealth, being a portion of a parcel con-

sisting of thirty-five acres, more or less, now of the department of mental health and under the control of said department, all of said parcel being described as parcel A on a plan entitled: "A parcel of land in Pittsfield, Massachusetts Being a Subdivision of Land Court Plan #2339A" April 22, 1969, prepared by Gordon E. Ainsworth and Associates, Inc., said area being a portion of the premises described in certificate number 2292, originally registered November 29, 1948, Registration Book 12, Page 361, Land Court Records Berkshire Middle District, Registry of Deeds and also being the same parcel described as parcel A in an Order of Taking, Document number 13324, filed in the Berkshire Middle District Registry of Deeds, August 27, 1969. The commissioner of mental health is authorized to enter into any agreements and execute any and all such documents pertaining to the use of said land necessary to carry out the purposes of this act. *Approved October 7, 1971.*

Chap. 846. AN ACT DIRECTING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO HAVE PLANS AND SPECIFICATIONS PREPARED FOR THE RENOVATION AND CONSTRUCTION OF ADDITIONS TO THE COURT HOUSE IN THE CITY OF NORTHAMPTON.

Be it enacted, etc., as follows:

The county commissioners of Hampshire county are hereby authorized and directed to have plans and specifications prepared for the renovation and construction of additions to the court house in the city of Northampton. Said commissioners may expend from available funds a sum not exceeding twenty-five thousand dollars for such plans and specifications. *Approved October 7, 1971.*

Chap. 847. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW ALLOWING JOHN E. MCENTEE TO OBTAIN CREDITABLE SERVICE FOR RETIREMENT PURPOSES FOR CERTAIN SERVICE RENDERED TO THE NORTH EASTON VILLAGE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 284 of the acts of 1971 is hereby amended by striking out, in lines 4 and 5, the words "in the years nineteen hundred and forty-six and nineteen hundred and forty-seven" and inserting in place thereof the words:—from August the sixth, nineteen hundred and forty-five to December the thirty-first, nineteen hundred and fifty-seven, inclusive.

SECTION 2. This act shall take effect as of June the twelfth, nineteen hundred and seventy-one. *Approved October 7, 1971.*

Chap. 848. AN ACT AUTHORIZING THE CITY OF SALEM TO USE CERTAIN PARK LAND FOR SCHOOL OR CITY HOSPITAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Salem is hereby authorized to use for school or city hospital purposes the following described park land located in said city:—Beginning at a point near the northerly end of Ancient

Way; thence running northerly about one hundred forty-three (143) feet by land now or formerly of Emmerton; thence northerly by land of the Salem Hospital about one thousand and twenty (1,020) feet; thence easterly by Bertram Field about three hundred forty-eight (348) feet; thence northerly by Bertram Field about seventy-eight (78) feet; thence easterly by Bertram Field about twenty (20) feet; thence southerly by other land of the City of Salem about nine hundred fifty (950) feet; thence southwesterly by land now or formerly of Dora Eaton about four hundred fifty (450) feet; thence northerly by the side line of Ancient Way about forty-eight (48) feet; thence westerly across the end of Ancient Way about forty (40) feet to the point of beginning, and containing about nine and one tenth (9.1) acres as shown on "Plan of Land in Salem, Mass." by Whitman & Howard, Inc., Engineers, dated April, 1966.

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

SECTION 3. This act shall take effect upon its acceptance by the city of Salem. *Approved October 7, 1971.*

Chap. 849. AN ACT FURTHER REGULATING THE ISSUANCE OF CERTAIN PROFESSIONAL LIABILITY INSURANCE POLICIES TO CERTAIN ORGANIZATIONS.

Be it enacted, etc., as follows:

Section 111E of chapter 175 of the General Laws, inserted by chapter 760 of the acts of 1963, is hereby amended by striking out, in lines 7 and 8, the words "twenty-five thousand" and inserting in place thereof the words:—five hundred. *Approved October 7, 1971.*

Chap. 850. AN ACT FURTHER DEFINING THE CLOTHING AND FOOTWEAR EXEMPTION UNDER THE LAW IMPOSING A TAX ON RETAIL SALES OF CERTAIN PERSONAL PROPERTY.

Be it enacted, etc., as follows:

Paragraph (*k*) of section 6 of chapter 64H of the General Laws, as appearing in section 1 of chapter 757 of the acts of 1967, is hereby amended by adding the following sentence: — For the purposes of this section clothing or footwear shall not include special clothing or footwear primarily designed for athletic activity or protective use and which is not normally worn except when so used.

Approved October 7, 1971.

Chap. 851. AN ACT PROVIDING FOR A THIRD ASSISTANT REGISTER OF PROBATE FOR PLYMOUTH COUNTY.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by inserting after section 24A the following section: —

Section 24B. The judges of probate for the county of Plymouth may appoint a third assistant register of probate for said county, who shall hold office for three years unless sooner removed by the judges. He shall be subject to the laws relative to assistant registers.

Approved October 7, 1971.

Chap. 852. AN ACT PROVIDING FOR THE APPOINTMENT OF A SIXTH ASSISTANT REGISTER FOR THE MIDDLESEX COUNTY PROBATE COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 217 of the General Laws is hereby amended by striking out section 25, as most recently amended by chapter 511 of the acts of 1957, and inserting in place thereof the following section: —

Section 25. The majority of the judges of probate for Middlesex county may appoint a third, fourth, fifth and sixth assistant register for said county, who shall hold office for three years unless sooner removed by the judges. They shall be subject to the laws relative to assistant registers, except that the bond shall be approved by a majority of the judges.

SECTION 2. Section 35B of said chapter 217 is hereby amended by striking out the last paragraph, as appearing in section 3 of chapter 736 of the acts of 1960, and inserting in place thereof the following paragraph: —

The salary of a fifth or sixth assistant register of probate shall be fifty-five per cent of the salary of the register in his county.

Approved October 7, 1971.

Chap. 853. AN ACT DIRECTING THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO CONSTRUCT AND MAINTAIN A CERTAIN ENTRANCE AT FIELDS CORNER STATION.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority is hereby authorized and directed to construct and maintain an entrance and egress from the upper level of its Fields Corner station to Charles street in the Dorchester district of the city of Boston.

Approved October 7, 1971.

Chap. 854. AN ACT DIRECTING THE DEPARTMENT OF MENTAL HEALTH TO GRANT AN EASEMENT TO THE TOWN OF SHREWSBURY.

Be it enacted, etc., as follows:

The department of mental health, in the name and on behalf of the commonwealth, is hereby authorized and directed to grant to the town of Shrewsbury, a permanent easement for municipal light department purposes over a parcel of land owned by the commonwealth, being more particularly described as follows: —

BEGINNING at a point, said point being the northwest lot corner of land owned by the Town of Shrewsbury;

THENCE N 72°W, 580 feet more or less along a stonewall to a point on the easterly sideline of Lake Street;

THENCE southerly 25 feet more or less along said sideline to a point;

THENCE S 72°E, 580 feet more or less through land owned by the Commonwealth of Massachusetts, to a point on the westerly lot line of land owned by the Town of Shrewsbury;

THENCE N 9° 41′E, 25 feet more or less along said lot line to the point of beginning.

The above described parcel contains 14,500 square feet more or less.

Approved October 7, 1971.

Chap. 855. AN ACT PROHIBITING THE ARMORY COMMISSION FROM SELLING OR OFFERING FOR SALE THE COMMONWEALTH ARMORY IN THE CITY OF BOSTON WITHOUT THE APPROVAL OF THE GENERAL COURT.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the armory commission shall not sell or offer for sale the commonwealth armory in the city of Boston without the approval of the general court.

Approved October 7, 1971.

Chap. 856. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY MAY BORROW FOR THE CONSTRUCTION AND EQUIPPING OF A COURT HOUSE IN THE CITY OF MARLBOROUGH FOR THE DISTRICT COURT OF MARLBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 152 of the acts of 1966 is hereby amended by striking out the words "one million two hundred fifty", inserted by section 1 of chapter 638 of the acts of 1968, and inserting in place thereof the words: — one million two hundred fifty-two thousand, two hundred seventy dollars and eighty-five cents.

SECTION 2. Section 2 of said chapter 152 is hereby amended by striking out the words "one million two hundred fifty", inserted by section 2 of said chapter 638, and inserting in place thereof the words: — one million two hundred fifty-two thousand, two hundred seventy dollars and eighty-five cents.

Approved October 7, 1971.

Chap. 857. AN ACT INCREASING THE AMOUNT OF MONEY WHICH A SAVINGS BANK MAY INVEST IN CERTAIN PREFERRED AND COMMON STOCKS.

Be it enacted, etc., as follows:

Paragraph 1A of section 49 of chapter 168 of the General Laws, as amended by section 4 of chapter 218 of the acts of 1969, is hereby further amended by striking out, in lines 19 and 20, the word "twenty-five" and inserting in place thereof the word: — thirty-five.

Approved October 7, 1971.

Chap. 858. AN ACT INCREASING CERTAIN FEES IN THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 262 of the General Laws is hereby amended by striking out section 2, as most recently amended by chapter 149 of the acts of 1961, and inserting in place thereof the following section: —

Section 2. The fees of the clerks of district courts, in civil actions, shall be in the following amounts, payable in advance: —

(*a*) For a blank writ of attachment with summons or any other blank writ or summons, twenty-five cents.

(*b*) For the entry of an action, petition or complaint, except supplementary proceedings, including filing of papers and entering up and recording judgment, five dollars.

(*c*) For the entry of supplementary proceedings under chapter two hundred and twenty-four, two dollars and fifty cents, which, together with the fees of witnesses and officers in such proceedings, shall be allowed the creditor as costs. For notice to plaintiff or creditor of the desire of defendant or debtor to submit to examination under said chapter, six dollars. The plaintiff or creditor making affidavit to the court as provided in section two or six of said chapter shall pay a fee of one dollar, which, together with any sums paid under section twelve of said chapter, shall be allowed the plaintiff or creditor in his costs.

(*d*) For each order of notice, citation or precept, one dollar and fifty cents.

(*e*) For a commission to take deposition, one dollar and fifty cents.

(*f*) For a writ of habeas corpus, two dollars.

(*g*) For a certificate of judgment or other proceeding, one dollar and fifty cents.

(*h*) For an attested copy of docket entries, two dollars.

(*i*) For an unattested copy of a paper, one dollar a legal page.

(*j*) For an attested copy of a paper, one dollar and twenty-five cents a legal page.

(*k*) For approving or disapproving by the court of sureties on bonds or recognizances, except bonds given for removal of actions to the superior court, four dollars.

(*l*) For waiver of notice of marriage, two dollars.

No fee shall be required in any action brought in a district court by the attorney general nor shall any fee be required for the removal from a district court of an action defended by the attorney general.

SECTION 2. Section 22 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 328 of the acts of 1954, and inserting in place thereof the following sentence: — The procedure shall include the beginning of actions with an entry fee of three dollars but without writ, and without requirement, except by special order of court, of other pleading than a statement to the clerk or an assistant clerk, who shall reduce the same to concise written form in a docket kept for the purpose.

Approved October 7, 1971.

Chap. 859. AN ACT PROVIDING THAT THE CIVIL SERVICE SHALL NOT APPLY TO NURSES WHEN EMPLOYED AS SUCH IN THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

The third paragraph of 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, in line 8, the words "in hospitals or sanitoria" and inserting in place thereof the words: — employed as such by the department.

Approved October 7, 1971.

Chap. 860. AN ACT PROVIDING FOR THE PROTECTION OF CONSUMERS AGAINST CARELESS AND ERRONEOUS BILLINGS.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 93B the following chapter: —

CHAPTER 93C.

PROTECTION OF CONSUMERS AGAINST CARELESS AND ERRONEOUS BILLINGS.

Section 1. For the purposes of this chapter, the following words shall, unless the context otherwise requires, have the following meanings: —

"Credit", the right granted by a creditor to a customer for personal, family or household purposes to defer payment of debt, incur debt and defer its payment, or purchase property or services and defer payment therefor.

"Creditor", a person who in the ordinary course of business regularly extends credit.

"Customer", a natural person who has obtained credit for personal, family or household purposes.

Section 2. If a creditor, having transmitted to a customer a statement of the customer's account in connection with an extension of credit, receives, at an address specified by the creditor, a written notice from the customer in which the customer in good faith (*a*) directs the attention of the creditor to an amount shown in the statement as owing from the customer which the customer believes to be a billing error; (*b*) indicates the amount by which the amount shown in the statement is greater or less than the sum believed to be owing to the creditor by the customer; and (*c*) sets forth the reasons of the customer for the belief that an error has occurred, the creditor shall (*i*) not later than fourteen days after the receipt of the notice send a written acknowledgement thereof to the customer; and (*ii*) in the event that additional information concerning the disputed amount is desired, make a written request to the customer therefor not later than thirty days after the receipt of notice; or (*iii*) in the event that additional information concerning the disputed amount is desired of a third party seller or supplier of goods or services, make a written request to such seller or supplier of goods or services not later than thirty days after receipt of notice.

Section 3. A creditor having received notice pursuant to section two and prior to taking any action to collect the amount, or any part thereof, believed by the customer to be in error shall additionally (*a*) no later than sixty days after receipt of the notice; or (*b*) no later than sixty days after receipt of the notice or the balance of the sixty days remaining, excluding the time between the date the creditor mails his request for additional information pursuant to clause (*c*) (*ii*) of section two, and the date of receipt by the creditor of the customer's reply; or (*c*) no later than ninety days after receipt of the notice or the balance of the ninety days remaining, excluding the time between the date the creditor mails his request for additional information pursuant to clause (*c*) (*iii*) of section two, and the date of receipt by the creditor of the third party supplier's reply; but in no event to exceed one hundred and

twenty days after the receipt of notice; make appropriate corrections in the account of the customer and notify the customer of the nature of the corrections and that such corrections will appear on a subsequent statement, or send a written explanation to the customer setting forth the reasons why the creditor believes the account of the customer was correctly shown in the statement.

For the purposes of this section "action to collect the amount" shall not include statements of account nor shall it include written notice to the debtor requesting payment so long as the account is not restricted or closed for reasons which are related to the amount believed to be in error.

Section 4. Any creditor, having received a notice from a customer as provided in section two, who fails to comply with the requirements of sections two and three, (*a*) forfeits any right to collect from the customer any finance charge or other charge imposed by the creditor in connection with the amount shown in any statement of the customer's account which the customer believes to be in error and specifies in such notice in the manner prescribed in section two; and (*b*) if such amount is in fact an error, is liable to the customer for the greater of (1) the actual damages sustained by the customer as a result of the failure of the creditor to comply with such sections; or (2) a sum awarded by a court of not less than one hundred dollars or more than three hundred dollars; and (3) in the case of any successful action to enforce the foregoing liability, the costs of the action together with any reasonable attorney's fee as determined by a court; (*c*) no person shall be held liable for any violation of this chapter if he shows by a preponderance of the evidence that at the time of the alleged violation he maintained reasonable procedures to assure compliance with the provisions of this chapter.

Section 5. The creditor, upon the opening of an account and at not less than quarterly intervals during each year shall provide the customer with a written notice which may be on or with a statement of account setting forth the requirements of section two and indicating the time in which adjustment must be made. No notice shall be required on any account on which no statement is mailed unless there is an unsettled complaint as defined by the provisions of this chapter.

Section 6. The provisions of this chapter shall be subject to the supervision of the commissioner of banks. Failure to comply with any provision of this chapter shall constitute an unfair or deceptive act or practice under the provisions of paragraph (*a*) of section two of chapter ninety-three A.

Section 7. This chapter shall not apply to 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 2. Chapter 140C of the General Laws is hereby amended by inserting after section 6 the following section: —

Section 6A. The creditor shall mail or deliver to the customer the statement or statements required by subsection (*b*) of section six for each billing cycle at least nine days before the end of the next succeed-

ing billing cycle or the payment due date, whichever is the earlier. If the creditor fails to mail or deliver such statement or statements within the specified period, he shall not be entitled to any finance charge with respect to the next succeeding billing cycle based upon the balance or any portion of the balance of the preceding billing cycle.

If any such finance charge is assessed or collected, the customer shall receive a credit or refund for any such finance charge assessed or collected other than in accordance with the provisions of this section 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 creditor to the penalties provided in subsection (*b*) of section ten.

Approved October 7, 1971.

Chap. 861. AN ACT RELATIVE TO THE BREEDING OF STANDARDBRED HORSES IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 20 of the General Laws, as appearing in section 1 of chapter 807 of the acts of 1969, is hereby amended by striking out the first sentence and inserting in place thereof the following three sentences: — 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 by the governor, 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. Of the members first appointed hereunder, one shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years, and until the qualification of their respective successors. Upon the expiration of the term of any member, his successor shall be appointed in like manner for a term of five years.

SECTION 2. Section 11 of said chapter 20, as so appearing, is hereby amended by striking out, in line 7, the word "twenty-five" and inserting in place thereof the word: — fifty.

SECTION 3. Said section 11 of said chapter 20, as so appearing, is hereby further amended by striking out clause (*c*) and inserting in place thereof the following two clauses: —

(*c*) An amount not exceeding fifty-six hundred dollars annually for payment 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. No colt or filly shall be eligible to race in this program unless sired by a stallion standing full season in Massachusetts registered with the department of agriculture as provided in clause (*d*), 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.

(*d*) An amount of one thousand dollars annually for payment to the owner of the stallion which sired the horses whose total earnings from the Massachusetts standardbred agricultural fair and breeding fund were first, second or third in any calendar year. Said awards shall be in the amounts of five hundred dollars, three hundred dollars and two hundred dollars, respectively. No owner shall be eligible for payment unless the stallion stood a full season in Massachusetts and the owner has annually filed with the department prior to November the first a list of all mares bred to said stallion. *Approved October 7, 1971.*

Chap. 862. AN ACT FURTHER REGULATING THE FILING OF REGULATIONS PROMULGATED BY STATE AGENCIES AND NOTICES OF PUBLIC HEARINGS.

Be it enacted, etc., as follows:

SECTION 1. Section 37 of chapter 30 of the General Laws, as most recently amended by section 1 of chapter 712 of the acts of 1970, is hereby further amended by inserting after the first sentence the following sentence: — A copy of such rules and regulations shall also be filed with the state librarian.

SECTION 2. The fourth paragraph of section 6 of chapter 30A of the General Laws, as appearing in section 2 of said chapter 712, is hereby amended by striking out the last two sentences and inserting in place thereof the following three sentences: — He shall transmit a free copy of such pamphlet to the clerk of the house of representatives and of the senate and to the counsel thereof, respectively. Such pamphlet shall be made readily available upon request of any person or group at no more than the cost of publication and distribution. Failure to comply with the requirements of the first sentence of this paragraph shall be deemed a noncompliance with the provisions of said sections and the hearings conducted thereunder shall be invalid.

Approved October 7, 1971.

Chap. 863. AN ACT INCREASING THE SALARY OF THE JUSTICE OF THE DISTRICT COURT OF EASTERN ESSEX AND PROVIDING THAT HE SHALL DEVOTE FULL TIME TO HIS OFFICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 77A of chapter 218 of the General Laws is hereby amended by inserting after the line reading "first district court of Essex", as appearing in section 14 of chapter 810 of the acts of 1963, the following: — district court of eastern Essex,.

SECTION 2. The first paragraph of section 78 of said chapter 218, as most recently amended by section 10 of chapter 845 of the acts of 1969, is hereby further amended by striking out line 2 reading "district court of eastern Essex,". *Approved October 7, 1971.*

Chap. 864. AN ACT REQUIRING THE PUBLIC ACCESS BOARD TO GIVE NOTICE OF ITS INTENTION TO DESIGNATE CERTAIN LAND FOR PUBLIC ACCESS OR CERTAIN RECREATIONAL USES.

Be it enacted, etc., as follows:

Section 17A of chapter 21 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 3 of chapter 589 of the acts of 1970, and inserting in place thereof the following two sentences: — The board shall meet at the call of the chairman and shall by majority vote designate locations of public access to great ponds and other waters within the commonwealth and locations of trails and paths for snowmobiling, hiking, skiing or other uses; provided, however, that no location shall be so designated except after a public hearing in the city or town in which it is situated. Notice of such hearing shall be given, in the case of a city, to its mayor and, in the case of a town, to its board of selectmen at least twenty days before the date of the hearing. *Approved October 7, 1971.*

Chap. 865. AN ACT PROVIDING FOR THE RECOVERY OF DAMAGES AGAINST THE OPERATOR OF A MOTOR VEHICLE BY A GUEST ON PROOF OF ORDINARY NEGLIGENCE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 231 of the General Laws is hereby amended by inserting after section 85K, inserted by section 1 of chapter 785 of the acts of 1971, the following section: —

Section 85L. In an action of tort for personal injuries, property damage or consequential damages caused by or arising from the operation of a motor vehicle in which the plaintiff was a passenger in the exercise of due care, the plaintiff may recover in an action against the operator upon proof that said operator was guilty of ordinary negligence resulting in said injuries or damages.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-two and shall apply only to causes of action arising after said date. *Approved October 7, 1971.*

Chap. 866. AN ACT INCREASING THE AMOUNT OF MONEY THE TREASURER OF ESSEX COUNTY MAY BORROW FOR THE CONSTRUCTION AND EQUIPPING OF AN ADDITION TO MAUDE HALL AT THE ESSEX AGRICULTURAL AND TECHNICAL INSTITUTE AND AUTHORIZING THE INSTALLATION OF AN ELEVATOR THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 134 of the acts of 1969 is hereby amended by inserting after the word "including", in line 5, the words: — the installation of an elevator and.

SECTION 2. Section 2 of said chapter 134 is hereby amended by striking out, in line 4, the words "three hundred seventy-five" and inserting in place thereof the following words: — four hundred and fifteen. *Approved October 7, 1971.*

Chap. 867. AN ACT RELATIVE TO THE APPOINTMENT OF MEMBERS OF THE ADMINISTRATIVE COMMITTEE AND OF THE APPELLATE DIVISIONS OF THE DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 43C of chapter 218 of the General Laws, as appearing in section 8 of chapter 810 of the acts of 1963, is hereby amended by striking out, in line 4, the words "supreme judicial court" and inserting in place thereof the words: — district courts.

SECTION 2. Section 108 of chapter 231 of the General Laws is hereby amended by inserting after the word "justice", in line 8 and in line 30 as appearing in the Tercentenary Edition, the words: — of the district courts, subject to the approval of the chief justice.

Approved October 7, 1971.

Chap. 868. AN ACT AUTHORIZING THE CITY OF LAWRENCE TO APPROPRIATE MONEY FOR THE PAYMENT OF OVERTIME COMPENSATION TO CERTAIN DEPUTY CHIEFS OF THE FIRE DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

The city of Lawrence is hereby authorized to appropriate the sum of four thousand two hundred and twenty-two dollars and sixty-five cents and after such appropriation the treasurer of said city is hereby authorized to pay to the following deputy chiefs of the fire department of said city, for overtime services performed by them between April the thirteenth, nineteen hundred and seventy and November the tenth, nineteen hundred and seventy, the sums set forth after their respective names: — Justin B. Sidley, one thousand three hundred and nineteen dollars and forty-six cents; Edward L. Swift, one thousand five hundred and seventy-two dollars and seventy-one cents; and John F. Hayes, one thousand three hundred and thirty dollars and forty-eight cents.

Approved October 7, 1971.

Chap. 869. AN ACT AUTHORIZING THE CITY OF PEABODY TO USE FOR SCHOOL PURPOSES CERTAIN LAND NOW HELD BY IT FOR PARK PURPOSES.

Be it enacted, etc., as follows:

The city of Peabody is hereby authorized to use for school purposes, and for the erection thereon of such school buildings as said city may determine, certain land in said city now held by said city for public park purposes, bounded and described as follows:

Beginning at a point, said point being the intersection of the Southeasterly street line of Putnam Street and a line parallel to and 100 feet Southwesterly of Howard Avenue, thence turning and running in a Southeasterly direction along the line parallel to and 100 feet Southwesterly of Howard Avenue 740 ± feet to the Northwesterly property line of McCarthy; thence turning and running in a Southwesterly direction along the Northwesterly property line of McCarthy 410 ± feet

to its intersection with the Northeasterly property line of the Eastman Gelatin Corporation; thence turning and running North 17°–35′–33″ West along the property line of the Eastman Gelatin Corporation 500 ± feet; thence turning and running South 67°–35′–36″ West along the property line of the Eastman Gelatin Corporation 153.26 ± feet; thence turning and running North 00°–21′–29″ West along the property line of the Eastman Gelatin Corporation 52.56 ± feet; thence turning and running North 5°–18′–55″ West along the property line of the Eastman Gelatin Corporation, 212 ± feet to its intersection with the centerline of Strongwater Brook; thence turning and running in a Northeasterly direction along the centerline of Strongwater Brook to its intersection with the extension of a line parallel to and 152 feet Southwesterly of Howard Avenue; thence turning and running along the line parallel to and 152 feet Southwesterly of Howard Avenue in a Southeasterly direction 198 ± feet to its intersection with the extension of the Southeasterly street line of Putnam Street; thence turning and running along the Southeasterly street line of Putnam Street to its intersection with a line parallel to and 100 feet Southwesterly of Howard Avenue, and the point of beginning.

The above described parcel being shown on the City of Peabody Assessors Maps as Lot Number 104–49, containing 10.7 acres and being known as the Roger O'Connor Park. *Approved October 7, 1971.*

Chap. 870. AN ACT INCREASING THE AMOUNT OF PROPERTY THAT MAY BE HELD BY ST. JOSEPH'S HOSPITAL, INC.

Be it enacted, etc., as follows:

St. Joseph's Hospital, Inc., a corporation organized under chapter one hundred and eighty of the General Laws, is hereby authorized to hold real and personal property to an amount not exceeding thirty-five million dollars, said property to be used for the purposes set forth in its charter or agreement of association or in any amendment thereof.

Approved October 7, 1971.

Chap. 871. AN ACT FURTHER REGULATING NOTICE OF PROCEEDINGS BEFORE THE APPELLATE TAX BOARD.

Be it enacted, etc., as follows:

Chapter 58A of the General Laws is hereby amended by striking out section 9, as amended by section 26 of chapter 654 of the acts of 1953, and inserting in place thereof the following section: —

Section 9. The mailing by registered mail, postage prepaid, to the address of any appellant as given on the petition upon appeal, or to the address of his attorney or agent of record, if any, or to the usual place of business of the commission or of the board of assessors, or its agent or attorney of record, shall be deemed sufficient service of any pleading, motion, order, notice or process so served in respect to proceedings before the board. The board may order that further notice be given in any case. *Approved October 7, 1971.*

Chap. 872. AN ACT PROVIDING FOR THE FUNDING OF CERTAIN REVENUE ANTICIPATION NOTES OF THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. The city of Somerville, for the purposes specified in section two of this act, may borrow, at one time or from time to time on or before December the thirty-first of the current year, sums not exceeding in the aggregate the deficit in the excess and deficiency account as of December the thirty-first, nineteen hundred and seventy, together with the amount of unpaid real estate and personal property taxes as of such date, exclusive of tax titles and tax possessions, less the total of the proceeds from the sale of tax title possessions and the receipts from tax title redemptions, in addition to the real estate and personal property taxes of prior years, collected or received during the first ten months of the current year, but not exceeding in any event the sum of seven million three hundred fifty-three thousand eight hundred ten dollars and thirty-eight cents, and may issue and sell serial bonds or notes of the city therefor. Such bonds or notes shall bear on their face the words, City of Somerville Funding Loan, Act of 1971. Each issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. Debt incurred under authority of this act shall not be included in determining the limit of indebtedness of the city under the provisions of section ten of chapter forty-four of the General Laws, but shall, except as herein provided, be subject to the provisions of said chapter forty-four, excluding the limitation contained in the first paragraph of section seven thereof but including the provisions of section seventeen thereof relative to temporary loans in anticipation of the issue of bonds or notes. Bonds and notes may be issued hereunder by the city treasurer with the approval of the mayor, board of aldermen and the emergency finance board.

SECTION 2. Amounts borrowed under section one of this act shall be expended for the payment of revenue anticipation notes maturing in the current year. The expenses of borrowing under section one shall be included in the nineteen hundred and seventy-two tax levy without appropriation to the extent not otherwise provided. The expenses so paid shall be reported by the city auditor to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next subsequent annual tax rate, unless the city has otherwise made provision therefor.

SECTION 3. Sums equal to the amounts borrowed under this act shall be credited to the excess and deficiency account to the extent of any deficit therein as of December the thirty-first of the current year, and the remainder shall be set up on the books of the city as a reserve for unpaid real estate and personal property taxes. There shall also be credited to this reserve amounts levied pursuant to section four and the proceeds from the sale of tax title possessions and the receipts from tax title redemptions received after the current year. There shall be charged to this reserve, to the extent of the reserve, sums equal to unpaid real estate taxes which are transferred to the tax titles account after the current year. If at the close of any calendar year while the city is operating on a calendar year basis, or, if the city is operating on a fiscal year basis, at the close of any fiscal year, the reserve exceeds

the unpaid real estate and personal property taxes, exclusive of tax titles and tax possessions, the excess shall be applied to the payment of interest and principal coming due in the next calendar or fiscal year, as the case may be, on debt incurred under section one. Any balance of such excess shall be transferred to the excess and deficiency account.

SECTION 4. If the foregoing reserve at the close of a calendar year, while the city is operating on a calendar year basis, is less than the unpaid real estate and personal property taxes, exclusive of tax titles and tax possessions, the assessors shall include in the next annual tax levy, whether for a calendar or fiscal year, a sum equal to such deficiency after first deducting the total of the proceeds from the sale of tax title possessions and the receipts from tax title redemptions, in addition to the real estate and personal property taxes of years prior to the then current year, collected or received during the five months next after said year-end, and also after deducting any surplus in the excess and deficiency account as of said year-end.

In the event the city shall be operating on a fiscal year basis, if the foregoing reserve at the close of the fiscal year is less than the unpaid real estate and personal property taxes, exclusive of tax titles and tax possessions, the assessors shall include in the tax levy required by law to be determined in the next fiscal year a sum equal to such deficiency after first deducting the total of the proceeds from the sale of tax title possessions and the receipts from tax title redemptions, in addition to the real estate and personal property taxes of years prior to the then current fiscal year, collected or received during the eleven months next after said year-end, and also after deducting any surplus in the excess and deficiency account as of said year-end.

SECTION 5. While the city is operating on a calendar year basis, deductions made by the assessors under clause (*a*) of section twenty-three of chapter fifty-nine of the General Laws for a calendar year after the current year on account of estimated receipts, other than those estimated by the state tax commission, any provision of general law to the contrary notwithstanding, shall be subject to the approval of said commission and shall not exceed the aggregate amount of actual receipts received during the preceding calendar year from the same sources as certified to said commission by the city auditor on or before March the first.

Deductions made by the assessors under clause (*a*) of section twenty-three of chapter fifty-nine of the General Laws for an eighteen-month fiscal year on account of estimated receipts, other than those estimated by the state tax commission, any provision of general law to the contrary notwithstanding, shall be subject to the approval of said commission.

Deductions made by the assessors under clause (*a*) of section twenty-three of chapter fifty-nine of the General Laws for a twelve-month fiscal year on account of estimated receipts, other than those estimated by the state tax commission, any provision of general law to the contrary notwithstanding, shall be subject to the approval of said commission and shall not exceed the aggregate amount of actual receipts received during the preceding calendar year from the same sources as certified to said commission by the city auditor on or before March the first.

SECTION 6. For each calendar year beginning with the current year, or, if the city shall be operating on a fiscal year basis, for each fiscal

year, the overlay to be assessed for the city under section twenty-five of chapter fifty-nine of the General Laws shall be not less than five per cent.

SECTION 7. If at any time, in the opinion of a majority of the members of the board described in clause nine of section eight of chapter forty-four of the General Laws, a deficiency in the collection of taxes or other revenue makes it necessary for the city to incur an emergency loan to meet expenses or liabilities of the city, such a deficiency may be treated as an emergency appropriation under said clause nine.

SECTION 8. The provisions of sections three, four, five, six and seven of this act shall be in force whether or not any loan issued under section one is outstanding.

SECTION 9. This act shall be submitted for acceptance to the registered voters of the city of Somerville at the next regular municipal election in the form of the following question which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the General Court in the year nineteen hundred and seventy-one, entitled 'An Act providing for the funding of certain revenue anticipation notes of the city of Somerville', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved October 12, 1971.

Chap. 873. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A CULVERT IN THE SALES CREEK AREA IN THE CITY OF REVERE.

Be it enacted, etc., as follows:

The department of public works, acting through its division of waterways, is hereby authorized and directed to construct a culvert in the Sales creek area at the intersection of Revere Beach parkway and Standish road in the city of Revere. *Approved October 13, 1971.*

Chap. 874. AN ACT PROHIBITING DISCRIMINATION IN THE LEASING OF CERTAIN RESIDENTIAL REAL PROPERTY BECAUSE OF CHILDREN AND PROHIBITING DISCRIMINATION IN BONDING AND IN THE GRANTING OF MORTGAGE LOANS BECAUSE OF SEX.

Be it enacted, etc., as follows:

SECTION 1. Subsection 3A of section 4 of chapter 151B of the General Laws, inserted by chapter 274 of the acts of 1955, is hereby amended by inserting after the word "origin", in line 7, the word: — , sex.

SECTION 2. Subsection 3B of said section 4 of said chapter 151B, inserted by section 2 of chapter 163 of the acts of 1960, is hereby amended by inserting after the word "origin", in line 5, the word: — , sex.

SECTION 3. Said section 4 of said chapter 151B is hereby further amended by inserting after subsection 10, inserted by chapter 726 of the acts of 1971, the following subsection: —

11. For the owner, sublessee, 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 such accommodations, or any agent or employee of such a person, to refuse to rent or lease or otherwise to deny to or withhold from any person such accommodations because such person has a child or children who shall occupy the leased or rented premises with such person; provided, however, that this subsection shall not apply to dwellings containing three apartments or less, one of which apartments is occupied by an elderly or infirm person for whom the presence of children would constitute a hardship. For the purposes of this subsection an "elderly person" shall mean a person sixty-five years of age or over, and an "infirm person" shall mean a person who is disabled or suffering from a chronic illness.

Approved October 13, 1971.

Chap. 875. AN ACT FURTHER DEFINING THE RIGHTS AND PRIVILEGES OF PUPILS ATTENDING CERTAIN PRIVATE SCHOOLS.

Be it enacted, etc., as follows:

The second paragraph of section 1 of chapter 76 of the General Laws, as appearing in chapter 400 of the acts of 1950, is hereby amended by inserting after the word "curriculum", in lines 8 and 9, the words: —, nor because pupils of the public schools in a particular city or town are not actually receiving such transportation.

Approved October 13, 1971.

Chap. 876. AN ACT PROVIDING FOR THE PROTECTION OF ENDANGERED SPECIES OF WILD ANIMALS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by inserting after section 26 the following section: —

Section 26A. No person shall sell or offer for sale within the commonwealth any part of the skin or body, whether raw or processed, of the following species of wild animals or the animal itself: leopard (Panther pardus), snow leopard (Uncia uncia), clouded leopard (Neo felis nebulosa), tiger (Panthera tigres), cheetah (Acinoyx jubatus), alligators, gavial, tomistoma caiman or crocodile of the order Crocodylia, vicuna (Vicugna vicugna), red wolf (Canis niger), polar bear (Thalarctos maritmus), mountain lion, sometimes called cougar or puma, (Felis concolar), jaguar (Panthera onca), ocelot (Felis pardalis), or margay (Felis wiedii).

Such skins, animals or bodies unlawfully sold, offered for sale or held with intent to sell in violation of this section may be the subject of a search warrant as provided in chapter two hundred and seventy-six. Such search warrants may be issued to the director of law enforcement, his assistants, natural resource officers, members of the state police and members of the metropolitan district commission police in areas over which they have jurisdiction. Such skins, animals or bodies described in such warrant may be seized and shall be forfeited to the commonwealth and upon such forfeiture may be disposed of by said director for the best interest of the commonwealth.

Nothing contained in this section shall be construed so as to prohibit the sale or offering for sale of any species or subspecies of wildlife mentioned in this section to any recognized public institution for zoological, educational, or scientific purposes, or for the propagation of such wildlife in captivity for preservation of the species.

SECTION 2. So much of section twenty-six A of chapter one hundred and thirty-one of the General Laws, inserted by section one of this act, as relates to alligators, gavial, tomistoma caiman or crocodile of the order Crocodylia shall take effect on September the first, nineteen hundred and seventy-three, and the remaining provisions of said section twenty-six A shall take effect on September the first, nineteen hundred and seventy-two. *Approved October 13, 1971.*

Chap. 877. AN ACT FURTHER EXTENDING THE TIME WITHIN WHICH CERTAIN SEWERAGE PROJECTS AND WORKS IN THE METROPOLITAN SEWERAGE DISTRICT MAY BE UNDERTAKEN AND COMPLETED.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 2 of chapter 645 of the acts of 1951 is hereby amended by striking out the word "seventy-one", inserted by section 1 of chapter 450 of the acts of 1968, and inserting in place thereof the word:—seventy-four.

SECTION 2. The authorization contained in section two of chapter six hundred and forty-nine of the acts of nineteen hundred and fifty-eight, relative to expending any balances of the bond funds mentioned therein which remain unexpended, is hereby extended to June the thirtieth, nineteen hundred and seventy-four.

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

Approved October 14, 1971.

Chap. 878. AN ACT VALIDATING THE ACTION OF THE CITY OF LYNN IN AMENDING THE ZONING ORDINANCES OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The amendments to the zoning ordinances of the city of Lynn, approved by a majority vote of the members of the city council of said city on February the twenty-third, nineteen hundred and seventy-one and by the mayor thereof on March the fourth, nineteen hundred and seventy-one, and entitled "An ordinance amending the zone ordinance of the city of Lynn", notice thereof which had been published in full in the Lynn Sunday Post on March the seventh, nineteen hundred and seventy-one and the ordinance entitled "An ordinance amending certain portions of the Zone Map of the city of Lynn" approved by a two thirds vote of the city council of said city on April the thirteenth, nineteen hundred and seventy-one and by the mayor thereof on April the twenty-second, nineteen hundred and seventy-one and published in full in the Lynn Sunday Post on April the twenty-fifth, nineteen hundred and seventy-one are both hereby confirmed and made valid notwithstanding the failure to comply with

the provisions of sections six and seven of chapter forty A of the General Laws and with any other provision of law.

SECTION 2. All acts, orders, findings, decisions and other things with respect to zoning matters in the city of Lynn, done or made in compliance with and under authority of the two ordinances of the city of Lynn referred to in section one, shall be deemed to be of such force and effect, fully and lawful, valid and enforceable as if the provisions of sections six and seven of chapter forty A of the General Laws and every other provision of law had been complied with in respect to the enactment of said ordinances.

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

Approved October 14, 1971.

Chap. 879. AN ACT INCREASING WORKMEN'S COMPENSATION PAYMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide for certain increases in payments under the workmen's compensation law effective November the first, nineteen hundred and seventy-one, in order to assist injured employees to maintain necessary support while permanently or partially incapacitated, therefore it is hereby declared to be an emergency law, necessary for the preservation of the public convenience and welfare.

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 529 of the acts of 1969, 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-seven 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 twenty 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 529, 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-seven 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 529, 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-seven dollars per week; and the amount of such compensation shall not be more than twenty thousand dollars nor shall the combined amount of compensation payable under this section and section thirty-four be more than twenty thousand dollars.

SECTION 4. Said chapter 152 is hereby amended by striking out section 34, as most recently amended by section 1 of this act, 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 eighty 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 twenty 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 5. Section 34A of said chapter 152 is hereby amended by striking out the first sentence, as most recently amended by section 2 of this act, 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 eighty dollars per week nor less than twenty dollars a week during the continuance of such permanent and total incapacity.

SECTION 6. Said chapter 152 is hereby further amended by striking out section 35, as most recently amended by section 3 of this act, 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 eighty dollars per week; and the amount of such compensation shall not be more than twenty thousand dollars nor shall the combined amount of compensation payable under this section and section thirty-four be more than twenty thousand dollars.

SECTION 7. Sections one, two and three of this act shall take effect on November the first, nineteen hundred and seventy-one and shall apply only to injuries occurring after said date. Sections four, five and six shall take effect on November the first, nineteen hundred and seventy-two and shall apply only to injuries occurring after said date. *Approved October 14, 1971.*

Chap. 880. AN ACT INCREASING CERTAIN FEES AND CHARGES OF THE LAND COURT AND OF REGISTERS OF PROBATE AND INSOLVENCY AND REGISTERS OF DEEDS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for increased revenue for the commonwealth and the various counties by increasing certain fees and charges of the land court and of registers of probate and insolvency and registers of deeds, 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 262 of the General Laws is hereby amended by striking out section 38, as most recently amended by section 3 of chapter 421 of the acts of 1960, and inserting in place thereof the following section:—

Section 38. The fees of registers of deeds, except as otherwise provided, to be paid when the instrument is left for recording, filing or deposit shall be as follows:—For entering and recording any paper, certifying the same on the original, and indexing it, and for all other duties pertaining thereto, five dollars. If the paper contains more than one page, at the rate of one dollar for each page after the first; provided, that if the paper contains the names of more than two parties thereto, other than the husband and wife of the grantor or grantee, an additional fee of seventy-five cents each shall be charged for indexing the names of additional grantors or grantees or other parties thereto. The minimum fee for recording a deed or conveyance or a mortgage shall be ten dollars for the first two pages and one dollar for each additional page.

For all copies except photostat copies, at the rate of one dollar a legal page of two hundred and twenty-four words. For photostat copies of all instruments, except copies of plans, at the rate of seventy-five cents a page.

For each abstract card referred to in section twenty-four B of chapter thirty-six, fifty cents.

For recording and filing a plan, of a size not over fourteen inches by nine and a half inches, five dollars. For larger sizes, three dollars for each additional square foot or any part thereof.

For entering any additional marginal reference or references when required, one dollar for each reference.

SECTION 2. Said chapter 262 is hereby further amended by striking out section 39, as most recently amended by section 4 of said chapter 421, and inserting in place thereof the following section:—

Section 39. The fees payable under chapter one hundred and eighty-five shall be as follows:—

For the entry of every original petition or writ and transmitting it to the recorder, when filed with an assistant recorder, seven dollars.

For every plan filed in an original proceeding, two dollars, and for every new plan filed after original registration, or for making a new plan filed under original registration, or for making a new plan on request of a registered owner, fifteen dollars plus two dollars for each lot shown on said plan. The filing fee in a registry of deeds upon receipt from the recorder of the land court of a plan or copy of a plan shall be three dollars.

For indexing an instrument recorded while a petition for registration is pending, fifty cents.

For examining title, on a petition to register land, or on a petition to register easements or rights in land, the actual amount charged or allowed therefor to the examiner by the court.

For each notice by mail, one dollar and the actual cost of printing.

For all services by a sheriff or deputy sheriff under provisions of chapter one hundred and eighty-five, the same fees as are provided by law for like services.

For each notice by publication, one dollar and the actual cost of publication.

For entry of an order dismissing a petition for registration of title, or for foreclosure of a tax title, or a decree of foreclosure of a tax title or of redemption, and sending a memorandum to the assistant recorder, three dollars.

For entry of a decree of registration and sending a memorandum to the assistant recorder, one quarter of one per cent of the assessed value of the property registered, on the basis of the last assessment for municipal taxation, in addition to any sum payable under section ninety-nine of chapter one hundred and eighty-five, but in no one proceeding shall the amount payable under this paragraph be less than ten nor more than one thousand dollars.

For a copy of a decree of registration, foreclosure or redemption, three dollars.

For the entry of an original certificate of title issuing one duplicate, ten dollars.

For making and entering a new certificate of title, including issue of one duplicate, ten dollars.

For filing and registering an adverse claim, five dollars.

For filing and registering a mortgage, ten dollars.

For entering statement of change of residence or post office address, including endorsing and attesting it on a duplicate certificate, three dollars.

For entering any note in the entry book or in the registration book, three dollars.

For every petition after the original registration, three dollars.

For a certified copy of any decree or registered instrument, the same fees as are provided for registers of deeds.

For the registration of all other instruments, whether single or in duplicate or triplicate, including entering, indexing and filing it and attesting the registration thereof, and also making and attesting a copy of memorandum on one instrument or a duplicate certificate

when required, except as otherwise provided, five dollars, and five dollars for the making and attesting of a copy of memorandum on each additional certificate and duplicate. For noting the registration of any instrument on each other certificate and duplicate in addition to the first certificate duplicate, five dollars.

SECTION 3. Said chapter 262 is hereby further amended by striking out section 40, as most recently amended by chapter 267 of the acts of 1971, and inserting in place thereof the following section:—

Section 40. The fees of registers of probate and insolvency, payable in advance by the petitioner, libellant or accountant, shall be as follows:

For the entry of a libel for divorce or for affirming or annulling marriage, twenty-five dollars.

For the entry of a petition for the probate of a will, for administration on the estate of a person deceased intestate, of a petition for administration of goods not already administered, with the will annexed or otherwise, of a petition under section thirty-five or thirty-six of chapter two hundred and nine by a husband or wife for authority to convey land as if sole, of a petition for partition, of a petition for change of name, of a petition for leave to carry on the business of the deceased, and for filing a representation of insolvency and for the entry of a petition for the appointment of a special administrator, conservator, trustee, receiver of the estate of an absentee, or of a guardian except when the petitioner certifies that the ward's estate does not exceed one hundred dollars, ten dollars; for the entry of a petition for the sale of real or personal estate including sales of estate subject to vested or contingent remainder and petitions for sale of real estate or removal of personal estate by foreign fiduciaries, of a petition for determination of value, of a petition for leave to lease real estate, of a petition for specific performance, of a petition for leave to mortgage real estate, of a petition in equity except such as relates to separate support, adoption, or the custody or support of minors, of a petition for release of dower or curtesy, of a petition for letters to a foreign guardian, of a petition for leave to compromise, and of a petition for leave to pay debts, except when the petitioner or accountant certifies that the estate does not exceed one thousand dollars in value, ten dollars; for the entry of a general petition except such as relates to separate support, adoption, or custody or support of minors, five dollars; for the entry of petitions for the removal of a fiduciary, for amendment of record except such as relates to separate support, adoption, or the custody or support of minors, for discharge of surety, for new bond, for care of burial lot, for erection of a monument and for new inventory, four dollars each.

For each certificate issued by the register, two dollars.

For a certificate by the judge of a probate court to accompany notice of intention to marry of a divorced person, as provided by section twenty-two of chapter two hundred and seven, five dollars.

For copies of records or other papers in the charge of the register at the rate of seventy-five cents a page except as otherwise provided by law; and for the comparison and attestation of such copies as are not

prepared by the register, seventy-five cents for each page, plus an attestation fee of seventy-five cents for each copy.

For filing statement of voluntary administration, seven dollars.

For issuance of an attested copy of a statement of voluntary administration, three dollars.

For the petition or application for allowance of an account where the gross value accounted for in Schedule A of said account is one thousand dollars or less, no fee; where said gross value is more than one thousand dollars but less than ten thousand dollars, five dollars a year, provided the fees shall not exceed twenty dollars, regardless of the time covered by the account; where said gross value is not more than one hundred thousand dollars and not less than ten thousand dollars, five dollars for each year or major fraction thereof covered by such account; where said gross value is over one hundred thousand dollars, ten dollars for each year or major fraction thereof covered by such account.

For filing a motion for the framing of jury issues, fifteen dollars.

For filing a will for safekeeping, ten dollars; provided, that no additional fee shall be charged for filing a will in substitution for a will previously filed and withdrawn.

For filing a bond, two dollars.

SECTION 4. This act shall take effect on October the eighteenth, nineteen hundred and seventy-one. *Approved October 14, 1971.*

Chap. 881. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT A MARGINAL CONDUIT OR CONDUITS WITH APPURTENANT PUMPING STATION AND CHLORINATION AND DETENTION FACILITY IN THE CITIES OF BOSTON AND CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to construct a marginal conduit, or conduits, pumping station, chlorination and detention facility, and appurtenances thereto in the cities of Boston and Cambridge from the existing Boston Marginal Conduit and the existing Cambridge Marginal Conduit at the existing Charles River dam to tidal estuary below the proposed Charles River dam at the former Warren Avenue bridge, for the purpose of preventing the pollution of the proposed Charles River basin and to avoid discharge of combined sewage overflow in the proposed Charles River basin.

Engineering and administrative expenses, including, but not limited to, personnel, materials, supplies and transportation costs, incurred under this act shall be considered as part of the direct cost of the projects and works for which they are incurred.

Any federal funds or other funds of the commonwealth made available for such projects and works as are first authorized by this act shall, if the bonds herein authorized have not been sold, be used to reduce the amount of bonds so authorized, and, if the bonds have been sold, said federal funds or other funds of the commonwealth when

received shall be used to meet the payment of maturities and interest on the bonds issued under this act.

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 thirteen million dollars. Such bonds shall be designated on their face, Metropolitan District Commission, Charles River Marginal Conduit Loan, Act of 1971 and shall be on the serial payment plan for such maximum term of years, not exceeding forty years, as may be recommended by the governor to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Such bonds shall bear interest 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 the thirtieth, two thousand and sixteen. All interest payments and payments on account of principal of such bonds shall be assessed and paid as provided in sections five, five A and five B of chapter ninety-two of the General Laws.

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

Approved October 14, 1971.

Chap. 882. AN ACT EXTENDING THE AUTHORITY OF THE DIVISION OF INDUSTRIAL ACCIDENTS IN OBTAINING DEPOSITIONS AND TESTIMONY OF DOCTORS RESIDING IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 5 of chapter 152 of the General Laws is hereby amended by adding the following paragraph:—

In addition to the foregoing procedures relative to depositions, the division or any member thereof may upon the written request of any party, together with interrogatories and cross-interrogatories, if any, authorize the taking of depositions or testimony of medical witnesses residing within the commonwealth, and may make rules to facilitate the taking of such depositions. Said depositions shall be taken for use as medical evidence only, and shall be admissible in whole or in part in proceedings before the division or any member thereof. The expenses for stenographic services in connection with the taking of such depositions shall be paid by the party requesting that such witness be deposed; provided, however, that if the decision of the single member, reviewing board, or the division is in favor of the employee, the cost of such stenographic expenses shall be added to the amount awarded to the employee and be paid by the insurer under the provisions of this chapter. *Approved October 14, 1971.*

Chap. 883. AN ACT PROVIDING FOR AN ASSISTANT CLERK IN THE DISTRICT COURT OF FRANKLIN.

Be it enacted, etc., as follows:

The second sentence of the first paragraph of section 10 of chapter 218 of the General Laws, as appearing in section 1 of chapter 585 of the acts of 1970, is hereby amended by inserting after the word "Middlesex", in line 12, the words:—, the district court of Franklin.

Approved October 14, 1971.

Chap. 884. AN ACT RELATIVE TO THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF THE MUNICIPAL COURT OF THE CITY OF BOSTON AND THE BOSTON JUVENILE COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by striking out section 75A, as most recently amended by section 1 of chapter 245 of the acts of 1970, 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, the salary of the clerk of said court for criminal business and the salary of the clerk of the Boston juvenile court shall be twenty thousand dollars.

SECTION 2. Chapter 142 of the acts of 1971 is hereby amended by striking out section 1 and inserting in place thereof the following section:—

Section 1. The salary of the first assistant clerk of the Boston juvenile court shall be equal to eighty-seven and one half per cent and the salaries of all other assistant clerks in said juvenile court shall be equal to seventy-five per cent of the salary of the clerk of said juvenile court.

SECTION 3. This act shall take effect upon its acceptance by the city of Boston in the current year, but not otherwise.

Approved October 14, 1971.

Chap. 885. AN ACT INCREASING THE MEALS ALLOWANCE FOR BOAT PERSONNEL IN THE DEPARTMENT OF NATURAL RESOURCES.

Be it enacted, etc., as follows:

The third sentence of section 6E of chapter 21 of the General Laws is hereby amended by striking out, in line 1, as appearing in section 29 of chapter 524 of the acts of 1964, the word "three" and inserting in place thereof the word:—four. *Approved October 14, 1971.*

Chap. 886. AN ACT ALLOWING CREDIT IN THE MASSACHUSETTS TEACHERS RETIREMENT SYSTEM FOR TEACHERS WHO HAVE SERVED IN OVERSEAS DEPENDENT SCHOOLS OPERATED BY THE UNITED STATES GOVERNMENT OR WHO HAVE SERVED IN THE PUBLIC SCHOOLS OF THE COMMONWEALTH OF PUERTO RICO.

Be it enacted, etc., as follows:

Subdivision (4) of section 3 of chapter 32 of the General Laws, as most recently amended by section 3 of chapter 695 of the acts of 1955, is hereby amended by adding the following paragraph:—

For the purposes of this subdivision the words "service in any other state for any previous period as a teacher, principal, supervisor or superintendent in the public day schools or other day school under exclusive public control and supervision" shall be deemed to include service rendered in an overseas dependent school conducted under the supervision of the department of defense of the government of the United States and service rendered in the public schools of the Commonwealth of Puerto Rico; provided, that any credit to be allowed shall not exceed five years of the maximum credit of ten years allowable for service in other states as provided in this section; and provided further, in the case of service rendered in such overseas dependent school, the member was a member of the teachers' retirement system upon his entrance into the service of said overseas dependent school and returned to the service of the public schools in the commonwealth immediately upon the termination of his service in said overseas dependent school. *Approved October 14, 1971.*

Chap. 887. AN ACT FURTHER REGULATING PAYMENT TO CONTRACTORS ON CONTRACTS FOR CERTAIN PUBLIC BUILDINGS.

Be it enacted, etc., as follows:

SECTION 1. Section 39K of chapter 30 of the General Laws, inserted by section 1 of chapter 627 of the acts of 1961, is hereby amended by striking out, in lines 40 and 41, the words "five per cent per annum" and inserting in place thereof the words:—three percentage points above the rediscount rate then charged by the Federal Reserve Bank of Boston.

SECTION 2. Said section 39K of said chapter 30, as so inserted, is hereby further amended by adding the following two paragraphs:—

All periodic estimates shall be submitted to the awarding authority, or to its designee as set forth in writing to the contractor, and the date of receipt by the awarding authority or its designee shall be marked on the estimate. All periodic estimates shall contain a separate item for each filed subtrade and a column listing the amount paid to each filed subcontractor as of the date the periodic estimate is filed. The person making payment for the awarding authority shall add the daily interest provided for herein to each payment for each day beyond the due date based on the date of receipt marked on the estimate.

A certificate of the architect to the effect that the contractor has fully or substantially completed the work shall, subject to the provisions of section thirty-nine J, be conclusive for the purposes of this section. *Approved October 14, 1971.*

Chap. 888. AN ACT PROVIDING FOR THE PAYMENT OF WORKMEN'S COMPENSATION BENEFITS SIMULTANEOUSLY WITH THE FILING OF LAWSUITS AGAINST THE NEGLIGENT THIRD PARTIES WITHOUT THE NECESSITY OF ELECTION BY EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 15, as amended by section 1A of chapter 487 of the acts of 1965, and inserting in place thereof the following section:—

Section 15. Where the injury for which compensation is payable was caused under circumstances creating a legal liability in some person other than the insured to pay damages in respect thereof, the employee shall be entitled, without election, to the compensation and other benefits provided under this chapter. Either the employee or insurer may proceed to enforce the liability of such person, but the insurer may not do so unless compensation has been claimed or paid under an agreement. The sum recovered shall be for the benefit of the insurer, unless such sum is greater than that paid by it to the employee, in which event the excess shall be retained by or paid to the employee. For the purposes of this section, "excess" shall mean the amount by which the total sum received in payment for the injury, exclusive of interest and costs, exceeds the compensation paid under this chapter. The party bringing the action shall be entitled to retain any costs recovered by him. Any interest received in such action shall be apportioned between the insurer and the employee in proportion to the amounts received by them respectively, exclusive of interest and costs. The expense of any attorney's fees shall be divided between the insurer and the employee in proportion to the amounts received by them respectively under this section. Except in the case of a settlement by agreement by the parties to, and during a trial of, such an action at law, no settlement by agreement shall be made with such other person without the approval of the industrial accident board after an opportunity has been afforded both the insurer and the employee to be heard on the merits of the settlement and on the amount, if any, to which the insurer is entitled out of such settlement by way of reimbursement, which amount shall be determined by said board at the time of such approval. In the case of a settlement by agreement by the parties to and during a trial of such an action at law, the justice presiding at the trial shall have and exercise, relative to the approval of such settlement by agreement and to the protection of the rights and interests of the employee, all the powers hereinbefore granted to the industrial accident board.

SECTION 2. This act shall apply to causes of actions arising on and after its effective date. *Approved October 14, 1971.*

Chap. 889. AN ACT PROVIDING FOR ADDITIONAL COMPENSATION FOR ASSESSORS AND ASSISTANT ASSESSORS WHO HAVE COMPLETED CERTAIN COURSES OF STUDY.

Be it enacted, etc., as follows:

Chapter 59 of the General Laws is hereby amended by inserting after section 21 the following section:—

Section 21A. In any city or town which accepts this section, an assessor or assistant assessor who has completed the necessary courses of study and training and has been awarded a certificate by the International Association of Assessing Officers as a certified assessment evaluator or who has been awarded a certificate by the Association of Massachusetts Assessors as a certified Massachusetts assessor shall receive as compensation from such city or town, in addition to the regular compensation paid by such city or town for services in such office, an amount equal to ten per cent of such regular compensation; provided, however, that in no event shall such additional compensation exceed one thousand dollars annually, if such assessor or assistant assessor is employed on a full-time basis, or five hundred dollars if such assessor or assistant assessor is employed on a part-time basis. An assessor who has been awarded both certificates referred to above shall receive such additional compensation for only one of such certificates. In order to qualify for such additional compensation, an assessor or assistant assessor shall submit proof that he has been awarded either or both of the aforesaid certificates to the mayor or the board of selectmen of such city or town. The additional compensation herein provided shall be prorated for any twelve month period in which an eligible person does not hold the office of assessor or assistant assessor for twelve consecutive months. *Approved October 14, 1971.*

Chap. 890. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN OTHER PUBLIC LANDS IN THE CITIES OF CHICOPEE AND HOLYOKE FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows:

For the construction of Interstate Highway-391 in the cities of Chicopee and Holyoke;

1. In the city of Chicopee, approximately two and two-tenths acres of Rivers Park, a city owned playground.
2. In the city of Holyoke, approximately two and one-half acres of city owned park land, Elmwood Park, south of High Street.
3. In the city of Holyoke, approximately three acres of city owned sewage treatment plant land.
4. In the city of Holyoke, approximately two acres of city land leased to the Pennsylvania Central Railroad for trackage.
5. In the city of Holyoke, approximately two acres of canal rights land owned by the Holyoke Water Power Company.

Approved October 14, 1971.

Chap. 891. AN ACT ESTABLISHING A FACULTY ADVISORY BODY TO THE BOARD OF REGIONAL COMMUNITY COLLEGES.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by inserting after section 27A the following section: —

Section 27B. There shall be a faculty advisory body to the board of regional community colleges, consisting of one elected representative from the full time faculty of each regional community college. Each such representative shall serve for a term of two years. The members of the faculty advisory body shall elect for one academic year a faculty officer to represent them in matters before the board of regional community colleges. The faculty officer shall attend each meeting of such board and may propose items for the agenda of subsequent meetings during the academic year. If the faculty officer intends to be absent at a forthcoming board meeting he may appoint an alternate from the faculty advisory body to attend such meeting with full authority as faculty officer. *Approved October 14, 1971.*

Chap. 892. AN ACT INCREASING THE MINIMUM FAIR WAGE RATES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 4 of chapter 679 of the acts of 1966, and inserting in place thereof the following sentence: — A wage of less than one dollar and seventy-five cents per hour in any occupation, as defined in this chapter, shall be conclusively presumed to be oppressive and unreasonable, wherever the term "minimum wage" is used in this chapter, unless the commission has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven, eight and nine.

SECTION 2. Section 7 of said chapter 151 is hereby amended by striking out the second paragraph, as most recently amended by chapter 307 of the acts of 1970, and inserting in place thereof the following paragraph: —

No wage board, however, can recommend minimum fair wage rates below one dollar and seventy-five cents per hour, except for learners and apprentices, and except for ushers, ticket sellers and ticket takers

whose minimum fair wage rates shall not be below one dollar and twenty-five cents, and except for service people who 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, and except for janitors and caretakers of residential property, who, when furnished with living quarters, shall be paid a wage of not less than thirty-six dollars per week, and except for services as golf caddies.

SECTION 3. The provisions of chapter one hundred and fifty-one of the General Laws, as amended by sections one and two of this act, shall take effect with respect to employees engaged in manufacturing occupations in the commonwealth, whether engaged in the production of goods for interstate or intrastate commerce, when the minimum wage rates under the Federal Fair Labor Standards Act of 1938, as amended, for employees engaged in commerce or in the production of goods for commerce under said act are equal to or higher than those provided under said chapter one hundred and fifty-one, as so amended.

Approved October 14, 1971.

Chap. 893. AN ACT FURTHER DEFINING CONSERVATION PLANS AND FURTHER REGULATING THE POWERS OF CONSERVATION COMMISSIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 8C of chapter 40 of the General Laws is hereby amended by striking out the third and fourth sentences, as appearing in section 1 of chapter 223 of the acts of 1957, and inserting in place thereof the following five sentences: — Among such plans may be a conservation and passive outdoor recreation plan which shall be, as far as possible, consistent with the town master plan and with any regional plans relating to the area. The commission may, from time to time, amend such plan. Such plan shall show open areas including marsh land, swamps and other wetlands and shall show which areas are subject to restrictions or wetland zoning provisions and any other matters which may be shown on a plat index under section thirty-three of chapter one hundred and eighty-four. Acquisitions of interests in land under this section and other municipal open lands shall be shown thereon as well as lands owned by other entities kept open through any legal requirement. Such plan shall show other areas which public necessity requires to be retained for conservation and passive recreation use.

SECTION 2. Said section 8C of said chapter 40 is hereby further amended by striking out the sixth sentence, as so appearing, and inserting in place thereof the following sentence: — The commission may ap-

point a director, clerks, consultants and other employees, and may contract for materials and services within available funds insofar as the same are not supplied by other departments.

SECTION 3. Said section 8C of said chapter 40 is hereby further amended by striking out the twelfth and thirteenth sentences, as so appearing, and inserting in place thereof the following three sentences: — Said commission may receive gifts, bequests or devises of personal property or interests in real property of the kinds mentioned below in the name of the city or town, subject to the approval of the city council in a city or of the selectmen in a town. It may purchase interests in such land with sums available to it. If insufficient funds are available or other reasons so require, a city council or a town meeting may raise or transfer funds so that the commission may acquire in the name of the city or town by option, purchase, lease or otherwise the fee in such land or water rights, conservation restrictions, easements or other contractual rights including conveyances on conditions or with limitations or reversions, as may be necessary to acquire, maintain, improve, protect, limit the future use of or otherwise conserve and properly utilize open spaces in land and water areas within its city or town, and it shall manage and control the same.

SECTION 4. Section 21 of chapter 45 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "selectmen", in line 5, the words: — or, if the town so votes, by the conservation commission of said town.

Approved October 14, 1971.

Chap. 894. AN ACT REQUIRING RETIREMENT BOARDS TO INCLUDE CERTAIN NONSALARIED SERVICES IN COMPUTING RETIREMENT BENEFITS.

Be it enacted, etc., as follows:

Subdivision (1) of section 4 of chapter 32 of the General Laws is hereby amended by adding the following paragraph: —

(*o*) Any member who served as a selectman, alderman or city councilor as the result of election by direct vote of the people, in which position he received no compensation, may establish credit for such service by depositing in the annuity savings fund of the system of which he is a member a sum equal to the amount which would have been paid into such fund during such period if such position had been compensated at the rate of twenty-five hundred dollars per year, plus regular interest to the date of payment. *Approved October 14, 1971.*

Chap. 895. AN ACT REQUIRING THE COMMISSIONER OF CORPORATIONS AND TAXATION TO CONDUCT OR SPONSOR TRAINING PROGRAMS FOR LOCAL ASSESSORS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 58 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the second sentence the following two sentences: — He shall conduct or sponsor in-service or other training programs on the technical, legal

and administrative aspects of the assessment processes. For said purpose he may cooperate with other governmental agencies, educational institutions, local, regional, state or national assessors' organizations and any other appropriate professional organization.

SECTION 2. Chapter 59 of the General Laws is hereby amended by inserting after section 21A the following section: —

Section 21B. The assessors shall attend such training programs conducted or sponsored by the commissioner under the provisions of sections one of chapter fifty-eight as said commissioner shall deem necessary.

Approved October 14, 1971.

Chap. 896. AN ACT REQUIRING PUBLIC HEARINGS BEFORE THE ESTABLISHMENT OF RATES FOR FIRE, THEFT, COMPREHENSIVE AND COLLISION INSURANCE COVERAGE ON MOTOR VEHICLES AND EXEMPTING SUCH COVERAGE FROM THE PROVISIONS OF THE CASUALTY AND SURETY RATE REGULATORY LAW.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 113C of chapter 175 of the General Laws, as amended by section 9 of chapter 670 of the acts of 1970, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The rates for such additional coverages shall be fixed and established by the commissioner in accordance with the provisions of section one hundred and thirteen B.

SECTION 2. The first paragraph of section 4 of chapter 175A, as most recently amended by section 8 of chapter 384 of the acts of 1955, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The provisions of this chapter shall not apply to reinsurance other than joint reinsurance to the extent stated in section thirteen, nor to insurance against loss of or damage to aircraft or against liability arising out of the ownership, maintenance or use of aircraft, nor to motor vehicle liability insurance coverage which is subject to the provisions of section one hundred and thirteen B of chapter one hundred and seventy-five, including those coverages described in section thirty-four A of chapter ninety and section one hundred and thirteen C of said chapter one hundred and seventy-five.

Approved October 14, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, October 14, 1971

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 1971, entitled "AN ACT REQUIRING PUBLIC HEARINGS BEFORE THE ESTABLISHMENT OF RATES FOR FIRE, THEFT, COMPREHENSIVE AND COLLISION INSURANCE COVERAGE ON

MOTOR VEHICLES AND EXEMPTING SUCH COVERAGE FROM THE PROVISIONS OF THE CASUALTY AND SURETY RATE REGULATORY LAW." and the enactment of which received my approval on October 14, 1971, should take effect forthwith.

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

In order to make the provisions of this act requiring public hearings effective for the current year.

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

OFFICE OF THE SECRETARY, BOSTON, October 14, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at five o'clock and 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 eight hundred and ninety-six of the acts of nineteen hundred and seventy-one.

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

Chap. 897. AN ACT FURTHER REGULATING THE SITTING IN THE SUPERIOR COURT OF JUSTICES OF DISTRICT COURTS AT THE TRIAL OR DISPOSITION OF CERTAIN CRIMINAL CASES.

Be it enacted, etc., as follows:

Section 14B of chapter 212 of the General Laws, as most recently amended by chapter 452 of the acts of 1970, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

A justice of the district courts, including the municipal court of the city of Boston, shall, at the written request of the chief justice of the superior court, sit in the superior court at the trial or disposition with or without a jury in any part of the commonwealth of any motor vehicle tort action, or of any offense or crime over which the district court has the original jurisdiction under the provisions of section twenty-six of chapter two hundred and eighteen, and during the continuance of such request 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. *Approved October 14, 1971.*

Chap. 898. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE THIRD DISTRICT COURT OF EASTERN MIDDLESEX.

Be it enacted, etc., as follows:

Section 62 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 774 of the acts of 1971, and inserting in place thereof the following sentence:— In the municipal court of the city of Boston the court officers ap-

pointed 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 ten 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 third district court of eastern Middlesex and in the district court of Springfield six court officers may be appointed; in the central district court of Worcester five court officers may be appointed; in the municipal court of the West Roxbury district and in the first district court of eastern Middlesex 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 second district court of eastern 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 district court of Newton, the first district court of Barnstable, the third district court of southern Worcester, the district court of northern Norfolk, the second district court of Plymouth, the first district court of Essex and the district court of Lawrence, two court officers may be appointed; and in each of the other district courts in the commonwealth, one court officer may be appointed. *Approved October 14, 1971.*

Chap. 899. AN ACT RELATIVE TO THE PARKING OF MOTOR VEHICLES ON STREETS AND WAYS IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

Section 2 of chapter 263 of the acts of 1929 is hereby amended by striking out the seventh paragraph, as appearing in chapter 387 of the acts of 1964, and inserting in place thereof the following paragraph: —

Any rule or regulation adopted under this section, prohibiting the parking or standing of vehicles on the whole or any part or parts of one or more streets, ways, highways, roads or parkways under the control of the city, may provide that it shall not apply in such residential areas as shall be specified, and at such times as shall be prescribed, in such rule or regulation, to any motor vehicle registered under chapter ninety of the General Laws as principally garaged in the city and owned or used by a person residing in such area who, in the year in which such vehicle is parked or in the preceding December for such year, shall have given, by a writing executed in such form and detail as such rule or regulation shall prescribe, and filed with the officer in command of the police division in which such vehicle is parked, notice

of intention to park in such area and shall display in a conspicuous place on such vehicle, while parked, such visible evidence of the giving of such notice as such rule or regulation shall prescribe; but neither the giving of such notice nor the issuance of visible evidence of the giving thereof shall be construed to assign any specific space to any person or vehicle. *Approved October 14, 1971.*

Chap. 900. AN ACT EXEMPTING PARENTS FROM THE OPERATION OF THE KIDNAPPING LAW UNDER CERTAIN CIRCUMSTANCES.

Be it enacted, etc., as follows:

Chapter 265 of the General Laws is hereby amended by striking out section 26, as amended by chapter 1 of the acts of 1934, and inserting in place thereof the following section: —

Section 26. Whoever, without lawful authority, forcibly or secretly confines or imprisons another person within this commonwealth against his will, or forcibly carries or sends such person out of this commonwealth, or forcibly seizes and confines or inveigles or kidnaps another person, with intent either to cause him to be secretly confined or imprisoned in this commonwealth against his will, or to cause him to be sent out of this commonwealth against his will or in any way held to service against his will, shall be punished by imprisonment in the state prison for not more than ten years or by a fine of not more than one thousand dollars and imprisonment in jail for not more than two years. The provisions of the preceding sentence shall not apply to the parent of a child under eighteen years of age who takes custody of such child, unless such parent acts in violation of any court order or decree relating to the adoption or custody of such child. Whoever commits any offence described in this section with the intent to extort money or other valuable thing thereby shall be punished by imprisonment in the state prison for life or for any term of years. *Approved October 14, 1971.*

Chap. 901. AN ACT RELATIVE TO THE EXCISE UPON CHARGES FOR MEALS SERVED TO THE PUBLIC.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 64B of the General Laws is hereby amended by inserting after the third sentence, as appearing in section 44B of chapter 555 of the acts of 1971, the following two sentences: — To the extent that the excise is separately stated reimbursement for the excise shall be paid by the purchaser to the taxpayer. Each taxpayer shall collect from the purchaser the full amount of the excise imposed and such excise shall be a debt from the purchaser to the taxpayer and shall be recoverable at law in the same manner as other debts.

SECTION 2. Section 44D of chapter 555 of the acts of 1971 is hereby amended by striking out, in lines 1 and 2, the word "seventy-two" and inserting in place thereof the word: — twenty-two.

Approved October 14, 1971.

Chap. 902. AN ACT PROVIDING FOR FREE ADMISSION TO RECREATION AREAS UNDER THE CONTROL OF THE DEPARTMENT OF NATURAL RESOURCES OR THE METROPOLITAN DISTRICT COMMISSION OF CERTAIN DISABLED VETERANS AND CERTAIN HANDICAPPED PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Section 41 of chapter 92 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence: — A disabled veteran or a handicapped person whose vehicle bears the distinctive type number plate authorized by section two of chapter ninety shall not be required to pay the charges established under the provisions of this section.

SECTION 2. Subdivision (2) of section 2D of chapter 132A of the General Laws, inserted by section 1 of chapter 656 of the acts of 1958, is hereby amended by adding the following sentence: — A disabled veteran or a handicapped person whose vehicle bears the distinctive type number plate authorized by section two of chapter ninety shall not be required to pay the charges or fees imposed under the provisions of this subdivision. *Approved October 14, 1971.*

Chap. 903. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL A CERTAIN PARCEL OF LAND AT THE NORTHAMPTON STATE HOSPITAL.

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 and convey to Jeanette L. Morin, of Northampton, a certain parcel of land located at the Northampton State Hospital and abutting the property of said Jeanette L. Morin and containing 1192 square feet of land, more or less.

Said land shall be conveyed by deed approved as to form by the attorney general subject to such conditions and restrictions as the commissioner shall deem advisable. *Approved October 14, 1971.*

Chap. 904. 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 annu-

ally an additional tax equal to forty-six 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 the thirty-first, nineteen hundred and seventy and before January the first, nineteen hundred and seventy-three.

Approved October 14, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, October 14, 1971

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 904 of the Acts of 1971, entitled "AN ACT IMPOSING AN ADDITIONAL SURTAX ON DOMESTIC LIFE INSURANCE COMPANIES AND EXEMPTING FOREIGN LIFE INSURANCE COMPANIES FROM PAYMENT OF ANY SURTAX." and the enactment of which received my approval on October 14, 1971, 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 implement the stated intent of this Act, which is to apply beginning with the taxable year starting January 1, 1971.

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

OFFICE OF THE SECRETARY, BOSTON, October 14, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at

five o'clock and forty-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 nine hundred and four of the acts of nineteen hundred and seventy-one.

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

Chap. 905. AN ACT AUTHORIZING THE CONSOLIDATION OF LUTHERAN SOCIAL SERVICE INC. AND THE ASSOCIATION OF THE EVANGELICAL LUTHERAN CHURCH FOR WORKS OF MERCY.

Be it enacted, etc., as follows:

SECTION 1. Lutheran Social Service Inc., a corporation incorporated on the seventh day of June, nineteen hundred and forty-six under the laws of the commonwealth, and The Association of the Evangelical Lutheran Church for Works of Mercy, a corporation incorporated by chapter ninety-eight of the acts of eighteen hundred and seventy-one, collectively hereinafter called the existing corporations, are hereby authorized to consolidate into one corporation under the name of Lutheran Service Association of New England, Inc., hereinafter called the consolidated corporation, which consolidated corporation shall in all respects be a continuation of and the lawful successor to each of the existing corporations.

SECTION 2. The consolidated corporation shall have all the privileges, powers and immunities which the existing corporations have heretofore acquired or enjoyed by statute or otherwise. 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 may, without limiting the foregoing, establish and operate homes and other institutions of all kinds and provide services of all kinds, including acting as guardian or otherwise, for children, the aged, the infirm and other persons in need and may operate a cemetery on property in the West Roxbury district of the city of Boston now owned by said The Association of the Evangelical Lutheran Church for Works of Mercy. The consolidated corporation may solicit and receive funds separately or with others to support its work and may make appropriations to carry on its work, including appropriations to other organizations to enable them to assist it in carrying on its work.

SECTION 3. Upon such consolidation, all property of the existing corporations, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for the benefit of either of them, shall be transferred to and 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, sofar 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 existing corporations had such consolidation not been effected.

SECTION 4. The consolidated corporation shall be deemed to have assumed and shall be liable for all the liabilities and obligations of the existing corporations.

SECTION 5. The proceedings and votes of The Association of the Evangelical Lutheran Church for Works of Mercy and of Lutheran Social Service Inc. relative to this consolidation and the adoption of a constitution for the consolidated corporation taken on the twenty-fourth day of April, nineteen hundred and seventy-one and the twenty-seventh day of April, nineteen hundred and seventy-one, respectively, and all acts in pursuance thereof, are hereby ratified, confirmed and validated, as if this act were in effect at the time such actions were taken, any informalities, defects or omissions to the contrary notwithstanding.

SECTION 6. This consolidation shall not be completed unless the members of the consolidated corporation, designated in accordance with said constitution for the consolidated corporation adopted by The Association of the Evangelical Lutheran Church for Works of Mercy and Lutheran Social Service Inc. by said votes thereof taken on the twenty-fourth day of April, nineteen hundred and seventy-one and the twenty-seventh day of April, nineteen hundred and seventy-one, respectively, shall hold a meeting, to be held in the city of Boston, for the purpose of organizing the consolidated corporation and electing the initial directors and other officers thereof.

SECTION 7. The consolidation shall be complete and effective upon the filing with the state secretary and the recording in the office of the register of deeds for the Worcester district of Worcester county and in the office of the register of deeds for Suffolk county of an affidavit, signed by the secretaries of the existing corporations, setting forth detailed compliance with the provisions of section six and stating the names and addresses of the directors and other officers initially elected at said organizing meeting. Said affidavit shall be filed and recorded not later than sixty days after the date of said organizing meeting.

SECTION 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 the existing corporations, 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.

SECTION 9. Notwithstanding the provisions of general or special laws under which the existing corporations were organized or incorporated, the consolidated corporation shall be and hereby is authorized to acquire by bequest, grant, gift, devise or otherwise, real and personal property in an amount not to exceed twenty-five million dollars and to hold and manage and from time to time invest and reinvest the same or the proceeds of any sale thereof for the purposes herein provided for the consolidated corporation. *Approved October 14, 1971.*

Chap. 906. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A NEW DAM OR TO RECONSTRUCT THE DAM AT EAST TEMPLETON POND IN THE TOWN OF TEMPLETON.

Be it enacted, etc., as follows:

SECTION 1. 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 dam at the East Templeton Pond, referred to as First Pond, in the town of Templeton.

SECTION 2. Any unexpended funds made available by section six of chapter six hundred and eighty-four of the acts of nineteen hundred and sixty-eight may be used to meet the cost of the expenditures necessary to carry out the provisions of this act. *Approved October 14, 1971.*

Chap. 907. AN ACT LIMITING THE TERM OF THE CHAIRMAN OF THE INDUSTRIAL ACCIDENT BOARD.

Be it enacted, etc., as follows:

Section 15 of chapter 23 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 1 of chapter 611 of the acts of 1961, and inserting in place thereof the following paragraph: —

The governor shall designate one of the members as chairman of the board and he shall serve as chairman during the term of said governor unless his term as a member expires sooner.

Approved October 14, 1971.

Chap. 908. AN ACT RELATIVE TO THE FURNISHING OF AID AND ASSISTANCE BY THE COMMONWEALTH TO POOR AND INDIGENT PERSONS RESIDING THEREIN.

Be it enacted, etc., as follows:

The General Laws are hereby amended by striking out chapter 117 and inserting in place thereof the following chapter: —

CHAPTER 117.

SUPPORT BY THE COMMONWEALTH.

Section 1. The commonwealth, acting by and through the department of public welfare, shall assist, to the extent practicable, all poor and indigent persons residing therein, whenever they stand in need of such assistance. The aid furnished shall be determined by the department on the basis of the circumstances surrounding each application, shall be sufficient to maintain an adequate standard of living for the poor and indigent applicant and his immediate family who are eligible as hereinafter provided, shall be in an amount to be determined in accordance with budgetary standards of the department and shall be granted from the date of the application therefor; provided, however, that such assistance shall not, in any form or manner, include the purchase of furniture and shall include medical assistance as so certified by the applicant's attending physician.

Section 2. The following words as used in this chapter, unless the context otherwise requires, shall have the following meanings: —

(*a*) "Department", the state department of public welfare.

(*b*) "Reside", to occupy, and have an established place of abode with no present intention of definite and early removal, but not necessarily with the intention of remaining permanently; provided, however, that 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.

(*c*) "Institution", any hospital, sanatorium, boarding or rest home, or convalescent or nursing home, for the operation of which a license is required by law; any facility conducted by an agency incorporated under chapter one hundred and eighty or any special act as a charitable corporation; and any facility operated by municipal, county, state and federal government.

(*d*) "Student", a person regularly attending a school, college or university or regularly attending a course of vocational or technical training, all beyond the level of secondary education.

Section 3. If the applicant is between the ages of eighteen and sixty-five years, or a dependent sixteen years of age or over, who is not in school, nor gainfully employed, nor in training, 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.

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 4. The benefits of this chapter shall be available to any applicant who resides in the commonwealth and who is between the ages of eighteen and sixty-five years, unless otherwise eligible under section twenty-three B of chapter one hundred and nineteen; provided, however, that students shall not be so eligible either as an applicant or as the dependent of an applicant.

Section 5. An application for assistance by an individual shall be made to the department on forms prepared by the department. Such forms shall include, but need not be limited to, the following information: — the name, address, marital status, date and place of birth; social security number and usual occupation of the applicant and each

dependent member of the applicant's family; the total income from wages, salaries, pensions, fees, tips, bonuses and all other sources of income of all such persons; the description of any real estate owned by the applicant or any member of his immediate family including the fair market value thereof and the equity therein; the description of any motor vehicle, or boat, or trailer, or similar assets readily convertible into cash owned by the applicant or any member of his family. Such form shall require that the applicant provide any information required by the department to determine his eligibility under the penalties of perjury and shall include a statement giving consent to the department to investigate all facts related to the applicant's eligibility for assistance. No assistance shall be rendered by the department until a visit has been made to the home of the applicant by an agent of the department and until all facts contained in his application for assistance have been verified; provided, however, that the department may render assistance in the form of food orders and shelter for a period not to exceed two weeks pending its determination of the applicant's eligibility for additional assistance; and provided, further, that such determination of eligibility shall be made within said two week period, and the applicant is notified of such determination by certified mail.

Section 6. Assistance granted to an applicant under the provisions of this chapter shall continue for a period of ninety days from the date of the application and may be continued for additional periods, each period not to exceed ninety days if, upon review, the department determines that the applicant is still eligible for such assistance. The eligibility of an applicant shall be reconsidered or redetermined by the department: — (*a*) at the end of the eightieth day of the original ninety day period; (*b*) when required on the basis of information the department has obtained previously about anticipated changes in the applicant's situation; (*c*) when a report is obtained from any source which indicates that changes in the recipient's circumstances may affect the amount of assistance to which he is entitled or may make him ineligible. If any recipient shall by gift, inheritance or other manner acquire additional assets at any time during which he is receiving assistance from the department under the provisions of this chapter, he shall immediately report such acquisition to the department which shall immediately make a reevaluation of such recipient's eligibility.

Section 7. No person dependent on public support shall be placed by the department or by any veteran's agent, board of health or other public authority in any hospital, nursing home, infirmary or institution not operated by the commonwealth which is not licensed as required by chapter one hundred and eleven. Any person violating the provisions of this section shall be punished by a fine of not less than twenty-five or more than one hundred dollars.

Section 8. 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, and action may be taken by the commonwealth to compel payment at any time within six years 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.

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. Such assignment may be enforced by petition to the district court within the jurisdiction of which the person resides. Upon receipt thereof the department shall notify any potentially liable third party of the existence of such assignment.

Section 9. The kindred of such poor persons, in the line of degree of father, mother and children, by consanguinity, living in the commonwealth, and of sufficient ability, shall be bound to support such poor persons in proportion to their respective ability; provided, however, that parents shall not be required to support or contribute to the support of any of their children twenty-one years of age or over who are poor or indigent.

Section 10. No person receiving aid under this chapter shall be discriminated against with respect to the amount of such aid on account of the receipt of old age assistance under chapter one hundred and eighteen A by another member of his family who lives with him.

Section 11. A justice of a district court in the judicial district in which the person given such relief or support resides, or in the judicial district in which any one of such kindred to be charged resides, upon complaint of the commonwealth or kindred put to expense for the relief or support of such person, may on due hearing assess and apportion upon such of the kindred as the court finds to be of sufficient ability and in proportion thereto such amount as the court considers reasonable for or towards the support of the person to the time of such assessment and may enforce payment thereof by execution in common form.

Section 12. The court may further assess and apportion upon said kindred such weekly amount as it finds sufficient for the future support of the person, which shall be paid quarterly until further order of the court; and upon application from time to time of the commonwealth or kindred, to whom it is ordered to be paid, the clerk of said court shall issue and may renew an execution for the arrears of any preceding quarter.

Section 13. The court may, upon application of any party interested, make further orders, alter such assessment and apportionment according to circumstances, and may order with and by whom of such kindred as desire it such person shall live and be relieved, and the length of time he shall live with different kindred, having regard to the comfort of the person as well as the convenience of the kindred.

Section 14. A complaint, under section eleven, shall be filed in the clerk's office, and a summons, directed to any officer qualified to serve civil process, shall be thereupon issued requiring the kindred therein named to appear and answer thereto; and it shall be served like an original summons.

Section 15. The court may award costs to either party and, if it adjudges two or more of the kindred of a person to be of sufficient ability to contribute to his support, it shall tax no more costs against any one respondent than is occasioned by his default or separate defence.

Section 16. Upon suggestion that there are other kindred of ability not summoned in the original process, they may be summoned; and

after due notice, whether they appear or are defaulted, the court may proceed against them in the same manner as if they had been summoned upon the original complaint.

Section 17. A treasurer of a savings bank, national bank, trust company, cooperative bank, benefit association, insurance company or safe deposit company authorized to do business in the commonwealth who, upon written request, signed by an officer of the department, unreasonably refuses to inform him of the amount deposited in the corporation or association to the credit of a person named in such request as a charge upon the commonwealth, or as an applicant to the commonwealth for public assistance under chapter one hundred and seventeen, one hundred and eighteen, one hundred and eighteen A or one hundred and eighteen D, or who wilfully renders false information in reply to such request, shall forfeit fifty dollars to the use of the commonwealth. Upon such request, a treasurer, as aforesaid, shall furnish the records on deposits and withdrawals during the past five years, concerning any applicant for or recipient of public assistance under chapter one hundred and seventeen, one hundred and eighteen, one hundred and eighteen A or one hundred and eighteen D to any officer of the department.

Section 18. The department shall provide for the decent burial of all deceased persons who were at the time of death recipients of aid or assistance under this chapter; all deceased persons who, although without means of support at the time of death, did not apply for such aid or assistance; and all unknown persons found dead. It shall also provide for the grave of each such deceased person a suitable marker bearing the name and dates of birth and death of such deceased person, if known, and for the opening of such grave. The expense thereof may be recovered of their kindred, if any, chargeable by law for their support in the manner provided in this chapter; and, if the expense of their funeral and burial is not paid by such kindred, an amount not exceeding three hundred dollars for the funeral expenses of each person.

Section 19. In case of the decease of a poor and indigent person the commonwealth shall pay for the expense of the funeral and burial of such person the sum of three hundred dollars; provided, that the deceased left no estate and that his kindred are unable to pay for his decent burial; and provided, further, that the funeral director engaged in conducting the funeral and burial of said deceased person shall perform the services and furnish the materials in connection therewith as follows: — removal of body; procuring of death certificate and burial permit; embalming and dressing of body; furnishing suitable burial garment; furnishing suitable casket, bearing metal plate with name of deceased engraved thereon; furnishing outer case of pine wood; furnishing hearse for transporting body of the deceased to a cemetery within a distance of ten miles; furnishing conveyance for transporting to such cemetery the immediate family of the deceased; and procuring of a clergyman, of the religion that the deceased professed, to officiate at the funeral.

In such a case, the department shall also pay to the funeral director such additional sum, if any, not exceeding fifty dollars, as may be expended for procuring a burial place for the body of the deceased, opening the grave, obtaining the use of interment devices and transporting the body of the deceased to a cemetery beyond a distance of ten miles.

Section 20. The commonwealth shall be liable for any expense necessarily incurred under this chapter for the relief of a person in need of

public assistance therein by any person not liable by law for his support, after notice and request made in writing to the commissioner of public welfare; provided, however, that the liability of the commonwealth shall not exceed a period of seven days; and provided, further, that the commonwealth shall not be liable under this section for any expense for hospital care.

Section 21. If hospital care is furnished to a person, except a person who is not a resident who entered the commonwealth for the express purpose of receiving such hospital care, who is not eligible for assistance under chapter one hundred and eighteen E but is determined to be without sufficient income or resources in accordance with standards established by the department, the commonwealth shall be liable for the expense of such necessary care after an application for assistance to the department on a form prescribed by said department and a determination that the person receiving such care is eligible for such assistance. The commonwealth shall not be liable for any sum in excess of the amount established by the rate setting commission for such care. The commonwealth shall be liable in accordance with this section for hospital care furnished to such person during a period not exceeding the thirty days prior to such application.

The department will accept an application on behalf of the applicant from the institution furnishing such care and will act thereon only when the applicant is disabled and there is no available relative to apply in his behalf. Such institutions 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 22. Whoever brings into and leaves a poor and indigent person in the commonwealth, knowing him to be poor and indigent, and with intent to charge the commonwealth with his relief or support, shall forfeit not more than one hundred dollars to the use of the commonwealth.

Section 23. Whoever knowingly and willfully makes any false written representations to the department of public welfare or its agents, for the purpose of causing any person to be supported in whole or in part by the commonwealth, shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than one year, or both.

Section 24. In actions and prosecutions founded on the preceding sections, the department of public welfare may, or at the request of the department the attorney general or a district attorney shall, appear and prosecute actions and prosecutions on behalf of the department.

Section 25. The provisions of this chapter are severable, and if any of its provisions shall be held unconstitutional or invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions. *Approved October 18, 1971.*

Chap. 909. AN ACT RELATIVE TO THE COMPENSATION OF PROBATION OFFICERS IN ALL COURTS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 276 of the General Laws is hereby amended by striking out section 99B, inserted by section 6 of chapter 875 of the acts of 1970, and inserting in place thereof the following section: —

Section 99B. (1) The probation officers in all courts of the commonwealth shall, for compensation purposes, be allocated to groups as follows: —

Group	*Positions*
1	Probation Officer
2	Probation Officer in Charge
3	Chief Probation Officer (Class I) in a probation office having two probation officers
4	Chief Probation Officer (Class II) in a probation office having three or four probation officers
	Assistant Chief Probation Officer
	Second Assistant Chief Probation Officer in the Municipal Court of the City of Boston
	Deputy Probation Officer in the Municipal Court of the City of Boston
5	Chief Probation Officer (Class III) in a probation office having not less than five, nor more than nine, probation officers
6	First Assistant Chief Probation Officer
7	Chief Probation Officer (Class IV) in a probation office having not less than ten, nor more than fourteen, probation officers
8	Chief Probation Officer (Class V) in a probation office having not less than fifteen, nor more than nineteen, probation officers
9	Chief Probation Officer (Class VI) in a probation office having twenty or more probation officers
10	Assistant Supervisor of Probation in the Superior Court.
11	Supervisor of Probation in the Superior Court.

The chief probation officer, any first assistant chief probation officer, every assistant chief probation officer and every probation officer, and in the municipal court of the city of Boston, any second assistant chief probation officer and every deputy probation officer shall be included in determining, for the purposes of this subdivision, how many probation officers a probation office has.

(2) All probation officers in all courts of the commonwealth shall be compensated in accordance with the following salary schedule: —

SALARY SCHEDULE FOR PROBATION OFFICERS.

GROUP.	Minimum.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Maximum.	Annual Increment.
1	$ 8,608.00	$ 9,182.00	$ 9,756.00	$10,330.00	$10,904.00	$11,478.00	$12,052.00	$574.00
2	9,017.00	9,608.50	10,200.00	10,791.50	11,383.00	11,974.50	12,566.00	591.50
3	9,499.00	10,096.00	10,693.00	11,290.00	11,887.00	12,484.00	13,081.00	597.00
4	10,186.00	10,791.00	11,396.00	12,001.00	12,606.00	13,211.00	13,816.00	605.00
5	10,899.00	11,507.50	12,116.00	12,724.50	13,333.00	13,941.50	14,550.00	608.50
6	11,611.00	12,223.00	12,835.00	13,447.00	14,059.00	14,671.00	15,283.00	612.00
7	12,323.00	12,939.00	13,555.00	14,171.00	14,787.00	15,403.00	16,019.00	616.00
8	13,036.00	13,655.50	14,275.00	14,894.50	15,514.00	16,133.50	16,753.00	619.50
9	13,748.00	14,367.50	14,987.00	15,606.50	16,226.00	16,845.50	17,465.00	619.50
10	14,460.00	15,079.50	15,699.00	16,318.50	16,938.00	17,557.50	18,177.00	619.50
11	15,173.00	15,959.00	16,745.00	17,531.00	18,317.00	19,103.00	19,889.00	786.00

(3) Upon initial appointment, a probation officer shall be compensated at the minimum of said salary schedule for his group or, if he

shall have had prior service as a probation officer or shall, in the judgment of the committee on probation, have had years of similar service in allied fields, the step for such group to which his years of prior service entitle him.

(4) Upon completion of each year of service, a probation officer shall be compensated at the next higher step, if any, of said salary schedule for his group.

(5) Upon promotion (including, in the case of a chief probation officer, a change in his class due to an increase in the number of probation officers his probation office has) a probation officer shall be compensated at the lowest step of his new group which is at least one increment of his new group, but less than two such increments, higher than his salary immediately prior to such promotion, and upon the completion of each year of service in his new group, shall be compensated at the next higher step, if any, of said salary schedule for such new group.

SECTION 2. Said section 99B of said chapter 276, as amended by section one of this act, is hereby further amended by striking out subdivision (2) and inserting in place thereof the following subdivision: —

(2) All probation officers in all courts of the commonwealth shall be compensated in accordance with the following salary schedule: —

SALARY SCHEDULE FOR PROBATION OFFICERS.

GROUP.	Minimum.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Maximum.	Annual Increment.
1	$10,813.40	$11,284.00	$11,754.60	$12,225.20	$12,695.80	$13,166.40	$13,637.00	$470.60
2	11,403.60	11,913.20	12,422.80	12,932.40	13,442.00	13,951.60	14,461.20	509.60
3	12,071.80	12,620.40	13,169.00	13,717.60	14,266.20	14,814.80	15,363.40	548.60
4	12,802.40	13,369.20	13,936.00	14,502.80	15,069.60	15,636.40	16,203.20	566.80
5	13,468.00	14,076.40	14,684.80	15,293.20	15,901.60	16,510.00	17,118.40	608.40
6	14,214.20	14,861.60	15,509.00	16,156.40	16,803.80	17,451.20	18,098.60	647.40
7	15,017.60	15,685.80	16,354.00	17,022.20	17,690.40	18,358.60	19,026.80	668.20
8	15,763.80	16,468.40	17,173.00	17,877.60	18,582.20	19,286.80	19,991.40	704.60
9	16,510.00	17,256.20	18,002.40	18,748.60	19,494.80	20,241.00	20,987.20	746.20
10	17,178.20	17,960.80	18,743.40	19,526.00	20,308.60	21,091.20	21,873.80	782.60
11	17,984.20	18,790.20	19,596.20	20,402.20	21,208.20	22,014.20	22,820.20	806.00

SECTION 3. Every person who on June the thirtieth, nineteen hundred and seventy was serving as a probation officer in any court of the commonwealth shall be placed as of July the first, nineteen hundred and seventy in that step of the salary schedule for his group next higher than his actual annual salary on said June the thirtieth; provided, however, that if there is no such step, he shall not be reduced in compensation but shall continue, on and after said July the first, to be compensated for his services at the actual annual salary he was receiving on said June the thirtieth; and provided, further, that a probation officer who, with the completion of said June the thirtieth, completed a year of service shall be placed as of said July the first in that step of the salary schedule for his group second next higher than his actual annual salary on said June the thirtieth; provided, however, that no probation officer shall receive more compensation than another probation officer in the same group, who shall have more seniority under the same chief probation officer; and provided, further, that said probation officer with more seniority in the same group under the same chief proba-

tion officer shall be placed as of July the first, nineteen hundred and seventy in the next higher salary step. As used in this section, the term "salary schedule" shall be construed to mean the salary schedule appearing in subdivision (2) of section ninety-nine B of chapter two hundred and seventy-six of the General Laws, as appearing in section one of this act.

SECTION 4. Section seven of chapter eight hundred and seventy-five of the acts of nineteen hundred and seventy is hereby repealed.

SECTION 5. Sections one, three and four of this act shall take effect as of July the first, nineteen hundred and seventy. Section two of this act shall take effect as of December the first, nineteen hundred and seventy-one.

Approved October 19, 1971.

Chap. 910. AN ACT FURTHER REGULATING THE PATRONAGE OF WOMEN IN TAVERNS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to regulate forthwith the patronage of women in taverns, 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. A tavern as defined in section one of chapter one hundred and thirty-eight of the General Laws shall not be deemed a place of public accommodation, resort or amusement within the meaning of section ninety-two A of chapter two hundred and seventy-two of the General Laws, as appearing in section one of chapter four hundred and eighteen of the acts of nineteen hundred and seventy-one.

SECTION 2. The provisions of this act shall cease to be operative on January the first, nineteen hundred and seventy-three.

Approved October 21, 1971.

Chap. 911. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY ANNUALLY IN ANTICIPATION OF THE CELEBRATION OF THE TWO HUNDREDTH ANNIVERSARY OF THE AMERICAN REVOLUTION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith cities and towns to appropriate money annually in anticipation of the celebration of the two hundredth anniversary of the American Revolution, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Any city or town may appropriate money annually, from and including the year nineteen hundred and seventy-one to and including the year nineteen hundred and seventy-five, for the celebration in the year nineteen hundred and seventy-five or nineteen hundred and seventy-six of the two hundredth anniversary of the American Revolution.

SECTION 2. Such city or town may establish in its 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 treasurer shall be kept separate from any other moneys, funds or property of such city or town, and the principal and interest thereof may, from time to time upon the authorization of the mayor or city manager, as the case may be, or of the board of selectmen, be expended for the purposes of said celebration in the year nineteen hundred and seventy-five or nineteen hundred and seventy-six. Any surplus remaining in said special fund after such celebration is concluded shall be transferred by said treasurer into the treasury of such city or town.

Approved October 21, 1971.

Chap. 912. AN ACT EXTENDING THE BOUNDARIES OF THE HILLCREST WATER DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 358 of the acts of 1950 is hereby amended by inserting after section 1 the following section: —

Section 1A. The boundaries of the Hillcrest Water District are hereby extended so as to include the parcel of land hereinafter described and such taxable inhabitants of the town of Leicester as reside in said parcel: —

BEGINNING at the most southwesterly corner of the tract herein described in the easterly line of Pine Street, said point of beginning being also a point in the southwesterly terminus of a 30 foot right of way at land of Plouffe;

THENCE running N 13° 09′ 00″ E, by the easterly line of Pine Street, 209.24 feet to an angle in said Street;

THENCE running N 5° 04′ 10″ W, by the easterly line of Pine Street, 191.85 feet to an angle in said Street;

THENCE running N 5° 14′ 20″ E, by the easterly line of Pine Street, 43.26 feet to an angle in said Street;

THENCE running N 10° 37′ 40″ E, by the easterly line of Pine Street, 111.69 feet to an angle in said Street;

THENCE running N 17° 38′ 10″ E, by the easterly line of Pine Street, 209. 03 feet to an angle in said Street;

THENCE running N 24° 37′ 20″ E, by the easterly line of Pine Street, 173.96 feet to a point at land now or formerly of Lillian Best;

THENCE running N 87° 07′ 40″ E, by land now or formerly of Best, 804.0 feet to a point;

THENCE running N 2° 52′ 20″ W, still by land now or formerly of Lillian Best, 325.0 feet to a point in a stone wall at land of Pine Grove Cemetery;

THENCE running N 87° 07′ 40″ E, by land of Pine Grove Cemetery and by said stone wall, 425 feet more or less to a point at land of Catherine Gearon;

THENCE running southwesterly by other land of Burtt and by the present terminus of the Hillcrest Water District, described in section one, 1,265 feet more or less to a point;

THENCE running N 51° 11′ 20″ W, by the southwesterly line of Birchwood Drive and by land of Plouffe, 40.0 feet to a point;

THENCE running N 82° 48′ 50″ W, by land of Plouffe, 42.12 feet to a point;

THENCE running N 79° 07′ 20″ W, by land of Plouffe, 153.65 feet to a point;
THENCE running N 40° 16′ 00″ W, by land of Plouffe, 221.27 feet to a point;
THENCE running S 75° 31′ 20″ W, by land of Plouffe, 422.63 feet to a point;
THENCE running S 61° 12′ 20″ W, by land of Plouffe, 162.66 feet to a point;
THENCE running S 50° 21′ 20″ W, still by land of Plouffe, 187.05 feet, to the point of beginning.

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

Approved October 21, 1971.

Chap. 913. AN ACT AUTHORIZING THE TOWN OF WESTON TO LAY OUT, CONSTRUCT AND OPERATE A SEWER FORCE MAIN IN THE CITY OF WALTHAM.

Be it enacted, etc., as follows:

SECTION 1. The town of Weston is hereby authorized to lay out, construct, maintain, operate and repair a sewer force main in the city of Waltham for the disposal of sewage, which main shall commence at the Weston-Waltham town line on South street, then proceed northerly on said South street to Charles River road, then proceed generally easterly in part in the layout of Charles River road and in part outside of and along such layout, some part of which route may be in a water easement in said Charles River road and elsewhere belonging to the city of Cambridge, then, to Sawyer road in Mount Feake Cemetery belonging to the city of Waltham and along Riverview avenue in said cemetery, then, to the metropolitan district commission connection near Prospect street in the city of Waltham. The layout, construction, maintenance, operation and repair of such main shall be at all times in compliance with contracts or agreements with the cities of Waltham or Cambridge as authorized in section four.

SECTION 2. The sewer committee of the town of Weston, originally authorized and appointed under Article nine of the warrant for the annual town meeting held March twenty-eight, nineteen hundred and sixty-six, and as further authorized under Articles fourteen, fifteen, sixteen and seventeen of the warrant for the annual town meeting held March twenty-seven, nineteen hundred and seventy-one, thereby being empowered to act as a board of sewer commissioners, is hereby authorized to take by eminent domain, in accordance with chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any easement in or along the sewer route referred to in section one as may be necessary for the layout, construction, operation, maintenance and repair of said sewer force main.

SECTION 3. For the purposes of paying damages for any takings or paying for purchases, as authorized aforesaid, and for the purposes of laying out and constructing said sewer force main, a sewer collection system in the town of Weston, a sewerage system or systems in the town of Weston or the city of Waltham and the construction of any sewage disposal facility required for such ends, the town of Weston may borrow from time to time such sums as may be necessary, not ex-

ceeding, in the aggregate, two million five hundred thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Town of Weston Sewer Loan, Act of 1971. Each authorized issue shall constitute a separate loan, may be at varying interest rates and terms, all such loans to be paid at least within thirty years from their dates of issue. Indebtedness incurred under this act shall be in excess of the statutory limit, as prescribed by section ten of chapter forty-four of the General Laws, but shall, except as provided herein, be subject to said chapter, exclusive of any limitation or requirement contained in sections seven or eight thereof. The votes adopted by the town of Weston under Article nine of the warrant for the annual town meeting held March twenty-eight, nineteen hundred and sixty-six and Articles fifteen and sixteen of the warrant for the annual town meeting held March twenty-seven, nineteen hundred and seventy-one are hereby validated and confirmed and the town of Weston may issue the bonds or notes authorized by said votes pursuant to this act as though this act were in effect on the date of the posting of the warrants for such town meetings.

SECTION 4. The town of Weston and the cities of Cambridge and Waltham acting through their duly authorized officers, committees or commissioners may enter into agreements and contracts with each other, with the commonwealth, the metropolitan district commission and the United States of America or any agency or department thereof for the purposes of this act and for the payment of such charges one to the other as may be agreed upon among them. Such contracts may be for such term of years and upon such conditions as may be agreed upon by the appropriate authorities of the town and cities involved.

SECTION 5. For the purpose of financing the construction, operation, maintenance and repair of the sewer mains, sewage collection system, and the sewerage system or systems and facilities to be laid out and constructed in the town of Weston and, pursuant to this act, in the city of Waltham, the town of Weston is further authorized to charge, in addition to other charges authorized by law, its inhabitants or those persons who enter into or in any way receive service from such sewerage system or systems a capital cost assessment to be established initially and, from time to time, by the sewer committee of the town of Weston or its successors, which capital cost assessment may be payable by the inhabitant or person receiving such service in annual installments over a period of time not to exceed twenty years. Interest on any unpaid balance of such charge shall bear annual interest to be established by said sewer committee, not to exceed eight per cent per annum.

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

Approved October 21, 1971.

Chap. 914. AN ACT AUTHORIZING THE CITY OF QUINCY TO GRANT SALARY INCREASES AND ESTABLISH NEW POSITIONS FOR THE YEAR NINETEEN HUNDRED AND SEVENTY-ONE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of section thirty-three A of chapter forty-four of the General Laws or any other general or special law, all increases in salary and ordinances establishing new

positions, approved by the city of Quincy in the year nineteen hundred and seventy-one, shall take effect in said city for said year or for any portion thereof, regardless of the number of months any such increase or ordinance is to be operative during said year.

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

Approved October 21, 1971.

Chap. 915. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO MAKE A STUDY RELATIVE TO THE ESTABLISHMENT OF REGIONAL SOLID WASTE DISPOSAL AND COLLECTION DISTRICTS WITHIN SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby authorized to make a feasibility study regarding the establishment of regional solid waste disposal collection and disposal districts to serve any two or more municipalities within Norfolk county.

Said study shall include a determination of the availability of any federal loans or grants; an inventory of the present solid waste handling and disposal practices of all the municipalities within Norfolk county; the development of the concept of two regional solid waste districts; the development of a solid waste management system for Norfolk county; and recommendations of logical groupings of municipalities which would be benefitted by joining such districts.

SECTION 2. For the purposes authorized by section one, the treasurer of said county, with the approval of the county commissioners, may expend such sums, not exceeding two hundred thousand dollars, as may be appropriated therefor.

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

Approved October 21, 1971.

Chap. 916. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE MUNICIPAL COURT OF BROOKLINE.

Be it enacted, etc., as follows:

The first sentence of section 62 of chapter 218 of the General Laws, as most recently amended by chapter 153 of the acts of 1971, is hereby amended by inserting after the word "Norfolk", in line 20, the words: —, in the municipal court of Brookline, — and by striking out, in lines 24 and 25, the words ", in the municipal court of Brookline".

Approved October 21, 1971.

Chap. 917. AN ACT RELATIVE TO THE JOB CLASSIFICATION AND RETIREMENT BENEFITS OF RICHARD J. SHEA, A FORMER EMPLOYEE OF THE REGISTRY OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

In order to promote the public good and to correct an existing inequity, Richard J. Shea, a former employee of the registry of motor vehicles, shall, notwithstanding any contrary provision of law, be deemed to have held the position of chief motor vehicle review super-

visor from August the first, nineteen hundred and sixty-five to July the first, nineteen hundred and sixty-six in step 6 of job group 17, and to have held the position of assistant to the deputy registrar from July the first, nineteen hundred and sixty-six to January the twenty-first, nineteen hundred and sixty-seven in step 7 of job group 19, for any of the purposes contained in chapters thirty, thirty-one and thirty-two of the General Laws, provided that he shall first pay into the annuity savings fund of the state retirement system the amount which he would have paid into said fund had he been paid the full salary to which he was entitled if he had been properly classified, and he shall be paid the difference between the compensation which he actually received and that which he would have been entitled to for said periods.

Approved October 21, 1971.

Chap. 918. AN ACT ESTABLISHING AN INFORMATION CENTER IN THE DIVISION OF CHILD GUARDIANSHIP FOR THE RECEIPT OF INFORMATION RELATING TO INJURIES OR ABUSE OF CHILDREN.

Be it enacted, etc., as follows:

Section 39A of chapter 119 of the General Laws is hereby amended by inserting after the second paragraph, as appearing in chapter 534 of the acts of 1964, the following paragraph: —

An information center shall be established within the division of child guardianship of the department to receive all such reports and also any like information from hospital personnel and others, which information, if given in good faith, shall, likewise, not constitute slander or libel.

Approved October 21, 1971.

Chap. 919. AN ACT PROVIDING THAT REGIONAL SCHOOL DISTRICTS MAY LEASE EQUIPMENT FOR PERIODS NOT EXCEEDING FIVE YEARS.

Be it enacted, etc., as follows:

Section 16 of chapter 71 of the General Laws is hereby amended by adding after clause (*o*), added by chapter 265 of the acts of 1971, the following clause: —

(*p*) To lease, or lease with an option to purchase, equipment for educational purposes. Such leases may be made for periods not exceeding five years.

Approved October 21, 1971.

Chap. 920. AN ACT PROVIDING FOR THE USE OF ABSENTEE BALLOTS AT STATE AND PRESIDENTIAL PRIMARIES AND AT CITY AND TOWN PRELIMINARY ELECTIONS AND PRIMARIES.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 52 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 337 of the acts of 1941, and inserting in place thereof the following sentence:—Notice of the number of committee members to

be elected shall be given by the city or town committee, as the case may be, to the state secretary on or before the second Tuesday in January of the year in which such persons are to be elected.

SECTION 1A. Section 10 of chapter 53 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 762 of the acts of 1968, and inserting in place thereof the following paragraph:—

All certificates of nomination and nomination papers of candidates for offices to be filled at a state election shall be filed on or before the eighteenth Tuesday preceding the day of the election, except that such certificates or nomination papers for candidates for offices to be filled by all the voters of the commonwealth or for congressman shall be filed on or before the seventeenth Tuesday preceding the day of the election. If there is a special election to fill the office of congressman, all certificates of nomination and nomination papers shall be filed on or before the tenth Tuesday preceding the day of such election. If there is a special election to fill any other state office, all certificates of nomination and nomination papers shall be filed on or before the ninth Tuesday preceding the day of such election.

SECTION 2. The second paragraph of said section 10 of said chapter 53 is hereby amended by striking out the last sentence, as appearing in section 3 of chapter 229 of the acts of 1943, and inserting in place thereof the following sentence:—In any city where preliminary elections for the nomination of candidates for a city office are held, nomination petitions or other like papers required to be filed by such candidates shall be filed on or before the twenty-eighth day preceding the day of the preliminary election, notwithstanding any contrary provision in any special law.

SECTION 3. The first paragraph of section 37 of said chapter 53, as appearing in section 14 of chapter 334 of the acts of 1943, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—Except as provided by section thirty-seven A, a voter desiring to vote in a primary shall give his name, and, if requested, his residence, to one of the ballot clerks, who shall distinctly announce the same, and, if the party enrolment of such voter is shown on the voting list, the name of the party in which he is enrolled.

SECTION 4. Said chapter 53 is hereby further amended by inserting after section 37 the following section:—

Section 37A. A voter desiring to vote by absentee ballot in a primary shall specify on his application for the ballot the party with which he is enrolled or that with which he desires enrolment. A city or town clerk shall not supply any voter with the absentee ballot of more than one party at any one primary. If unenrolled, the voter shall not be deemed to be enrolled in a party by applying for an absentee ballot, not upon the return of said ballot, but only upon the processing of the ballot under the provisions of section ninety-four of chapter fifty-four. Said voter shall be deemed an enrolled member of the party whose ballot he has returned, notwithstanding the rejection of the ballot as defective. The officers processing absentee ballots shall cause to be recorded upon the voting lists to be used at the polling place said enrolment of the voter if he is unenrolled, or the officers

charged with the casting of said absentee ballot at the polling place shall so record the enrollment of the voter on their list if he is unenrolled. In the case of a voter whose ballot is rejected as defective, his enrolment in the political party shall be entered by the registrars in the annual register forthwith, if the voting list for use on the day of the primary is unavailable.

SECTION 5. Section 38 of said chapter 53 is hereby amended by inserting after the first sentence the following sentence:—The processing of an absentee ballot to be used at a primary shall also be deemed to establish the enrolment of a voter in a political party, effective as of the date of said processing.

SECTION 6. Said chapter 53 is hereby further amended by inserting after section 34 the following section:—

Section 34A. Prior to each biennial or special state primary the state secretary shall prepare in such quantities as he may deem necessary the following papers:—

(*a*) Official absent voting ballots, similar in all respects to the official ballot to be used at such primary, on paper similar in color to the official ballot of the respective parties. Instructions for the use of said absentee ballots may be printed on the back of the ballots.

(*b*) Blank forms of application for such ballots, worded substantially as provided by section eighty-seven of chapter fifty-four, except that the application shall indicate that the ballot is to be used at the primary, and shall also indicate the party whose ballot the voter desires to obtain.

Any form of written communication evidencing a desire that an absent voting ballot be sent to him for use of voting at any regular or special state primary or any presidential primary, and specifying the party whose ballot he desires to obtain, shall be given the same effect as an application for an absent voting ballot made in the form prescribed by law.

(*c*) Envelopes conforming substantially to subsections (*c*) and (*d*) of section eighty-seven of said chapter fifty-four, except that they shall be printed on paper similar in color to that of the official and absentee primary ballots, and shall contain a printed designation of the party at the top.

SECTION 7. Section 48 of said chapter 53 is hereby amended by striking out the first paragraph, as most recently amended by chapter 284 of the acts of 1963, and inserting in place thereof the following paragraph:—

Nomination papers of candidates to be voted on at presidential primaries shall be filed with the state secretary on or before the eleventh Tuesday preceding the day of the primaries. Nomination papers of candidates to be voted on at state primaries shall be filed with the state secretary on or before the eleventh Tuesday preceding the day of the primaries, except that such nomination papers of candidates for nomination for any office to be filled by all the voters of the commonwealth, or for congressman, shall be so filed on or before the tenth Tuesday preceding the day of the primaries. In the case of primaries before special elections, such nomination papers shall be filed on or before the fifth Tuesday preceding the day of the primaries. The state secretary shall forthwith issue to the candidate or

other person filing such nomination papers a certificate acknowledging the time and date of the receipt thereof.

SECTION 8. Section 61 of said chapter 53, as most recently amended by chapter 272 of the acts of 1941, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—All nomination papers of candidates to be voted for at city or town primaries shall be filed with the city or town clerk not less than thirty-five days previous to the day on which the primary is to be held for which the nominations are made.

SECTION 8A. The second sentence of section 70B of said chapter 53, as appearing in section 2 of chapter 407 of the acts of 1966, is hereby amended by striking out, in lines 6 and 7, the words "third Wednesday in February" and inserting in place thereof the words:—second Tuesday in January.

SECTION 9. The first sentence of section 86 of chapter 54 of the General Laws is hereby amended by striking out, in line 2, as appearing in section 1 of chapter 213 of the acts of 1961, the words "the biennial state election" and inserting in place thereof the words:—a special state election or the biennial state election or of any special or regular state primary or of a presidential primary.

SECTION 10. Section 103A of said chapter 54 is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 632 of the acts of 1968, and inserting in place thereof the following paragraph:—

Sections eighty-six to one hundred and three Q, inclusive, of this chapter, sections twenty-one and twenty-seven of chapter fifty-six and section forty B of chapter fifty-three shall, sofar as applicable, apply to special and regular city primaries, preliminary elections and elections and to town primaries, caucuses using official ballots, preliminary elections and elections whether special or regular. It shall not apply to caucuses wherein official ballots are not used. All the rights, powers, duties and obligations imposed and conferred upon the state secretary by said sections shall, with respect to said city and town elections, preliminary elections, primaries and caucuses, be exercised and performed by the clerk of such city or town, and, in construing said sections for the purposes of this section, any reference to state elections shall be considered as referring to said city or town function.

SECTION 11. This act shall take effect on January the first, nineteen hundred and seventy-two. *Approved October 21, 1971.*

EMERGENCY LETTER — November 23, 1971 at 2:21 P.M.

Chap. 921. AN ACT AUTHORIZING THE TOWN OF HARDWICK TO ACQUIRE AN EASEMENT IN LAND IN THE TOWN OF WARE FOR THE INSTALLATION AND MAINTENANCE OF A CERTAIN SEWER LINE.

Be it enacted, etc., as follows:

The town of Hardwick is hereby authorized to acquire by purchase or otherwise from the town of Ware for the purposes of installing and maintaining a certain main interceptor sewer line through land situated in the town of Ware an easement in a certain parcel of land running in and along the Ware river from a point on the

town line between Hardwick and Ware northerly of the covered bridge on Bridge street between the town of Ware and the village of Gilbertville, and thence running southerly in said river and under said bridge, and thence easterly to said town line, said land being described in a deed from Paul Whitlin Manufacturing Company to the town of Ware, recorded with the registry of deeds in Hampshire county, Book 1224, page 214. *Approved October 21, 1971.*

Chap. 922. AN ACT PROVIDING THAT THE BOARD OF EDUCATION ADOPT RULES AND REGULATIONS FOR THE ESTABLISHMENT OF A TWELVE-MONTH SCHOOL YEAR FOR THE PUBLIC SCHOOLS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 71 of the General Laws, as most recently amended by chapter 187 of the acts of 1966, is hereby further amended by adding the following three sentences:—The board of education shall adopt rules and regulations for the establishment of a twelve-month school year. Any city by vote of its city council and any town by vote of its town meeting may maintain and operate on a continuous twelve-month basis a sufficient number of schools for the instruction of all children who may legally attend a public school therein in accordance with such rules and regulations. Nothing herein contained shall be construed as to authorize said board to require the establishment of a twelve-month school year in any city or town which has not voted to establish, maintain and operate such a twelve-month school year.

SECTION 2. The board of education shall prepare the rules and regulations as provided for in section one of chapter seventy-one of the General Laws, as amended by section one of this act, on or before September the first, nineteen hundred and seventy-two.

Approved October 21, 1971.

Chap. 923. AN ACT AUTHORIZING THE CHAIRMAN OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION TO APPOINT A SINGLE COMMISSIONER TO CONDUCT PUBLIC HEARINGS IN CONNECTION WITH ALLEGED UNLAWFUL PRACTICES.

Be it enacted, etc., as follows:

Subsection 6 of section 3 of chapter 151B of the General Laws is hereby amended by adding the following sentence:—The commission through its chairman may appoint a single commissioner to hold public hearings, as hereinafter provided, and to otherwise act on its behalf in connection therewith; provided, however, that a person aggrieved by the decision of said single commissioner may, within ten days of said decision, file an appeal for rehearing or review by the commission. *Approved October 21, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, October 21, 1971

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 923 of the Acts of 1971, entitled "AN ACT AUTHORIZING THE CHAIRMAN OF THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION TO APPOINT A SINGLE COMMISSIONER TO CONDUCT PUBLIC HEARINGS IN CONNECTION WITH ALLEGED UNLAWFUL PRACTICES." and the enactment of which received my approval on October 21, 1971, 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 immediately the more efficient use of the commissioners of the Massachusetts Commission Against Discrimination.

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

OFFICE OF THE SECRETARY, BOSTON, October 21, 1971.

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

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

Chap. 924. AN ACT PROVIDING THAT CERTAIN LICENSES FOR THE PURPOSE OF PLACING AND MAINTAINING FILL OVER CERTAIN TIDEWATERS 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 2135, 2276, 2868, 3105, 3818 and 4045 dated April 27, 1898, September 14, 1899, July 8, 1904, September 12, 1906, December 17, 1913 and April 4, 1916, respectively, and the licenses granted by the department of public works, being licenses numbered 401, 653, 762, 852, 916, 958, 1328 and 1973 dated January 31, 1924, April 22, 1926, February 18, 1927, December 20, 1927, June 26, 1928, November 13, 1928, August 11, 1931, and June 14, 1938, respectively, and any and all other licenses or authorizations granted by the department of public works or by any predecessor to con-

struct and maintain sea walls, bulkheads, intake tunnels and drains and to place and maintain fill, piles and other structures in certain former tidewaters on the southerly side of the Lynnway in the city of Lynn in the area shown as lots A and B on a plan drawn by Bradford & Weed, Civil Engineers, dated June 28, 1960, and recorded in Essex county registry of deeds southern district Plan Book 98, Plan 91, shall, notwithstanding any provision of general or special law to the contrary, be irrevocable; provided, however, that if the commonwealth or any of its political subdivisions shall take, within ten years after the effective date of this act, any land which has the benefit of said licenses, the damages recoverable by reason of such taking shall not exceed the fair value of such land on the effective date of this act together with the cost of any buildings or improvements thereon, with interest at four per cent annually from such effective date or date such cost was incurred as the case may be.

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 within the area described in section one shall, notwithstanding any provision of general or special law to the contrary, be irrevocable, subject, however, to the conditions, which shall be expressed in any such license, that applicable provisions of said chapter ninety-one are complied with, and that if the commonwealth or any of its political subdivisions shall take, within ten years after such license is granted, any land which has the benefit of such license, the damages recoverable by reason of such taking shall not exceed the fair value of such land on the date of granting of such license together with the cost of any buildings or improvements thereon, with interest at four per cent annually from such date of granting or date any such cost was incurred as the case may be. *Approved October 21, 1971.*

Chap. 925. AN ACT AUTHORIZING THE DEPARTMENT OF EDUCATION TO CONTRACT WITH THE NEW ENGLAND AQUARIUM CORPORATION FOR FREE ADMISSION TO ITS AQUARIUM FOR CERTAIN SCHOOL GROUPS.

Be it enacted, etc., as follows:

The department of education, in the name and behalf of the commonwealth, is hereby authorized to contract with New England Aquarium Corporation for the purpose of furnishing free admission to its aquarium and facilities in the city of Boston for all organized school groups and science teachers of all schools located in the commonwealth. For said purposes, the department may spend such sums as may be appropriated therefor. *Approved October 21, 1971.*

Chap. 926. AN ACT REQUIRING THE COMMISSIONER OF CORPORATIONS AND TAXATION TO FURNISH TO LOCAL ASSESSORS A DETAILED MANUAL OUTLINING PROCEDURES WHEREBY LOCAL ASSESSORS MAY SECURE UNIFORM ASSESSMENT OF REAL AND PERSONAL PROPERTY.

Be it enacted, etc., as follows:

The first paragraph of section 3 of chapter 58 of the General Laws is hereby amended by striking out the last sentence, as appearing in section 19 of chapter 254 of the acts of 1933, and inserting in place thereof the following four sentences:—He shall prepare a manual outlining, in detail, procedures whereby said assessors may secure uniform assessment of real property and personal property and just taxation of such property. Said manual shall be revised annually. He shall furnish said assessors one copy thereof and any addendum thereto for a fee established by him. Additional copies and addenda may be furnished at such charge as may be determined by the state purchasing agent. *Approved October 21, 1971.*

Chap. 927. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO BORROW MONEY TO RECONSTRUCT THE HEATING SYSTEM, TO MAKE REPAIRS TO THE ELEVATOR AND TO THE EXTERIOR OF THE WORCESTER COUNTY HOSPITAL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester county are hereby authorized to expend on the Worcester county hospital a sum not exceeding three hundred thousand dollars to be expended as follows:—fifty-five thousand dollars to convert the heating system from coal to oil; seventy thousand dollars to install two new elevators; one hundred and fifty thousand dollars to repair the exterior of the hospital; and twenty-five thousand dollars to resurface Dr. Paul Ware Drive and Sanitorium Road.

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, three hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Worcester County Hospital Loan, Act of 1971. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell 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 October 21, 1971.*

Chap. 928. AN ACT ESTABLISHING THE UPPER ASSABET RIVER VALLEY REGIONAL REFUSE DISPOSAL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The city of Marlborough, by vote of its city council, the towns of Berlin, Grafton, Hopkinton, Hudson, Northborough, Shrewsbury, Southborough, Upton and Westborough, by vote in a town meeting, may, subject to conditions hereinafter enumerated, create a regional refuse disposal district which shall be a body corporate and be known as the Upper Assabet River Valley Regional Refuse Disposal District, hereinafter called the district. There shall be no limit of time upon the date of acceptance of the provisions of this act.

For the purposes of this act, "refuse" shall be defined as follows: discarded solid materials, including solid waste materials resulting from industrial, commercial, agricultural, community and domestic activities. Kinds of materials shall include but not be limited to garbage, rubbish, ashes, brush, street refuse, dead animals, abandoned automobiles, industrial wastes, demolition wastes, construction wastes, hazardous and special wastes; but shall 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 effluent, dissolved materials in irrigation return flow or other common water pollutants.

After the initial organization of the board as set out in section two, additional eligible members shall require a majority vote of the board in order to become participating members, subject to conditions enumerated by the board.

SECTION 2. The district shall be under the management and control of a board which is hereby created and shall be known as the Upper Assabet River Valley Regional Refuse Disposal Board, hereinafter called the board.

The board shall consist of one resident from and representing each town that has voted to accept the provisions of this act and is a member of the district. The city of Marlborough shall have a number of members on the board that is equal at all times to the total number of members representing member towns plus one additional member. Official actions shall require an affirmative vote of at least a majority of the board, except in cases of capital outlays where a two thirds vote of the board is required for approval.

The members of the board from the city of Marlborough shall be appointed by the mayor. The members of the board from the towns shall be appointed by a board of selectmen or the town manager in those communities with a town manager form of government, in accordance with each community's applicable provisions of law. Members appointed to the board shall be residents of the area which they represent and may be municipal officers or employees.

The member of the board appointed by the first town to accept this act shall be appointed for a term of one year. The first two members appointed by the city of Marlborough shall be appointed for terms of two years and three years, respectively. New members shall be appointed for terms of one, two or three years, to provide, as nearly as

possible, for an equal number of terms to expire each year. After the initial appointments, members shall be appointed for terms of three years and until their successors have been qualified. Board members may be reappointed. Vacancies shall be filled for the unexpired portion of the term.

SECTION 3. The board shall appoint and determine the compensation of an engineer director who shall administer the affairs and direct the engineering work of the district as approved by the board. The board shall set forth the powers and duties of the engineer director in its by-laws. The engineer director may, upon approval of the board, enter into contracts for professional or construction services to be provided to the district by private contractors. The engineer director shall be skilled in sanitary engineering practice and a registered professional engineer, as defined by section eighty-one D of chapter one hundred and twelve of the General Laws; provided, however, a person eligible for registration under the provisions of said section eighty-one D may be appointed acting engineer director and may serve in that capacity.

SECTION 4. The district shall have a seal consisting of a circular die bearing the words "Commonwealth of Massachusetts, Upper Assabet River Valley Regional Refuse Disposal District, 19—," which seal may be used whenever deemed advisable by the board on papers and documents issued or executed by the board or by any officer or employee designated by the board.

SECTION 5. The board shall prepare and adopt by-laws describing and stipulating its organization and operations. The board members shall meet annually in the month of April and select a chairman, vice chairman and a secretary from among the membership who shall act as an executive committee. The chairman, vice chairman and secretary of the board may receive compensation from the district, which shall not exceed one thousand dollars per year each. All other board members each shall receive five hundred dollars per year. Board members may be reimbursed for actual expenses incurred in performance of their duties on approval of the board.

The board may appoint and may at its pleasure remove a treasurer and a clerk, who shall not be members of the board. Both offices, if the board deems it advisable, may be held by the same person. The treasurer shall give to the board a bond payable to the district with a surety company authorized to transact business within the commonwealth and satisfactory to the board as surety in such sums as the board may prescribe and conditioned on the faithful performance of his duties. The duties of the treasurer and clerk shall be those usually appertaining to said offices, respectively, and, in addition, such as may from time to time be prescribed by the board. The compensation of the treasurer and of the clerk shall be determined by the board. The board may retain legal counsel for any and all appropriate purposes.

The engineer director, with the approval of the board, shall from time to time appoint or employ such other engineers and such experts, agents, officers, clerks and other employees as he deems necessary and shall determine their duties. The salaries or compensation of all persons appointed or employed under authority of this section shall be determined by the board and together with other expenses shall be

paid by the district and shall be considered a part of the expense of maintenance of the district.

The board shall establish an office in which its business may be conducted and at which maps, plans, documents, records, and other paper relating to its business, land and other works and property in its charge shall be kept.

It shall at all times keep full and accurate accounts of its receipts, expenditures, assets and liabilities.

The board shall make a report each year of its activities for the preceding year and shall, prior to February one, submit a copy to the participating towns. The report shall also be submitted to the department of public health and the Central Massachusetts Regional Planning Commission.

SECTION 6. Said board, acting for and on behalf of said district, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, property, rights-of-way or easements, public or private, in said district necessary for accomplishing any of the purposes of this act.

The board, acting for the district, shall purchase, construct, maintain, operate, lease or otherwise contract for such incinerators, sanitary landfills, necessary equipment or any other facilities as may be required for disposing of refuse and other solid wastes of said district. The board may make contracts or requirements as it may deem necessary for the proper operation of said facilities. No facilities shall be constructed until plans have been approved by the local board of health, under the provisions of section one hundred and fifty A of chapter one hundred and eleven of the General Laws. Any construction, reconstruction or extension of disposal facilities shall be referred to the Central Massachusetts Regional Planning Commission for an advisory opinion as to the proposed facilities relationship to regional and intercommunity consideration and to its coordination with existing local and regional proposals.

No land may be purchased or otherwise acquired as a site for the disposal of refuse and other solid wastes without the approval of the local board of health and the department of public health.

The board may sell by negotiation to the participating members of the district any property, including land, acquired by it hereunder and which in its opinion is no longer needed in the performance of the powers and duties conferred and imposed on it by this act; provided, however, any land is first made available to the town in which it is located, and, in the case of equipment, members shall have a priority of bid purchase at a reasonable price. The board also may from time to time lease any property which in its opinion is not then needed by it for the purposes of this act. The board may enter upon any lands for the purposes of making surveys, borings, and may take by eminent domain under said chapter seventy-nine, or acquire by purchase or otherwise, the right to occupy any land necessary for the carrying out of said purposes.

SECTION 7. The board shall, for the proper and reasonable operation of its works, make regulations as to the quantity and character of any refuse discharged into any disposal facility under its control. The board may prohibit the handling of any industrial refuse if the board

determines that such refuse may interfere with or damage the disposal facility or otherwise interfere with its operation and maintenance. The board shall cause the disposal of such refuse in its own or contracted for special facilities. Special charges may be levied against the producer of such refuse for such disposal by the board.

SECTION 8. No lands, rights-of-way or other easements, property, structures or rights acquired by the district, as herein provided, and located in any town included in the district shall be assessed or taxed by the municipality if yielding no rent, but the district shall annually on July the first pay to the town an amount equal to the tax it would receive upon the fair value of the land in the current year, which shall not include buildings or structures. In the event there is a general reevaluation of the assessed valuation of real property in any city or town of the district, the fair value of the land determined above shall be increased or decreased in the same proportion that the aggregate value of all assessed real properties in the city or town are increased or decreased.

SECTION 9. The district by a two thirds vote of the board, in accordance with section two, is authorized to issue, from time to time, general obligation serial bonds or notes of the district to pay for the costs of capital outlays in connection with the disposing of refuse and other solid wastes of its members including the construction, acquisition and major rehabilitation of incinerators, sanitary landfills, necessary equipment and such other facilities as may be required and including land damages and costs of demolition of existing structures on land so acquired.

Said bonds shall be issued in such amount or amounts as the district acting by and through the board may determine and the district may refund any such bonds or notes. Such serial bonds or notes may be callable with or without premium and shall contain such terms and conditions, bear such rate or rates of interests, be sold in such manner, at public or private sale, and mature at such times and in such amounts so that the amount of such annual payments in any year on account of any such debts, sofar as issued, shall not be less than the amount of principal payable in any subsequent year; and provided that each issue of such bonds or notes shall be payable in annual installments, the first of which shall be payable not later than two years after its date and the last of which shall be payable not later than twenty years from said date.

If the board votes to issue serial bonds or notes, said board may authorize the issuance, in the name of the district, of general obligation temporary notes for a period of not more than two years in anticipation of the money to be received from the sale of such serial bonds or notes. The time within which such serial notes or bonds shall be payable shall not be extended by reason of the making of such temporary loans beyond the time fixed in the order authorizing such serial bonds or notes.

For the purpose of paying expenses of operation, including, without limitation, any principal or interest due or about to become due on any bond or note issued by the district for which funds are not available, the board, by majority vote, in accordance with section two, in the name of the district may issue, from time to time, general

obligation temporary notes of the district in anticipation of assessments levied against the members of said district the year in which such notes are issued.

Temporary notes in anticipation of assessments shall be payable not more than one year from their date and shall not exceed in principal amount at any one time outstanding the amount of the assessments in anticipation of which they are issued.

Temporary notes issued under this section for a shorter period than the maximum permitted may be renewed by the issuance of other temporary notes maturing within the required period; provided that the period from the date of issue of the original temporary note to the date of maturity of the renewal note shall not exceed the maximum period for which the original temporary note may have been issued. Such temporary notes or renewal notes may be sold at discount or with interest payable at or before maturity.

Notes or bonds authorized by this section shall be signed by the treasurer and countersigned by the chairman of the board and serial notes and bonds shall have the district seal affixed.

Indebtedness incurred under this section shall not be included in computing the limit of indebtedness of the city of Marlborough or of any town included in the district.

SECTION 10. The board shall annually determine the amounts required for the payment of debt and interest of the district which will be due in the ensuing financial year on account of debt issued for the cost of original construction of existing incinerators, sanitary landfills, necessary equipment and associated facilities, and said amount shall be apportioned among the participating member city and towns in the ratio of their particular populations to the total population of the district, according to the latest federal census.

The board shall annually determine the amounts required for the payment of debt and interest of the district which will be due in the ensuing financial year on account of debt issued for the cost of construction of additional incinerators, sanitary landfills, necessary equipment, or any other works as may be required, and said amount shall be apportioned among the participating member city and towns as calculated by formulas and standards established by the board.

Upon the acceptance of this act by an eligible town not previously a member, the apportionments on account of debt and interest charges, as set forth in the two preceding paragraphs, shall be recalculated by the board consistent with the provisions of the two respective paragraphs.

The cost of the maintenance and operation of the district and its works, exclusive of principal payments and interest on bonds and notes issued for construction purposes, shall, until such time as the refuse disposal facilities shall have been in regular operation for a period of three calendar years, be apportioned among the member city and towns in the ratio of their particular populations to the total population of the district, according to the latest federal census.

After the refuse disposal facilities shall have been in regular operation for a period of three calendar years, the board shall apportion costs of maintenance and operation to the member city and towns on the basis of the weighed volume of the previous year entering the

district's refuse disposal facilities from each member. Upon acceptance of this act by an eligible town not previously a member and until said town shall have participated in the district's refuse disposal facility for a period of three calendar years the allocation of its maintenance and operation costs shall be calculated on the basis of population in the manner described in this section, the remaining cost then being allocated to the remaining members on the basis of weighed volume in the manner also described in this section. Cost calculations for periods of less than a full year shall be prorated in accordance with the number of calendar days for which they are applicable.

SECTION 11. The board shall annually determine the amounts required for the payment of principal and interest on such bonds and notes issued or to be renewed by the district which will be due during the ensuing financial year and shall apportion the amounts as determined among the several members of the district in accordance with the provisions of this act, shall also annually determine the amounts necessary to be raised to maintain and operate the district during said year including capital outlay items, the cost of which is not to be funded and for all other matters for which the district is required to raise money and shall apportion among the several members of the district the amounts so determined in accordance with the provisions of this act. Each amount so apportioned for each member shall, prior to December the thirty-first in each year, be certified by the board to the assessors of each member city or town. The assessors of each member city or town shall without further vote include each amount as certified in those amounts to be annually raised by taxes under section twenty-three of chapter fifty-nine of the General Laws. The city or town treasurer shall pay the amount so certified to the treasurer of the district on or before July the first of the then taxable year.

A city or town which has been assessed shall raise the amounts certified annually by the district to the assessors of each city or town, as provided in this act, through equitable and proportional charges against inhabitants, corporations and other users of the service rendered by the district in each town.

Nothing in the procedure for arbitration authorized in section eleven A shall relieve any treasurer of each city or town from making timely payments to the treasurer of the district of the full amounts assessed.

SECTION 11A. In the event that within ninety days of the receipt by the board of assessors of each city or town of any assessment as determined and apportioned above, the appropriate legislative body of the city of Marlborough or the board of selectmen of the town, by resolution, may question any fact used in the formulas for determination of the total amount to be apportioned or the apportionment thereof to the city or town and request a review thereof by the board.

The board shall forthwith cause a review of such apportionment and shall publish its findings no later than thirty calendar days from the receipt of such request.

The board or the aggrieved city or town may, by resolution adopted no later than ninety calendar days from the receipt of such findings,

submit the questions raised to a fact finding board of arbitration of three persons, not residents of the district, one to be appointed by the aggrieved member, one to be appointed by the board and one to be appointed by the state auditor. The three persons so appointed shall consider all pertinent data, make such audits, examinations, inquiries and surveys as they deem necessary and shall submit a finding, which shall be binding on all parties. The cost of such arbitration, if any, shall be paid by the district as an expense of the then current year and assessed to the district and the aggrieved member in a proportion to be determined by the finding. If such finding shall result in an adjustment of the apportionment of the assessment to the city or any town, such adjustment shall be made by the board in the next annual apportionment to be certified to the respective board of assessors.

SECTION 12. To meet the cost of construction, maintenance and operation of the works authorized by this act, the district may file application for, or accept and use, any federal or state funds or any federal or state assistance, or both, provided therefor under any federal or state law, or accept and use any funds from other sources.

SECTION 13. At any time not less than eight years after the acceptance of this act by a member town, said member town may, after approval by two thirds of the qualified voters present and voting at any annual or special town meeting, notify the board of its desire to withdraw from the district. Such withdrawal shall become effective in not less than two years after receipt of such notice by the board. In the event of such withdrawal, the withdrawing member shall:

1. continue to pay annually to the district its share of the debt outstanding at the time of withdrawal, at the rate prevailing at the time of withdrawal, until its share of such debt shall be paid in full;

2. be allowed to purchase from the district such facilities as it may desire and which the board by majority vote may agree to sell; and

3. be reimbursed by the district for the fair value of the land used for such facilities as will remain under the jurisdiction of the district. Such reimbursement may be made in equal installments, with interest at three per cent, annually over the remaining life of the bonded debt outstanding at the time of withdrawal.

Value of any facilities involved in such purchase or reimbursement shall be determined in accordance with methods described in chapter seventy-nine of the General Laws.

SECTION 14. Upon the establishment of the district all employees of the city of Marlborough and of the participating towns whose employment is directly related to projects to be taken over by the district may be transferred to the district and shall continue to perform the same duties at a salary not less than theretofore and every employee so transferred who immediately prior to such transfer was subject to section nine A of chapter thirty or to chapter thirty-one of the General Laws under a permanent appointment and who has served a probationary period shall continue to serve subject to the provisions of said section nine A of chapter thirty or sections forty-three and forty-five of 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 of said chapter thirty 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 provisions of said chapter thirty-one.

Every employee who upon transfer to the district is covered by the group insurance provided by chapter thirty-two A of the General Laws shall continue in uninterrupted coverage and all other employees of the district are hereby likewise made eligible for said group insurance to the same extent as if they were employees of the commonwealth; provided, that the district's share of the cost of such insurance shall, with respect to the employees of the district, be borne by said district. The district shall forward its contribution, together with all amounts withheld from the salaries or wages of its employees as provided in paragraph (*a*) of section eight of chapter thirty-two B of the General Laws and all amounts paid by an employee as provided in paragraph (*b*) of said section eight, to the group insurance commission at such time and in such manner as said commission may prescribe.

Every employee who immediately prior to being transferred to the district by this section is a member of the retirement system of their city, town or county shall have their retirement rights transferred into the state retirement system. All other employees of the district shall be required to become members of the state retirement system in the same manner and subject to the same laws, rules and regulations as persons entering the employ of the commonwealth. The district shall deduct from the wages of its employees and pay over to the state retirement board such sums as the commonwealth or city or town would deduct and pay over if such person were an employee of the commonwealth or city or town; and at such times as the commissioner of insurance shall from time to time prescribe, the district shall pay to the state retirement board such sums as said commissioner shall from time to time determine the city or town would be obliged to pay if such person were its employee.

Every person who immediately prior to being transferred to the district was subject to the provisions of sections fifty-six to sixty, inclusive, of chapter thirty-two of the General Laws shall continue subject to the provisions of said sections; provided, however, that the words "retiring authority", as used in said section, shall mean the board of said district; and provided further, that the amount of all retirement allowances payable under said sections by virtue of this act shall be paid by the district, and the city or town shall reimburse the district for its proportionate share of the amounts as paid.

SECTION 15. This act may be submitted for approval at any annual or special town meeting of the towns eligible for membership as provided in section one. The question placed on the warrant of such meeting shall be in the form of the following question: "Shall an act passed by the General Court in the year nineteen hundred and seventy-one entitled 'An Act establishing the Upper Assabet River Valley Regional Refuse Disposal District', be accepted?" Such a vote shall be a standing vote of at least a majority of those present and voting. The provisions of this act may be adopted by a majority vote of all of the members of the city council of the city of Marlborough.

The provisions of this act shall not take effect until accepted by the city council of the city of Marlborough and by at least one other town or by two towns. Additional towns may by the acceptance of the provisions of this act join as members of the district as provided in section one.

The initial organization of the board representing the district shall take place within one hundred and eighty days after said required acceptance. If the board does not organize itself and form the district within one hundred and eighty days, the action of the city council and any town meeting accepting the provisions of this act shall be null and void.

SECTION 16. Nothing contained in this act shall be interpreted to authorize the board to construct, operate or maintain the local refuse collection system of each city or town in the district.

Approved October 21, 1971.

Chap. 929. AN ACT FURTHER REGULATING THE LAW RELATIVE TO BUSINESS CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 19 of chapter 9 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph:—

Notwithstanding the foregoing or any provision of section forty-two of chapter thirty, if the secretary has caused any record relative to corporations, voluntary associations, limited partnerships or trusts which he is required to keep to be recorded, copied or reproduced by any photographic, photostatic, microfilm, microcord, miniature photographic or other process which accurately reproduces or forms a durable medium for so reproducing the original, he may, at any time after two years from the date when the original was deposited with him, destroy such original. Such record, copy or reproduction shall be attested by the secretary, when required, as a true copy of the original.

SECTION 2. Section 47 of chapter 156B of the General Laws, as appearing in section 20 of chapter 685 of the acts of 1965, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:—Except as reserved to the stockholders pursuant to section fifty-four, the business of every corporation shall be managed by a board of directors. The number of directors shall be fixed by or determined in the manner provided in the by-laws, but shall be not less than three, except that whenever there shall be only two stockholders the number of directors shall be not less than two and whenever there shall be only one stockholder the number of directors shall be not less than one.

SECTION 3. Said chapter 156B is hereby further amended by striking out section 63, as amended by section 26 of said chapter 685, and inserting in place thereof the following section:—

Section 63. The directors and officers of a corporation who sign any statement or report required by this chapter which is false in

any material representation, or on behalf of whom any such statement is deemed to have been signed pursuant to section one hundred and nine, and which they know or have reason to know to be false shall be jointly and severally liable to a creditor of the corporation who has relied upon such false representation to the extent of the actual damage sustained by him by reason of such reliance; provided that if a report of condition as a whole states the condition of the corporation with substantial accuracy, in accordance with generally accepted accounting principles, it shall not be deemed to be false; and, provided, also, that the officers and directors signing a false report of condition, or on whose behalf any such report is deemed to have been signed, shall not be liable to creditors for debts contracted or contracts entered into after the filing of a report of condition or a corrected report of condition which is not false in any material representation.

SECTION 4. The first paragraph of section 67 of said chapter 156B, as appearing in section 17 of chapter 392 of the acts of 1969, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—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 directly or indirectly 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.

SECTION 5. Section 109A of said chapter 156B, inserted by section 25 of chapter 392 of the acts of 1969, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Such report of a corporation which shows total assets in excess of one million dollars shall be accompanied by a written statement by an auditor which shall be attached to and form a part of such report. *Approved October 21, 1971.*

Chap. 930. AN ACT MAKING A CORRECTIVE CHANGE IN THE SCHOOL AID FORMULA.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*c*) of section 2 of chapter 70 of the General Laws, as most recently amended by section 6 of chapter 871 of the acts of 1970, is hereby further amended by inserting after the word "expenditures", in line 10, the words:—; provided, however, that amounts received by a city or town under this chapter as school aid shall not be so deducted.

SECTION 2. This act shall apply to school aid under chapter seventy of the General Laws required to be paid during the calendar year nineteen hundred and seventy-two and thereafter.

Approved October 21, 1971.

Chap. 931. AN ACT RELATIVE TO DEATH BENEFITS OF WIDOWS OF CERTAIN JUDGES.

Be it enacted, etc., as follows:

Section 65C of chapter 32 of the General Laws is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 738 of the acts of 1970, and inserting in place thereof the following paragraph:—

If a judge forty-five years of age or over but under age seventy who would be entitled, upon resigning, to a pension for life under section sixty-five A, except for not having attained age seventy, or if a judge forty-five years of age or over but under age sixty-five who would be entitled upon resigning to a pension under said section sixty-five A, except for not having attained age sixty-five, or if a judge fifty-five years of age or over but under age sixty-five who would be entitled, upon resigning, to a pension for life under section sixty-five B, except for not having attained age sixty-five, dies before resigning, his widow shall receive a pension for life computed as provided in the second paragraph except that, in making such computation, the proportion of the annual rate of salary payable to a judge under section sixty-five A, to wit, seventy-five per cent, shall be reduced by one per cent for each year or part thereof by which the date of death precedes the attainment of age seventy, in the case of a judge appointed prior to July the thirty-first, nineteen hundred and fifty-six who has served less than twenty years continuously in any such office or offices, and shall be reduced by one per cent for each year or part thereof by which the date of death precedes the attainment of age sixty-five in the case of a judge appointed prior to July the thirty-first, nineteen hundred and fifty-six who has served continuously for twenty years or more in such office or offices or in the case of a judge appointed after July the thirty-first, nineteen hundred and fifty-six who has served continuously for fifteen years or more in such office or offices, and the proportion of the average yearly earning for the required years of service payable to a judge under section sixty-five B, to wit, seventy-five per cent, shall be reduced by one per cent for each year or part thereof by which the date of death precedes the attainment of age sixty-five. *Approved October 21, 1971.*

Chap. 932. AN ACT FURTHER REGULATING THE CONTENTS OF THE GENERAL REGISTER CONTAINING RECORDS OF PERSONS REGISTERED AS QUALIFIED VOTERS.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by striking out section 36, as most recently amended by section 14 of chapter 437 of the acts of 1962, and inserting in place thereof the following section: —

Section 36. They shall keep in general registers records of all persons registered as qualified to vote in the city or town. They shall enter therein the name of every such voter written in full, or instead thereof the surname and first Christian name or that name by which he is gen-

erally known, written in full, and the initial of every other name which he may have, and also his age or date of birth, place of birth and residence on January the first preceding or at the time of becoming an inhabitant of the city or town after said day, the date of his registration and his residence at such date, his occupation and the place thereof and any other particulars necessary to identify him fully. Except in Boston, the general registers shall have uniform headings in substantially the following form, and blank books suitable for the purpose shall be provided at cost by the state secretary to registrars applying therefor:

	When Registered.
	Name.
	Signature of Applicant.
	Residence January 1, or Subsequent Date.
	Age or Date of Birth.
	Place of Birth.
	Occupation.
	Place of Occupation.
	Residence at Date of Registration.
	Remarks.

There shall be added in the above column designated "Remarks" such information pertaining to the status of a married woman as the registrars deem of value. This section shall not apply to persons who qualify under section one A to vote for electors of president and vice president. *Approved October 21, 1971.*

Chap. 933. AN ACT AUTHORIZING THE SHERIFFS OF BERKSHIRE AND HAMPSHIRE COUNTIES TO ESTABLISH AN EDUCATIONAL RELEASE PROGRAM FOR CERTAIN PERSONS UNDER THEIR CONTROL.

Be it enacted, etc., as follows:

The sheriffs of Berkshire and Hampshire counties may establish an educational release program under which persons sentenced to the house of correction under their control may be granted the privilege of leaving actual confinement during necessary and reasonable hours for evening classes for the purpose of obtaining additional educational training. The authority granted by this act shall be in addition to that provided for in section eighty-six F of chapter one hundred and twenty-seven of the General Laws. *Approved October 21, 1971.*

Chap. 934. AN ACT REPEALING THE LAW RELATIVE TO THE REQUIREMENT OF REFLECTIVE MATERIAL ON CERTAIN OUTSIDE REAR VIEW MIRRORS OF CERTAIN TRUCKS.

Be it enacted, etc., as follows:

Section 7 of chapter 90 of the General Laws is hereby amended by striking out the sentence inserted by chapter 206 of the acts of 1971.

Approved October 21, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, October 21, 1971

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 934 of the Acts of 1971, entitled "AN ACT REPEALING THE LAW RELATIVE TO THE REQUIREMENT OF REFLECTIVE MATERIAL ON CERTAIN OUTSIDE REAR VIEW MIRRORS OF CERTAIN TRUCKS." and the enactment of which received my approval on October 21, 1971, 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 order to provide for the immediate repeal of the requirement that reflective material be placed on certain outside rear view mirrors of certain trucks.

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

OFFICE OF THE SECRETARY, BOSTON, October 21, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at six o'clock and eleven 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 nine hundred and thirty-four of the acts of nineteen hundred and seventy-one.

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

Chap. 935. AN ACT FURTHER REGULATING THE HOURS DURING WHICH POLLING PLACES SHALL BE OPEN AT PRIMARIES.

Be it enacted, etc., as follows:

Section 43 of chapter 53 of the General Laws, as most recently amended by section 1 of chapter 109 of the acts of 1949, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences: — The polls at every primary shall be open at least ten hours in cities, such hours to be designated

by the aldermen or councillors. In towns of less than two thousand inhabitants the polls shall be open at least six hours and in all other towns at least ten hours, such hours to be designated in towns by by-laws or vote, or, in default of such by-laws or vote, by the selectmen.

Approved October 21, 1971.

Chap. 936. AN ACT AUTHORIZING THE TOWN OF FAIRHAVEN TO APPOINT A CERTAIN PERSON AS A PERMANENT INTERMITTENT MEMBER OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any law or rule to the contrary regulating the maximum age of police officers, Gilbert Vieira may be appointed as a permanent intermittent police officer in the town of Fairhaven provided he passes a qualifying examination and provided further that there is no person on the eligible list willing to accept appointment as a permanent intermittent police officer in the police department of said town on the effective date of this act.

Approved October 21, 1971.

Chap. 937. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO SELL AND CONVEY A CERTAIN PARCEL OF LAND IN THE CITY OF REVERE TO REVERE LODGE, NO. 1171 OF THE BENEVOLENT AND PROTECTIVE ORDER OF ELKS OF THE UNITED STATES OF AMERICA, INC.

Be it enacted, etc., as follows:

The metropolitan district commission, in the name and on behalf of the commonwealth, is hereby authorized, subject to the approval of the commissioner of administration, to sell and convey to Revere Lodge, No. 1171 of the Benevolent and Protective Order of Elks of the United States of America, Inc., by a deed, approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to a certain parcel of land on the southerly side of the Revere Beach Parkway in the city of Revere and shown as Block #114 on Plate #7 on the records of the assessors office in said city, and consisting of 138,000 square feet, more or less.

(The foregoing was laid before the governor on the thirteenth day of October, 1971, and after ten days it had "the force of a law", as prescribed by the constitution, as it was not returned by him with his objections thereto within that time.)

Chap. 938. 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 several purposes 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 seventy-one.

WORCESTER COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$246,312 03
2.	For reduction of county debt		280,000 00
3.	For county commissioners, salaries and expenses		61,768 64
	1. Personal services	$58,108 64	
	2. Contractual services	600 00	
	3. Supplies and materials	2,375 00	
	4. Current charges and obligations	560 00	
	5. Equipment	125 00	
4.	For transportation and expenses of county and acting commissioners		3,033 00
5.	For clerk of courts, salaries and expenses		341,083 11
	1. Personal services	324,146 71	
	2. Contractual services	7,000 00	
	3. Supplies and materials	7,250 00	
	4. Current charges and obligations	1,437 00	
	5. Equipment	1,249 40	
6.	For county treasurer, salaries and expenses		116,085 96
	1. Personal services	106,870 96	
	2. Contractual services	2,150 00	
	3. Supplies and materials	4,050 00	
	4. Current charges and obligations	840 00	
	5. Equipment	2,175 00	
7.	For sheriff, salary and expenses		17,502 50
	1. Personal services	15,400 00	
	2. Contractual services	400 00	
	3. Supplies and materials	925 00	
	4. Current charges and obligations	777 50	
8.	For registry of deeds, salaries and expenses		
	Worcester District		430,433 83
	1. Personal services	380,389 83	
	2. Contractual services	14,000 00	
	3. Supplies and materials	30,000 00	
	4. Current charges and obligations	5,900 00	
	5. Equipment	144 00	
	Northern District		83,516 30
	1. Personal services	72,251 30	
	2. Contractual services	5,800 00	
	3. Supplies and materials	2,750 00	
	4. Current charges and obligations	2,165 00	
	5. Equipment	550 00	
8a.	For registry of probate, salaries and expenses		17,895 00
	2. Contractual services	8,995 00	
	3. Supplies and materials	6,700 00	
	4. Current charges and obligations	2,200 00	

Item		Subtotal	Total
9.	For law library, salaries and expenses		
	Worcester		$50,416 07
	1. Personal services	$28,021 07	
	2. Contractual services	1,335 00	
	3. Supplies and materials	700 00	
	4. Current charges and obligations	20,160 00	
	5. Equipment	200 00	
	Fitchburg		14,177 90
	1. Personal services	7,368 40	
	2. Contractual services	185 00	
	3. Supplies and materials	60 00	
	4. Current charges and obligations	6,375 00	
	5. Equipment	189 50	
10.	For highways, including state highways, bridges and land damages		1,093,430 60
	1. Personal services	347,900 10	
	2. Contractual services	3,450 00	
	3. Supplies and materials	5,950 00	
	4. Current charges and obligations	2,754 50	
	5. Equipment	2,826 00	
	6. All other	730,550 00	
12.	For criminal costs in superior court		533,166 75
	1. Personal services	243,574 30	
	2. Contractual services	280,550 00	
	3. Supplies and materials	6,042 00	
	4. Current charges and obligations	1,768 50	
	5. Equipment	1,231 95	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		385,262 60
	1. Personal services	192,536 90	
	2. Contractual services	190,050 70	
	3. Supplies and materials	1,070 00	
	4. Current charges and obligations	1,605 00	
14.	For district courts, salaries and expenses		
	Central District Court of Worcester		602,657 09
	1. Personal services	560,699 09	
	2. Contractual services	7,170 00	
	3. Supplies and materials	30,616 00	
	4. Current charges and obligations	3,205 00	
	5. Equipment	967 00	
	District Court of Fitchburg		159,451 61
	1. Personal services	142,472 61	
	2. Contractual services	5,635 00	
	3. Supplies and materials	6,595 00	
	4. Current charges and obligations	3,604 00	
	5. Equipment	1,145 00	
	District Court of Leominster		63,332 71
	1. Personal services	53,394 71	
	2. Contractual services	2,575 00	
	3. Supplies and materials	3,775 00	
	4. Current charges and obligations	3,588 00	
	District Court of Winchendon		40,418 73
	1. Personal services	36,287 73	
	2. Contractual services	660 00	
	3. Supplies and materials	1,075 00	
	4. Current charges and obligations	2,041 00	
	5. Equipment	355 00	

Item		Subtotal	Total
	First District Court of Northern Worcester		$159,061 07
1.	Personal services	$134,009 67	
2.	Contractual services	7,025 00	
3.	Supplies and materials	5,420 00	
4.	Current charges and obligations	10,831 40	
5.	Equipment	1,775 00	
	First District Court of Eastern Worcester		162,720 87
1.	Personal services	151,361 47	
2.	Contractual services	3,200 00	
3.	Supplies and materials	4,650 00	
4.	Current charges and obligations	3,179 40	
5.	Equipment	330 00	
	Second District Court of Eastern Worcester		98,381 76
1.	Personal services	89,081 76	
2.	Contractual services	2,300 00	
3.	Supplies and materials	3,825 00	
4.	Current charges and obligations	3,175 00	
	First District Court of Southern Worcester		121,012 50
1.	Personal services	$108,282 50	
2.	Contractual services	4,905 00	
3.	Supplies and materials	3,300 00	
4.	Current charges and obligations	4,525 00	
	Second District Court of Southern Worcester		107,426 75
1.	Personal services	101,868 55	
2.	Contractual services	2,425 00	
3.	Supplies and materials	2,290 00	
4.	Current charges and obligations	843 20	
	Third District Court of Southern Worcester		94,326 80
1.	Personal services	89,220 80	
2.	Contractual services	1,650 00	
3.	Supplies and materials	2,495 00	
4.	Current charges and obligations	806 00	
5.	Equipment	155 00	
	District Court of Western Worcester		56,222 25
1.	Personal services	48,737 25	
2.	Contractual services	870 00	
3.	Supplies and materials	2,350 00	
4.	Current charges and obligations	3,480 00	
5.	Equipment	785 00	
	District Court — Worcester Juvenile Court		223,334 87
1.	Personal services	159,475 62	
2.	Contractual services	11,000 00	
3.	Supplies and materials	9,275 00	
4.	Current charges and obligations	38,278 00	
5.	Equipment	5,306 25	
	District Court — Northern Juvenile District		70,813 32
1.	Personal services	63,543 32	
2.	Contractual services	5,675 00	
3.	Supplies and materials	1,185 00	
4.	Current charges and obligations	207 00	
5.	Equipment	203 00	
	District Court — Southern Juvenile District		50,318 51
1.	Personal services	46,650 26	
2.	Contractual services	2,700 00	
3.	Supplies and materials	600 00	
4.	Current charges and obligations	84 00	
5.	Equipment	284 25	

Item		Subtotal	Total
	District Court — Appellate Division		$425 00
	1. Personal services	$250 00	
	2. Contractual services	75 00	
	3. Supplies and materials	100 00	
15.	For medical examiners and commitments of insane		111,050 00
16.	For jail and house of correction, maintenance and operation		948,958 87
	1. Personal services	736,541 87	
	2. Contractual services	27,000 00	
	3. Supplies and materials	160,000 00	
	4. Current charges and obligations	12,000 00	
	5. Equipment	12,417 00	
	6. All other	1,000 00	
17.	For training school		1,000 00
18.	For court houses and registry buildings, maintenance and operation		524,571 48
	1. Personal services	371,310 48	
	2. Contractual services	89,705 00	
	3. Supplies and materials	54,850 00	
	4. Current charges and obligations	4,146 00	
	5. Equipment	4,560 00	
18a.	For bindery department		22,414 70
20.	For agricultural school or county aid to agriculture, maintenance and operation		190,090 33
	1. Personal services	168,470 33	
	2. Contractual services	12,000 00	
	3. Supplies and materials	8,000 00	
	4. Current charges and obligations	1,200 00	
	5. Equipment	420 00	
21.	For state reservation, maintenance and operation (Purgatory Chasm)		25,371 50
	1. Personal services	22,951 50	
	2. Contractual services	550 00	
	3. Supplies and materials	1,200 00	
	4. Current charges and obligations	570 00	
	5. Equipment	100 00	
24.	For noncontributory pensions		110,000 00
25.	For contributory retirement system and supervisory expenses		383,577 50
26.	For miscellaneous and contingent expenses		78,965 96
27.	For unpaid bills of previous years		31,505 24
28.	For reserve fund		50,000 00
29.	For advertising recreational, cultural, historic and scenic advantages of the county		50,000 00
30.	For forest fire patrol		7,125 00
31.	For radio system for fire protection		1,000 00
36.	For Dutch elm disease		12,000 00
39.	For group insurance		161,000 00
	Total amount of appropriations		$8,392,618 71

	Total
Less estimated amount available for reduction of county tax	1,331,928 42
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	$7,060,690 29

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

Approved October 26, 1971.

Chap. 939. AN ACT PROVIDING FOR THE ELIMINATION OF THE OBLIGATION OF THE REGISTRAR OF MOTOR VEHICLES TO ISSUE NOTICES OF INTENT TO REVOKE REGISTRATION AND OF HIS RIGHT TO RECEIVE CERTAIN NOTICES CONCERNING CANCELLATION OF INSURANCE UNTIL SUCH CANCELLATION HAS BECOME FINAL.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to reduce the sending of duplicate notice to owners of certain motor vehicles of intent to cancel their registration, 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 34H of chapter 90 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 4 of chapter 119 of the acts of 1933, and inserting in place thereof the following paragraph:—

In the event that the registrar receives written notice, in conformity with section one hundred and thirteen A of chapter one hundred and seventy-five, he shall revoke the registration of such motor vehicle on the effective date of the cancellation as specified in such notice unless not later than two days prior to such effective date the registrar shall have received a new certificate covering the same motor vehicle, or in case the owner does not file a complaint under section one hundred and thirteen D of said chapter one hundred and seventy-five that he is aggrieved by the issue of such notice, or as specified in an order of the board of appeal on motor vehicle liability policies and bonds affirming such cancellation under said section one hundred and thirteen D in case the owner does not claim an appeal from such order, or as specified in a decree of the superior court or a justice thereof affirming such cancellation on such appeal, or as specified in such a decree ordering a cancellation of such a policy or bond after its reinstatement by said board of appeal, unless not later than two days prior to such effective date as finally specified the registrar shall have received a new certificate covering the same motor vehicle.

SECTION 2. Section 34K of said chapter 90, inserted by chapter 360 of the acts of 1960, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—No power of attorney in connection with the cancellation of a motor vehicle liability policy as defined in section thirty-four A shall be

exercised until ten days' notice has been given to the policyholder by registered or certified mail, return receipt requested, by the person or corporation exercising the power of attorney.

SECTION 3. Provision (2) of section 113A of chapter 175 of the General Laws, as most recently amended by section 1 of chapter 191 of the acts of 1956, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—That, except as otherwise provided in provision (2) A and in section one hundred and thirteen D, no cancellation of the policy, whether by the company or by the insured, shall be valid unless written notice thereof is given by the party proposing cancellation to the other party giving the specific reason or reasons for such cancellation at least twenty days in each case prior to the intended effective date thereof, which date shall be expressed in said notice, and that notice of cancellation sent by the company to the insured, by registered mail, postage prepaid, with a return receipt of the addressee requested, addressed to him at his residence or business address stated in the policy shall be a sufficient notice, and that an affidavit of any officer, agent or employee of the company, duly authorized for the purpose, that he has so sent such notice addressed as aforesaid shall be prima facie evidence of the sending thereof as aforesaid; together with a provision that, in the event of a cancellation by the insured, he shall, if he has paid the premium on the policy to the company or to its agent who issued the policy, or to the duly licensed insurance broker, if any, by whom the policy was negotiated, be entitled to receive a return premium after deducting the customary monthly short rates for the time the policy shall have been in force, or in the event of cancellation by the company, the insured shall, if he has paid the premium as aforesaid, be entitled to receive a return premium calculated on a pro rata basis; provided, that if the insured after the sending of a notice of cancellation by the company, or after giving such a notice to the company, files a new certificate under section thirty-four H of chapter ninety prior to the intended effective date of such cancellation, the filing of said certificate shall operate to terminate the policy on the date of said filing, and the return premium, if any, payable to the insured shall be computed as of the date of said filing, instead of the intended effective date of cancellation expressed in the notice thereof; and, provided further, that if the final effective date of a cancellation by the company is fixed by an order of the board of appeal on motor vehicle liability policies and bonds or of the superior court, or a justice thereof, as provided in section one hundred and thirteen D, the return premium, if any, payable to the insured shall be computed as of such final effective date; and, provided further, that said cancellation shall not become effective unless the company or an insurance premium finance agency duly licensed under the provisions of chapter two hundred and fifty-five C has, immediately upon the intended effective date of the cancellation of the policy, whether proposed by the company or by the insured, forwarded to the registrar of motor vehicles a notice, in such form as he may prescribe, containing such information to appraise the registrar of the particular motor vehicle registration on which the insurance is intended to be cancelled.

SECTION 4. Section 113D of said chapter 175 is hereby amended by striking out the third paragraph, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—

If the complaint relates to the cancellation of such a policy or bond, the filing of the complaint shall operate to continue the policy or bond in full force and effect, but not beyond its date of expiration in any case, pending the finding and order of the board, and pending the decree of the superior court or a justice thereof if an appeal from such finding and order is taken as hereinafter provided; and the commissioner shall cause a copy of such complaint, attested in such manner as he may prescribe, forthwith to be sent to the company.

SECTION 5. Said section 113D of said chapter 175 is hereby further amended by striking out the fifth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

The commissioner, as soon as may be after the rendition thereof, shall cause a written memorandum of all findings and the orders entered thereon signed by the assenting members of the board to be filed in his office as a public record, and he shall on the date of said filing cause a copy of the finding and order, duly attested by the board or a member of the secretary thereof, with the date of said filing endorsed thereon, to be sent to each of the parties.

SECTION 6. Said section 113D of said chapter 175 is hereby further amended by striking out the sixth paragraph, as most recently amended by chapter 311 of the acts of 1938, and inserting in place thereof the following paragraph:—

Any person or company aggrieved by any finding or order of the board, other than a finding that the complainant is or is not a suitable and proper person to whom to issue such a policy or on behalf of whom to execute such a bond as surety, may, within ten days after the filing of the memorandum thereof in the office of the commissioner, unless the policy or bond has expired or will expire prior to the expiration of said period, and any person or company aggrieved by any finding of the board that a complainant is or is not a suitable and proper person as aforesaid may, in any case, within said period, appeal therefrom to the superior court or any justice thereof, in any county in case of an appeal by any complainant, and in the county in which the complainant resides in case of an appeal by the company. The appellant shall file with his appeal a duly certified copy of the complaint and of the finding and order thereon, and, if the appeal is taken from a finding and order of the board in respect to a cancellation, the clerk of the court shall forthwith, upon the filing of such an appeal, give written notice of the filing thereof to the appellee. The court or justice shall, after such notice to the parties as it or he deems reasonable, give a summary hearing on such appeal and shall have jurisdiction in equity to review all questions of fact and law and to affirm or reverse such finding or order and may make any appropriate decree. The court or justice may allow such complaint, finding or order to be amended. The decision of the court or justice shall be final. If the court or justice finds in favor of the company in the case of such a cancellation, the decree shall, unless the policy or bond has expired, affirm the cancellation and specify a date not earlier

than five days from the entry thereof on which the cancellation shall become effective; but, if the policy or bond will expire on or before the termination of a period of five days from such entry, the decree shall specify a date prior to such expiration or the court of justice may dispense with such a specification. The clerk shall, within two days after the entry thereof, send an attested copy of the decree to each of the parties and the commissioner. The court or justice may make such order as to costs as it or he deems equitable. The superior court may make reasonable rules to secure prompt hearings on such appeals and a speedy disposition thereof.

SECTION 7. This act shall take effect on November the fifteenth, nineteen hundred and seventy-one. *Approved October 27, 1971.*

Chap. 940. AN ACT FURTHER REGULATING THE PROVISIONS OF THE EMPLOYMENT SECURITY LAW IN ORDER TO CONFORM WITH THE REQUIREMENTS OF THE FEDERAL LAW AND REGULATING THE EMPLOYMENT SECURITY BENEFITS OF CERTAIN RETIRED PERSONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to immediately make necessary changes in the employment security law in order to conform with federal law, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 151A of the General Laws is hereby amended by striking out subsections (*k*) and (*n*), as appearing in section 1 of chapter 685 of the acts of 1941, and inserting in place thereof the following two subsections:—

(*k*) "Employment", service, including service in interstate commerce, performed for wages or under any contract, oral or written, express or implied, by an employee for his employer as provided in this section and in sections two, three, four A, four B, five and six.

(*n*) "Payroll", the total amount of all wages for employment subject to this chapter.

SECTION 2. Said chapter 151A is hereby further amended by striking out sections 2 and 3, as so appearing, and inserting in place thereof the following two sections:—

Section 2. Service performed by an individual, except in such cases as the context of this chapter otherwise requires, shall be deemed to be employment subject to this chapter irrespective of whether the common-law relationship of master and servant exists, unless and until it is shown to the satisfaction of the director that—

(*a*) such individual has been and will continue to be free from control and direction in connection with the performance of such services, both under his contract for the performance of service and in fact; and

(*b*) such service is performed either outside the usual course of the business for which the service is performed or is performed outside of all the places of business of the enterprise for which the service is performed; and

(*c*) such individual is customarily engaged in an independently established trade, occupation, profession or business of the same nature as that involved in the service performed.

Section 3. The term "employment", except in such cases as the context of this chapter otherwise requires, shall include an individual's entire service, performed within, or both within and without the commonwealth, if—

(*a*) the service is localized in the commonwealth. Service shall be deemed to be localized within the commonwealth if the service is performed entirely within the commonwealth, or the service is performed both within and without the commonwealth, but the service performed without the commonwealth is incidental to the individual's service within the commonwealth; for example, is temporary or transitory in nature, or consists of isolated transactions.

(*b*) the service is not localized in any state, but some part of the service is performed in the commonwealth and (1) the individual's base of operations is in the commonwealth or, if there is no base of operations, then the place from which such service is directed or controlled, is within the commonwealth, or (2) the individual's base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in the commonwealth.

SECTION 3. Section four of said chapter one hundred and fifty-one A is hereby repealed.

SECTION 4. Said chapter 151A is hereby further amended by inserting after section 4 the following two sections:—

Section 4A. The term "employment" shall include any service performed prior to January the first, nineteen hundred and seventy-two which was employment as provided by this chapter prior to such date and, subject to the other provisions of this section, service performed after December the thirty-first, nineteen hundred and seventy-one, by an individual—

(*a*) in the employ of the commonwealth, or any instrumentality of the commonwealth, or of the commonwealth and one or more other states or their instrumentalities, for a hospital or institution of higher education located in the commonwealth; provided that such service is excluded from "employment" as defined in the Federal Unemployment Tax Act solely by reason of section 3306 (c) (7) of that act and is not excluded from "employment" under section six of this chapter.

"Hospital", for the purpose of this section, section four B and section six means any institution, however named, whether conducted for charity or for profit, or by the commonwealth or any of its political subdivisions, which is advertised, announced, established or maintained for the purpose of caring for persons admitted thereto for diagnosis, medical, surgical or restorative treatment which is rendered within said institution.

"Institution of higher education", for the purposes of this section, section four B and section twenty-eight A, means an educational institution which admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate, and is legally authorized in the

commonwealth to provide a program of education beyond high school, and provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, a program of postgraduate or post-doctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation; and is a public or other nonprofit institution. Notwithstanding any of the foregoing provisions, all colleges and universities in the commonwealth are institutions of higher education for purposes of this section.

Each such hospital and institution of higher education referred to in the first paragraph of this subsection shall make payments in lieu of contributions with respect to benefits attributable to such employment as provided under subsections (*b*) and (*f*) of section fourteen A of this chapter.

(*b*) who is a citizen of the United States, outside the United States, except in a contiguous country with which the United States has an agreement relating to unemployment compensation, or the Virgin Islands, in the employ of an American employer, other than service which is deemed "employment" under the provisions of section three of this chapter or the parallel provisions of another state's law, if:

(1) the employer's principal place of business in the United States is located in the commonwealth; or

(2) the employer has no place of business in the United States, but (*i*) the employer is an individual who is a resident of the commonwealth; or (*ii*) the employer is a corporation which is organized under the laws of the commonwealth; or (*iii*) the employer is a partnership or a trust and the number of the partners or trustees who are residents of the commonwealth is greater than the number who are residents of any one other state.

An "American employer", for purposes of this subsection, means a person who is an individual who is a resident of the United States; or a partnership if two thirds or more of the partners are residents of the United States; or a trust, if all of the trustees are residents of the United States; or a corporation organized under the laws of the United States or of any state.

For the purposes of this subsection, the term "state" includes the District of Columbia and the Commonwealth of Puerto Rico. The term "United States" when used in a geographical sense includes the states, the District of Columbia and the Commonwealth of Puerto Rico. An individual who is a citizen of the Commonwealth of Puerto Rico, but not otherwise a citizen of the United States, shall be considered as a citizen of the United States.

(*c*) on or in connection with American vessels and American aircraft under a contract of service which is entered into within the United States or during the performance of which the vessel or aircraft touches at a port in the United States including service performed on or in connection with such vessel or aircraft outside the United States, and including service performed on or in connection with the operation of an American vessel operating on the navigable waters within or within and without the United States, or on American aircraft operating within or within and without the United States,

and such operations are ordinarily and regularly supervised, managed, directed and controlled from an operating office managed by an employing unit in this commonwealth; provided, however, that the term "employment" shall not include service performed on a vessel of ten net tons or less engaged in catching, taking or harvesting of fish. The term "employment" shall include services performed within the commonwealth on or in connection with a vessel or aircraft not an American vessel or American aircraft, unless the individual is employed on and in connection with such vessel or aircraft when outside the United States.

(*d*) in the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity with respect to which such service is performed, but only if such operators produced one half or less of the commodity with respect to which such service is performed.

(*e*) in the employ of a group of operators of farms, or a cooperative organization of which such operators are members, in the performance of service described in subsection (*d*), but only if such operators produced one half or less of the commodity with respect to which such service is performed.

(*f*) in the employ of a religious, charitable, educational or other organization, other than a school which is not an institution of higher education,—only if the service is excluded from "employment" as defined in the Federal Unemployment Tax Act solely by reason of section 3306 (c) (8) of that act and is not excluded from "employment" under section six.

Section 4B. Any political subdivision of this commonwealth may elect to cover, for a period of not less than two years, service performed by employees in all of the hospitals and institutions of higher education operated by such political subdivision. Election is to be made by filing with the director a notice of such election at least thirty days prior to the effective date of such election. An election under this section may be terminated by filing with the director written notice not later than thirty days preceding the last day of the calendar year in which the termination is to be effective. Such termination becomes effective upon the ending of the calendar year in which such notice is filed with respect to services performed thereafter.

Each such political subdivision which elects coverage as provided by this section shall make payments in lieu of contributions with respect to benefits attributable to such employment as provided under subsections (*b*) and (*f*) of section fourteen A.

SECTION 5. Subsection (*a*) of section 6 of said chapter 151A, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by inserting after the word "labor", in line 1, the words:—, except as otherwise provided in subsections (*d*) and (*e*) of section four A.

SECTION 6. Subsection (*f*) of said section 6 of said chapter 151A is hereby amended by striking out, in line 1, as so appearing, the

word "Service", and inserting in place thereof the words:—Except as otherwise provided in subsection (*a*) of section four A and in section four B, service.

SECTION 7. Subsection (*k*) of said section 6 of said chapter 151A, as appearing in section 1 of chapter 393 of the acts of 1961, is hereby amended by inserting after the word "university", in line 3, the words:—; or by the spouse of such a student, if such spouse is advised, at the time such spouse commences to perform such service, that the employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college or university, and such employment will not be covered by any program of unemployment insurance; or service performed by an individual under the age of twenty-two who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on as a student in a full-time program, taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program, and such institution has so certified to the employer, except that this subsection shall not apply to service performed in a program established for or on behalf of an employer or group of employers.

SECTION 8. Said section 6 of said chapter 151A is hereby further amended by adding the following six subsections:—

(*r*) Service performed in the employ of a church or convention or association of churches or an organization which is operated primarily for religious purposes and which is operated, supervised, controlled or principally supported by a church or convention or association of churches;

(*s*) Service performed by a duly ordained, commissioned or licensed minister of a church in the exercise of his ministry or by a member of a religious order in the exercise of duties required by such order;

(*t*) Service performed in a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market by an individual receiving such rehabilitation or remunerative work;

(*u*) Service performed as part of an unemployment work-relief or work-training program assisted or financed in whole or in part by any federal agency or an agency of a state or political subdivision thereof, by an individual receiving such work relief or work training;

(*v*) Service performed for a hospital in a state prison or other state correctional institution by an inmate of the prison or correctional institution;

(*w*) Service performed by a patient in the employ of a hospital, whether public, nonprofit or proprietary.

SECTION 9. Said section 6 of said chapter 151A is hereby further amended by striking out subsections (*c*) and (*g*).

SECTION 10. Sections seven and ten of said chapter one hundred and fifty-one A are hereby repealed.

SECTION 11. Section 11 of said chapter 151A, as most recently amended by section 4 of chapter 763 of the acts of 1951, is hereby further amended by striking out, in lines 1 and 2, the words "Except as provided in section ten, no" and inserting in place thereof the word:—No.

SECTION 12. Section 14 of said chapter 151A is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 468 of the acts of 1962, and inserting in place thereof the following paragraph:—

Each employer shall make contributions for each year after the year nineteen hundred and seventy-one at the applicable rate or rates as set forth in this section on so much of his payroll as is subject to this chapter; provided, that for the purposes of this section, the term "wages" shall not include that part of remuneration which, after remuneration equal to four thousand two hundred dollars with respect to employment with such employer has been paid to an individual during any calendar year, is paid to such individual during such calendar year. In determining the initial remuneration of four thousand two hundred dollars as hereinbefore provided, any remuneration shall be included which was earned in another state upon which contributions were required and paid under a similar law.

SECTION 13. Said chapter 151A is hereby further amended by inserting after section 14 the following section:—

Section 14A. Benefits paid to employees of nonprofit organizations shall be financed in accordance with the provisions of this section. For the purpose of this section, a nonprofit organization is an organization, or group of organizations, described in section 501 (c) (3) of the United States Internal Revenue Code which is exempt from income tax under section 501 (a) of such Code.

(*a*) Any nonprofit organization which, pursuant to subsection (*f*) of section four A, is or becomes subject to this chapter on or after January the first, nineteen hundred and seventy-two shall pay contributions under the provisions of section fourteen, unless it elects, in accordance with this subsection, to pay into the unemployment compensation fund an amount equal to the amount of benefits, including dependency benefits, and one half of the extended benefits paid, that is attributable to service in the employ of such nonprofit organization, to individuals for weeks of unemployment in a benefit year which begins during the effective period of such election.

(1) Any nonprofit organization which is subject to this chapter on December the thirty-first, nineteen hundred and seventy-one may elect to become liable for payments in lieu of contributions for a period of not less than one calendar year beginning with January the first, nineteen hundred and seventy-two provided it files with the director a written notice of its election within the thirty day period immediately following such date.

(2) Any nonprofit organization which becomes subject to this chapter on or after January the first, nineteen hundred and seventy-two may elect to become liable for payments in lieu of contributions for a minimum period commencing with the date of subjectivity and ending on December the thirty-first of that calendar year, by filing written notice of its election with the director not later than thirty

days immediately following the date of the determination of such subjectivity.

(3) Any nonprofit organization which makes an election in accordance with clauses one or two will continue to be liable for payments in lieu of contributions until it files with the director a written notice terminating its election not later than thirty days prior to the end of the election period or not later than thirty days prior to the beginning of any subsequent calendar year. Any nonprofit organization which has terminated its election shall thereafter pay contributions under the provisions of section fourteen for a minimum period of two calendar years. Any subsequent election or change from payment of contributions under section fourteen to payments in lieu of contributions, or from payment in lieu of contributions to payment of contributions under section fourteen, shall not be terminable by the organization for two calendar years.

(4) Any nonprofit organization which has been paying contributions under this chapter for a period subsequent to January the first, nineteen hundred and seventy-two may change to a reimbursable basis by filing with the director not later than thirty days prior to the beginning of any calendar year a written notice of election to become liable for payments in lieu of contributions. Such election shall not be terminable by the organization for that year and the ensuing calendar year. Any subsequent election or change from payments in lieu of contributions to payment of contributions under section fourteen, or from payment of contributions under section fourteen to payments in lieu of contributions, shall not be terminable by the organization for two calendar years.

(5) The director may for good cause extend the period within which a notice of election, or a notice of termination, shall be filed and may permit an election to be retroactive but not any earlier than with respect to benefits paid after December the thirty-first, nineteen hundred and sixty-nine.

(6) The director, in accordance with such regulations as he may prescribe, shall notify each nonprofit organization of any determination which he may make of the effective date of any election which it makes and of any termination of such election. Such determinations shall be subject to review in accordance with the provisions of clause two of subsection (*b*) of this section.

(*b*) Payments in lieu of contributions shall be made in accordance with the provisions of this subsection as follows:

(1) At the end of each calendar quarter, or at the end of any other period as determined by the director, the director shall bill each nonprofit organization, or group of such organizations, which has elected to make payments in lieu of contributions for an amount equal to the full amount of regular benefits, including dependency benefits, plus one half of the amount of extended benefits paid during such quarter or other prescribed period that is attributable to service in the employ of such organization.

(2) Payment of any bill rendered under clause one of this subsection shall be made not later than thirty days after such bill was mailed to the last known address of the nonprofit organization or was otherwise delivered to it, unless, not later than thirty days

after the bill was mailed to its last known address or otherwise delivered to it, the organization files an application for review by the director, setting forth the grounds for such application. The director shall promptly review and reconsider the determination. Thereafter, notice of his decision shall be mailed to the employer and this decision shall be final.

(*c*) Payments made by any nonprofit organization under the provisions of this section shall not be deducted or deductible, in whole or in part, from the remuneration of individuals in the employ of the organization.

(*d*) Past due payments of amounts in lieu of contributions shall be subject to the same interest and penalties that, pursuant to section fifteen, apply to past due contributions.

(*e*) In the discretion of the director, any nonprofit organization that elects to become liable for payments in lieu of contributions shall be required within thirty days after the effective date of its election to execute and file with the director a surety bond approved by him.

(1) Any bond deposited under this subsection shall be in force for a period of not less than two taxable years and shall be renewed with the approval of the director, at such times as the director may prescribe, but not less frequently than at two year intervals as long as the organization continues to be liable for payments in lieu of contributions. The director shall require adjustments to be made in a previously filed bond as he deems appropriate. If the bond is to be increased, the adjusted bond shall be filed by the organization within thirty days of the date notice of the required adjustment was mailed or otherwise delivered to it. Failure by any organization covered by such bond to pay the full amount of payments in lieu of contributions when due, together with any applicable interest and penalties provided for in this section, shall render the surety liable on said bond to the extent of the bond, as though the surety was such organization.

(2) If any nonprofit organization fails to file a bond or to file a bond in an increased amount as provided under this subsection, the director may terminate such organization's election to make payments in lieu of contributions and such termination shall continue for a period commencing with the quarter in which the election is terminated and continuing through the ensuing calendar year, provided, that the director may extend for good cause the applicable filing period by not more than thirty days.

(*f*) Each employer that is liable for payments in lieu of contributions shall pay into the unemployment compensation fund the amount of benefits, including dependency benefits, plus the amount of one half of extended benefits paid that are attributable to service in the employ of such employer.

(1) If benefits paid to an individual are based on wages paid by two or more employers that are liable for payments in lieu of contributions, the amount of benefits payable by each such employer shall be an amount which bears the same ratio to the total benefits paid to the individual as the total base period wages paid to the individual by such employer bear to the total base period wages paid to the individual by all of his base period employers.

(2) If benefits paid to an individual are based on wages paid by one or more employers that are liable for payments in lieu of contributions and on wages paid by one or more employers that are liable for contributions, the amount of benefits payable by each employer that is liable for payments in lieu of contributions shall be the amount equal to the additional cost of benefit payments which would not have been paid but for the base period wages paid by such employer.

(*g*) Two or more employers that have become liable for payments in lieu of contributions may file a joint application to the director for the establishment of a group account for the purpose of sharing the cost of benefits paid that are attributable to service in the employ of such employers. Each such application shall identify and authorize a group representative to act as the group's agent for the purposes of this subsection. Upon his approval of the application, the director shall establish a group account for such employers effective as of the beginning of the calendar quarter in which he receives the application and shall notify the group's representative of the effective date of the account. Such account shall remain in effect for not less than two years and thereafter until terminated at the discretion of the director or upon application by the group. Upon establishment of the account, each member of the group shall be liable for payments in lieu of contributions with respect to each calendar quarter in the amount that bears the same ratio to the total benefits paid in such quarter that are attributable to service performed in the employ of all members of the group as the total wages paid for service in employment by such member in such quarter bear to the total wages paid during such quarter for service performed in the employ of all members of the group. The director shall prescribe such regulations as he deems necessary with respect to applications for establishment, maintenance and termination of group accounts that are authorized by this subsection, for addition of new members to, and withdrawal of active members from, such accounts, and for the determination of the amounts that are payable under this subsection by members of the group and the time and manner of such payments.

(*h*) Notwithstanding any provisions in this section, any nonprofit organization that prior to January the first, nineteen hundred and sixty-nine paid contributions required under section fourteen, and, pursuant to this section, elects, within thirty days after the effective date of this section, to make payments in lieu of contributions, shall not be required to make any such payment on account of any regular benefits, including dependency benefits, or extended benefits paid, on the basis of wages paid by such organization to individuals for weeks of unemployment which begin on or after the effective date of such election until the total amount of such benefits equals the amount of the positive balance in the experience rating account of such organization.

SECTION 14. Subsection (*c*) of section 25 of said chapter 151A is hereby amended by inserting after clause (4), inserted by chapter 533 of the acts of 1959, the following paragraph:—

An individual who is certified as attending an industrial retraining course or other vocational training course as provided under section thirty shall not be denied benefits by reason of the application of the first paragraph of this subsection relating to failure to apply for, or refusal to accept, suitable work.

SECTION 15. Said chapter 151A is hereby further amended by inserting after section 28 the following section:—

Section 28A. Benefits based on service in employment defined in subsections (*a*) and (*f*) of section four A and in section four B shall be payable in the same amount, on the same terms and subject to the same conditions as benefits payable on the basis of other service subject to this chapter; except that benefits based on service in an instructional, research or principal administrative capacity in an institution of higher education shall not be paid to an individual for any week of unemployment which begins during the period between two successive academic years, or during a similar period between two regular terms, whether or not successive, or period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity for any institution or institutions of higher education for both such academic years or both such terms.

SECTION 16. The first sentence of subsection (*c*) of section 29 of chapter 151A of the General Laws, as appearing in chapter 476 of the acts of 1962, is hereby amended by striking out, in line 3, the words "paragraph (*a*) or (*b*)" and inserting in place thereof the words:—subsections (*a*), (*b*) or (*d*).

SECTION 17. Said section 29 of said chapter 151A is hereby further amended by inserting after subsection (*c*) the following subsection:—

(*d*) An individual in unemployment and otherwise eligible for benefits, who is receiving, has received, or will receive payments in the form of retirement benefits, any part of which was financed by a base period employer, shall be paid for each week of unemployment an amount computed as follows:

(1) Fifty per cent of such retirement benefit shall be deducted from the weekly benefit to which the individual may be entitled under subsection (*a*) of this section; provided, however, that the total benefits to which the individual may be entitled under sections thirty and thirty A shall be reduced by the weekly amount which, but for the operation of this subsection, would be payable under subsection (*a*).

(2) An individual for whom weekly benefits have been determined under this subsection, and who is in partial unemployment, shall have his weekly benefit payment reduced in accordance with the provisions of subsection (*b*) of this section.

(3) The amount of any dependency benefits payable under subsection (*c*) of this section shall be computed on the weekly benefit amount which, but for the operation of this subsection, would be payable under subsection (*a*) of this section.

(4) As used in this subsection, the term "retirement benefit" means a benefit or pension of any type, not including severance pay

or Social Security benefits, which is provided under a union contract or other retirement plan. For the purpose of determining the amount to be deducted under subsection (1), the individual's gross monthly retirement benefits shall be divided by 4.3, disregarding any fractional part of a dollar. In any case where the retirement benefits are paid other than on a monthly basis, the director may use any method of computation which is reasonable to obtain an average weekly retirement benefit amount. The weekly retirement benefit amount as determined by this paragraph shall not be increased for the duration of the benefit year notwithstanding any increase in the amount of retirement benefits.

SECTION 18. Said chapter 151A is hereby further amended by striking out section 31, as amended by section 13 of chapter 763 of the acts of 1951, and inserting in place thereof the following section:—

Section 31. No individual may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed service and has been paid wages for such service of not less than the amount specified in subsection (*a*) of section twenty-four.

SECTION 19. Section 66 of said chapter 151A, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by adding the following subsection:—

(*g*) The director shall participate in any arrangements for the payment of benefits on the basis of combining an individual's wages and employment covered under this chapter with his wages and employment covered under the unemployment compensation laws of other states which are approved by the United States Secretary of Labor in consultation with the state unemployment compensation agencies as reasonably calculated to assure the prompt and full payment of benefits in such situations and which includes provisions for (1) applying the base period of a single state law to a claim involving the combining of an individual's wages and employment covered under two or more state unemployment compensation laws, and (2) avoiding the duplicate use of wages and employment by reason of such combining.

SECTION 20. Notwithstanding the provisions of sections six and eight of chapter one hundred and fifty-one A of the General Laws, the employment of one individual on some day in each of thirteen weeks in the year nineteen hundred and seventy-one, or the payment of wages in the amount of fifteen hundred dollars or more in any calendar quarter in the year nineteen hundred and seventy-one, shall constitute the employing unit thereof an employer subject to said chapter one hundred and fifty-one A as of January the first of the year nineteen hundred and seventy-two, provided the service performed by such individual or the services for which such wages were paid were performed for an employing unit of a type specified in subsection (*a*) or subsection (*f*) of section four A of said chapter one hundred and fifty-one A, inserted by section four of this act.

SECTION 21. The provisions of sections sixteen and seventeen of this act shall be applicable to persons whose benefit year begins after December the thirty-first, nineteen hundred and seventy-one.

SECTION 22. Sections one through nineteen, inclusive, of this act shall take effect on January the first, nineteen hundred and seventy-two and section twenty shall take effect as of July the first, nineteen hundred and seventy-one. *Approved October 26, 1971.*

Chap. 941. AN ACT RELATIVE TO CERTAIN THIRD-PARTY SUITS BY EMPLOYEES FOR PERSONAL INJURY OR WRONGFUL DEATH.

Be it enacted, etc., as follows:

SECTION 1. Section 15 of chapter 152 of the General Laws is hereby amended by adding the following sentence:—Nothing in this section or in section eighteen or twenty-four shall be construed to bar an action at law for damages for personal injuries or wrongful death by an employee against any person other than the insured person employing such employee and liable for payment of the compensation provided by this chapter for the employee's personal injury or wrongful death and said insured person's employees.

SECTION 2. This act shall apply to causes of actions arising on and after its effective date. *Approved October 26, 1971.*

Chap. 942. AN ACT ESTABLISHING A BOARD OF CERTIFICATION OF OPERATORS OF DRINKING WATER SUPPLY FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by inserting after section 66A, under the caption BOARD OF CERTIFICATION OF OPERATORS OF DRINKING WATER SUPPLY FACILITIES, the following section:—

Section 66B. There shall be a board of certification of operators of drinking water supply facilities to insure the proper management, operation and maintenance of public water supply systems. The board shall consist of the commissioner of public health or his designee, who shall be chairman, the chairman of the water resources commission or his designee and four members to be appointed by the governor. Of the appointive members of the board, one shall be a registered professional engineer engaged in the practice of sanitary engineering, one a member of the Massachusetts Labor Organization, one shall be appointed from a list of qualified operators of water supply facilities in the commonwealth which has been recommended by the executive committee on the New England Water Works Association and the remaining member shall be appointed from a list of qualified persons recommended by the executive board of the Massachusetts Water Works Association. Each appointive member of the board shall receive his necessary traveling expenses actually incurred in the discharge of his official duties, provided that the expenses of the members of the board, and the expenses of the board, including those of such employees as it may appoint, shall not in any one year exceed its receipts. As the term of office of a member of the board expires, his successor shall be appointed in like manner for a term of four years. Said board shall meet at the call of the chairman and shall by rule

establish the minimum qualification which must be possessed by operators of drinking water supply facilities. Said board may prepare and conduct examinations, maintain records and may issue and renew, or suspend or revoke, after hearing and for cause, certification of competency. It may adopt such further rules and regulations not inconsistent with the law as it may deem necessary in the performance of its duties.

SECTION 2. Chapter 112 of the General Laws is hereby amended by inserting after section 87BBBB, under the caption CERTIFICATION OF OPERATORS OF DRINKING WATER SUPPLY FACILITIES, the following two sections:—

Section 87CCCC. A person who desires to be certified as an operator of a drinking water supply facility shall file with the board of certification of operators of drinking water supply facilities, established by section sixty-six B of chapter thirteen, an application upon a form to be furnished by said board. He shall include in such application under oath his qualifications. If the qualifications of the applicant meet or exceed the minimum qualifications established by said board, and, if he passes an examination satisfactory to the board, the board shall issue him a certification, which shall expire at the end of the calendar year and may be renewed from year to year thereafter. The fee for the original certificate shall be twenty dollars and for any renewal thereof ten dollars. Said board may provide for the issuance for good cause shown of temporary emergency certification to be effective for a period of no longer than six months.

Section 87DDDD. No person, corporation, city, town or district shall furnish to the public any drinking water for which any charge is made unless the treatment and distribution of such water is at all times under the supervision of a person who shall have received a certificate of competency issued by the board of certification of operators of drinking water supply facilities, established by section sixty-six B of chapter thirteen or unless said board shall have issued a temporary emergency certification for a duration of not more than six months. Violation of this section shall be punished by a fine of not more than twenty dollars for each day such violation occurs. The superior court shall have jurisdiction in equity to enforce the provisions of this section.

SECTION 3. The initial members appointed to the board of certification of operators of drinking water supply facilities, established by section sixty-six B of chapter thirteen of the General Laws, inserted by section one of this act, shall be appointed for terms of one year, two years, three years and four years, respectively, as the governor may designate. Upon the expiration of the term of any such member, his successor shall be appointed in the manner and for the term set forth in said section sixty-six B.

SECTION 4. Any individual who files an application for certification as an operator of a drinking water supply facility with the board of certification of operators of drinking water supply facilities established by section one of this act at any time prior to July the first, nineteen hundred and seventy-three on a form furnished by said board, containing a statement under penalties of perjury that he was employed in a public water supply facility in the commonwealth on

July the first, nineteen hundred and seventy-two and who furnishes evidence that he has performed work of a character satisfactory to the board and that he is and is found to be of good moral character, shall upon the payment of a fee of ten dollars be granted a certificate as an operator of a drinking water supply facility which may be renewed from year to year thereafter. *Approved October 26, 1971.*

Chap. 943. AN ACT ESTABLISHING A FRAUDULENT CLAIMS COMMISSION AND A BUREAU OF WELFARE AUDITING WITHIN THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE AND ABOLISHING THE FRAUDULENT CLAIMS BOARD IN THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

SECTION 1. Section five A of chapter eighteen of the General Laws is hereby repealed.

SECTION 2. Chapter 7 of the General Laws is hereby amended by inserting after section 30P the following four sections:—

Section 30Q. There shall be a fraudulent claims commission in the executive office for administration and finance, hereinafter called the commission, which shall establish rules and regulations for the investigation of fraud under any assistance program administered by the department of public welfare. The commission shall consist of the commissioner of administration, or his designee, the commissioner of public welfare, or his designee, and the attorney general, or his designee. The commissioner of administration, or his designee, shall be the chairman of the commission.

Section 30R. There shall be in the comptroller's division of the executive office for administration and finance a bureau of welfare auditing, headed by a director, who shall be appointed by the commission, shall be a person of ability and experience and shall devote his entire time to the duties of his office. The commission may appoint such other experts and assistants as it may deem necessary to carry out the work of the bureau; provided, however, that appointments to be made under this paragraph shall not be subject to chapter thirty-one or to section nine A of chapter thirty.

Section 30S. The director may expend for legal, investigative, clerical and other assistance and expenses such sums as may be appropriated therefor.

Section 30T. The director shall initiate investigations and 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 of public welfare or a receipt of payment by a person not entitled thereto. The director, in conformity with the rules and regulations of the fraudulent claims commission, shall:—

(1) Initiate investigations and review procedures in order to discover any fraudulent claim or wrongful receipt under any assistance program administered by the department of public welfare;

(2) Examine the records and accounts of the department of public welfare, division of employment security and veterans' services, and

for such purposes the director shall have access to such records and accounts at reasonable times and may require the production of books, documents and vouchers relating to any matter within the scope of such investigation;

(3) Examine upon written request to the commissioner of corporations and taxation the tax returns, papers or other documents on file with said commissioner concerning any person where there is reason to believe that such person has committed fraud under any assistance program administered by the department of public welfare and may require the production of such returns, papers and other documents; provided, however, that nothing herein shall be construed to authorize the examination or disclosure, directly or indirectly, of any information, returns or other records received from the federal internal revenue service;

(4) Examine the records and accounts of any vendor claiming or receiving payment for services rendered under any program administered by the department of public welfare insofar as such records and accounts relate to any matter within the scope of such investigation;

(5) Report to the attorney general for such action as he may deem proper any case which, after investigation, indicates a fraudulent claim or payment; and

(6) Report in writing to the governor and the general court the nature and extent of his activities for each month of the fiscal year, said report to be made not later than thirty days after the expiration of each month, which report shall be made available to the public.

SECTION 3. All officers and employees of the department of public welfare appointed to the fraudulent claims board authorized by section five A of chapter eighteen of the General Laws as in effect immediately prior to the effective date of this act, 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, are hereby transferred to the bureau of welfare auditing created by section two of this act 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, notwithstanding any change in title or duties made as a result of such transfer.

Nothing in this section shall be construed to confer upon any officer or employee any rights not held prior to said transfer.

SECTION 4. All books, papers, records and documents in the custody of or maintained for the use of the fraudulent claims board in the department of public welfare immediately prior to the effective date of this act are hereby transferred to the custody and control of the bureau of welfare auditing established by section two of this act.

SECTION 5. Section 12 of chapter 11 of the General Laws, as amended by chapter 733 of the acts of 1962, is hereby further amended by inserting after the fourth sentence the following two sentences:—The department of the state auditor shall, in any audit of the department of public welfare or any agency thereof, refer to the

fraudulent claims commission any case coming to its attention in the course of such audit which appears to involve fraud. In any such audit the department of the state auditor is hereby authorized to examine the records of vendors to verify bills submitted to the department of public welfare to the extent necessary to determine the propriety and accuracy of their charges against the commonwealth.

Approved October 26, 1971.

EMERGENCY LETTER — January 12, 1972 at 11:10 A.M.

Chap. 944. AN ACT PROVIDING THAT CITIES AND TOWNS GRANT AN ANNUAL PENSION TO CERTAIN RETIRED TEACHERS AND THAT THE COMMONWEALTH REIMBURSE SAID CITIES AND TOWNS FOR THE AMOUNT OF ALL SUCH PENSIONS.

Be it enacted, etc., as follows:

SECTION 1. A city or town, notwithstanding the provisions of any general or special law, shall pay an annual pension of twelve hundred dollars to any teacher who otherwise is not entitled to receive an annuity, pension or retirement allowance, under any general or special law on account of his own service, and who upon the attainment of age sixty had completed not less than twenty years of service, in the aggregate, as a teacher in the public schools in Massachusetts; provided, that his first employment as a teacher in said public schools began prior to July the first, nineteen hundred and fourteen, and, provided further, that at no time was he a member of the teachers' retirement system.

SECTION 2. A city or town which pays such pension, as provided in section one of this act, shall be reimbursed by the commonwealth for all such pension payments it makes by certifying in writing to the teachers' retirement board, in July of each year, the amount of the pensions paid under said section one during the calendar period July the first and June the thirtieth immediately preceding. The city or town shall furnish the teachers' retirement board with sworn statements attesting to the period of service for each teacher, together with a copy of the record of birth of each such teacher.

Approved October 26, 1971.

Chap. 945. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY CERTAIN LAND TO THE TOWN OF BILLERICA FOR RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

The commonwealth, acting through its department of natural resources, is hereby authorized to convey to the town of Billerica for recreational purposes, by deed approved as to form by the attorney general, all of its right, title and interest of whatever nature, or description in that parcel of land, owned by the commonwealth located in the town of Billerica and known as Gilson Hill, containing one hundred and thirty-five acres of state forest land.

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.

If said land is not used for recreational purposes within five years after the effective date of this act, title to said land shall revert to the commonwealth. *Approved October 26, 1971.*

Chap. 946. AN ACT AUTHORIZING THE GROUP INSURANCE COMMISSION AND THE APPROPRIATE PUBLIC AUTHORITIES IN CERTAIN POLITICAL SUBDIVISIONS OF THE COMMONWEALTH TO MAKE AVAILABLE TO ELIGIBLE ACTIVE AND RETIRED EMPLOYEES AND THEIR DEPENDENTS AN OPTION TO ELECT A PROGRAM OF INSURANCE FOR A REGIONAL AREA FOR THEIR MEDICAL CARE IN LIEU OF NONREGIONALIZED GROUP HEALTH INSURANCE WITH NO ADDITIONAL PREMIUM CHARGE TO THE COMMONWEALTH OR THE POLITICAL SUBDIVISIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 32A of the General Laws is hereby amended by adding after paragraph (*g*) the following paragraph:—

(*h*) "Health care organization", an organization for the group practice of medicine, with or without hospital or other medical institutional affiliations, which furnishes to the patient a specified or unlimited range of medical, surgical, hospital and other types of health care services.

SECTION 2. Said chapter 32A is hereby further amended by adding the following section:—

Section 14. The commission may enter into a contract, hereinafter described, to make available the services of a health care organization to certain eligible active and retired employees and dependents, including the surviving spouse and dependents of such active and retired employees, on a voluntary and optional basis, as it deems to be in the best interest of the commonwealth and such eligible persons as aforesaid, provided:—

(1) that the total monthly premium cost to be paid by the commission is to be paid under the terms of a contract to a carrier and not paid directly to a health care organization. For purposes of this chapter such a contract shall be deemed to be a contract of insurance;

(2) that the health care organization maintains fair and nondiscriminatory formulas for the payment of all vendor's services and that such formulas result in the same relative charges to all fiscal intermediaries or carriers with whom the health care organization has an agreement; provided, however, that any difference in relative charges which may result from the application of a rate of payment approved under section five of chapter one hundred and seventy-six A shall be deemed to comply herewith.

Said commission may negotiate such a contract of insurance for and on behalf and in the name of the commonwealth for such a period of time not exceeding five years as it may in its discretion deem to be most advantageous to the commonwealth and the persons insured thereunder.

All persons eligible for the insurance provided under section six shall have the option to be insured for the services of a health care

organization under this section but shall not be insured for both. The commonwealth's contribution toward the total monthly premium cost or rate for coverage under this section shall be the same as and shall not exceed the commonwealth's contribution for the health insurance programs provided under section six; and the eligible person, having elected coverage under this section by making application as provided in section seven, shall pay the remainder of the total monthly premium cost or rate. Such payment by the insured shall be made to the commission as provided in section eight.

The commission shall require under the terms and provisions of such insurance contract an accounting at least annually of the payments made to providers of services on behalf of each person so insured; and, the extent and range of health care services shall be a matter of continuing analysis and study by the commission for the purpose of maintaining a reasonable relationship between the total monthly premium cost or rate and the range of health care services provided. On or before December the first in each year the commission shall establish a list of the eligible health care organizations and a schedule of services as authorized by this section and shall so notify the appropriate public authorities in the political subdivisions of the commonwealth that have accepted the provisions of section ten of chapter thirty-two B.

Any dividend or its equivalent derived from insurance contracts issued pursuant to this section shall be applied as provided in section nine.

The commission may promulgate rules and regulations implementing the provisions of this section and such rules and regulations shall not be subject to the provisions of chapter thirty A.

SECTION 3. Said chapter 32A is hereby further amended by striking out section 10, as most recently amended by section 2 of chapter 813 of the acts of 1969, and inserting in place thereof the following section:—

Section 10. The commission shall require that, on retirement of an employee, the policy or policies providing two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance shall be reduced to one thousand dollars of group life insurance and the retired employee shall make payment of fifty per cent of the average group premium as determined by the commission for group life insurance. The group general or blanket insurance providing hospital, surgical, medical and other health insurance, as provided under sections five, ten C and fourteen, as may be applicable, shall be continued, and the retired employee shall pay fifty per cent of the average group premium, as determined by the commission, for such hospital, surgical, medical and other health insurance, as provided under sections five and ten C, except that for insurance for services of a health care organization, as provided under section fourteen, the retired employee shall pay the remainder of the total monthly premium cost after deducting the amount contributed by the commonwealth. The commonwealth shall contribute the remaining fifty per cent of the average group premium costs of group life insurance and group of blanket health insurance, as provided under sections five and ten C. The contribution by the

commonwealth for services of a health care organization shall be equal to and shall not exceed the contribution of the commonwealth for group or blanket health insurance as provided under section five or section ten C.

Prior to retirement, an insured employee who terminates his service with the commonwealth and who has a right to retire but whose retirement is deferred as provided in section ten of chapter thirty-two shall for the purposes of this chapter only be deemed to have been granted a leave of absence without pay and may continue all insurance coverages to which he would have been entitled if he had not terminated his services; provided he files an application therefor with the commission, and makes payment for the entire cost of such insurance, with no contribution by the commonwealth, to the commission in such manner as it may prescribe. Any 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.

Any policy or policies issued under this chapter shall provide that, on termination of employment, an employee shall be entitled to convert his insurance to an individual type of policy, subject to the provisions of section one hundred and thirty-four of chapter one hundred and seventy-five with respect to life insurance, and subject to the requirements of the commission with respect to the other insurance coverages provided in this chapter, except that with respect to the services of a health care organization the contract made under section fourteen may provide for extension or continuation of coverage in lieu of the right to convert. No employee will be permitted to convert his insurance or extend or continue coverage for services of a health care organization on separation from service more than one time, if such converted or extended insurance would result in a greater amount of insurance than is provided in section six or section fourteen, respectively.

SECTION 4. Section 2 of chapter 32B of the General Laws is hereby amended by adding after paragraph (*i*) the following paragraph:—

(*j*) "Health care organization", an organization for the group practice of medicine, with or without hospital or other medical institutional affiliations, which furnishes to the patient a specified or unlimited range of medical, surgical, hospital and other types of health care services.

SECTION 5. Said chapter 32B is hereby further amended by adding the following section:—

Section 16. Upon acceptance of this section as hereinafter provided, the appropriate public authority of the governmental unit may enter into a contract, hereinafter described, to make available the services of a health care organization to certain eligible and retired employees and dependents, including the surviving spouse and dependents of such active and retired employees, on a voluntary and

optional basis, as it deems to be in the best interest of the governmental unit and such eligible persons as aforesaid, provided:—

(1) that the total monthly premium cost to be paid by the governmental unit is to be paid under the terms of a contract to a carrier and not paid directly to a health care organization. For purposes of this chapter such a contract shall be deemed to be a contract of insurance;

(2) that the health care organization maintains fair and nondiscriminatory formulas for the payment of all vendor's services and that such formulas result in the same relative charges to all fiscal intermediaries or carriers with whom the health care organization has an agreement; provided, however, that any difference in relative charges which may result from the application of a rate of payment approved under section five of chapter one hundred and seventy-six A shall be deemed to comply herewith.

The appropriate public authority may negotiate such a contract of insurance for and on behalf and in the name of the governmental unit for such a period of time not exceeding five years as it may in its discretion deem to be the most advantageous to the governmental unit and the persons insured hereunder. A copy of said contract and a certification that the schedule of health care services contained therein does not exceed the schedule established by the commission shall be filed with the commission as provided in section three.

All persons eligible for the insurance provided under section five shall have the option to be insured for the services of a health care organization under this section but shall not be insured for both. The governmental unit's contribution toward the total monthly premium cost or rate for coverage under this section shall be the same as and shall not exceed the governmental unit's contribution for the health insurance programs provided under sections three, five and eleven C, such contribution for said health insurance being determined from time to time under the applicable sections of this chapter, and the eligible persons, having elected coverage under this section by making application as provided in section six, shall pay the remainder of the total monthly premium cost or rate. Such payment by the insured shall be made to the governmental unit as provided in sections seven, seven A, nine A, nine B, nine C, nine D and nine E, as may be applicable.

The governmental unit shall require under the terms and provisions of such insurance contracts an accounting at least annually of the payments made to providers of services on behalf of each person so insured; and the extent and range of health care services shall be a matter of continuing analysis and study by the governmental unit for the purpose of maintaining a reasonable relationship between the total monthly premium cost or rate and the schedule of health care services provided. The schedule of health care services provided under this section shall not exceed the schedule of such health care services authorized by the commission for governmental units as provided under chapter thirty-two A.

Any dividend or its equivalent derived from insurance contracts issued pursuant to this section shall be applied as provided in sections eight or eight A whichever may be applicable.

The appropriate public authority may adopt such rules and regulations, not inconsistent with the rules and regulations of the commission, as may be necessary for the administration of this section.

This section shall take effect in a county, city, town or district upon its acceptance in the following manner:—in a county, by vote of the county commissioners; in a city having a Plan D or Plan E charter by majority vote of its city council, in any other city by vote of its city council approved by the mayor; in a town by vote of the board of selectmen; in a regional school district by vote of the regional district school committee and in all other districts by vote of the registered voters of the district at a district meeting.

SECTION 6. Said chapter 32B is hereby further amended by striking out section 9, as most recently amended by section 3 of chapter 100 of the acts of 1968, and inserting in place thereof the following section:—

Section 9. The policy or policies of insurance shall provide that upon retirement of an employee, the policy or policies providing two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance, as set forth in section five, except the optional coverage referred to therein, shall be reduced to one thousand dollars of group life insurance and the retired employee shall make payment of the full premium cost, subject to the provisions of section nine A or nine E, whichever may be applicable, of the average group premium as determined by the appropriate public authority for the group life insurance; and the group general or blanket insurance providing hospital, surgical, medical and other health insurance, as provided under sections four, eleven C and sixteen as may be applicable, shall be continued and the retired employee shall pay the full premium cost, subject to the provisions of section nine A or section nine E whichever may be applicable of the average group premium as determined by the appropriate public authority for such hospital, surgical, medical and other health insurance.

The policy or policies may provide for group life insurance not to exceed one thousand dollars on the lives of retired employees who, up to the effective date of such policy or policies, were insured under a group life policy purchased pursuant to the provisions of clause (44) of section five of chapter forty.

Prior to retirement, an insured employee who terminates his services with the governmental unit and who has a right to retire but whose retirement is deferred under any applicable law shall for the purpose of this chapter only be deemed to have been granted a leave of absence without pay and may continue all insurance coverages to which he would have been entitled if he had not terminated his services; provided he files an application therefor with the treasurer of the governmental unit and makes payment for the full premium cost of his insurance with no contribution by the governmental unit notwithstanding the provisions of sections nine A or nine E.

The policy or policies shall also provide that upon termination of employment an employee shall be entitled to convert his insurance to an individual type of policy, subject to the provisions of section one hundred and thirty-four of chapter one hundred and seventy-

five with respect to life insurance, and, subject to the requirements of the appropriate public authority with respect to health insurance coverages provided in this chapter which shall not be less than the minimum hospital, medical and surgical benefits provided in an individual policy regularly issued by the insurance carrier at the time of conversion, except that with respect to the services of a health care organization, the contract made under section sixteen may provide for extension or continuation of coverage in lieu of the right to convert. No employee will be permitted to convert his insurance or extend or continue coverage for services of a health care organization on separation from service more than one time, if such converted or extended insurance would result in a greater amount of insurance than is provided in sections three, five, eleven C or twelve, as the case may be.

SECTION 7. Said chapter 32B is hereby further amended by striking out section 10, as most recently amended by section 1 of chapter 203 of the acts of 1971, and inserting in place thereof the following section:—

Section 10. This chapter, except sections seven A, eight A, nine A, nine C, nine D, nine E, eleven A, eleven B, eleven D, eleven E, eleven F and sixteen, may be accepted in a county by vote of the county commissioners; in a city having a Plan D or Plan E charter by majority vote of its city council, in any other city by vote of its city council, approved by the mayor; in a district, except as hereinafter provided, by vote of the registered voters of the district at a district meeting; in a regional school district by vote of the regional district school committee; in a veterans' services district by vote of the district board; in a welfare district by vote of the district welfare committee; in a health district established under section twenty-seven A of chapter one hundred and eleven by vote of the joint committee; and in a town by submission for acceptance to the registered voters in the form of the following question which shall be printed upon the official ballot to be used at an election:—"Shall certain provisions of chapter thirty-two B of the General Laws, authorizing any county, city, town or district to provide a plan of contributory group life insurance, group accidental death and dismemberment insurance and group general or blanket hospital, surgical, medical and other health insurance for certain persons in the service of such county, city, town or district and their dependents, be accepted by this town?" If a majority of the voters voting on the question shall vote in the affirmative, this chapter, except sections seven A, eight A, nine A, nine C, nine D, nine E, eleven A, eleven B, eleven D, eleven E, eleven F and sixteen, shall take effect in such town.

Notwithstanding the provisions of any general law to the contrary, neither the acceptance of this chapter nor the acceptance of any individual section thereof by a governmental unit shall be revoked or rescinded. *Approved October 26, 1971.*

Chap. 947. AN ACT AUTHORIZING THE APPOINTMENT OF A GUARDIAN AD LITEM TO INSTITUTE CONTEMPT PROCEEDINGS INVOLVING THE CARE, CUSTODY AND MAINTENANCE OF MINOR CHILDREN.

Be it enacted, etc., as follows:

Chapter 215 of the General Laws is hereby amended by inserting after section 56A the following section: —

Section 56B. Any judge of a probate court may appoint a guardian ad litem to institute contempt proceedings under the provisions of section thirty-four A against any party for failure to obey decrees of the probate court involving care, custody or maintenance of minor children, and said guardian ad litem may personally serve throughout the commonwealth any citation or capias incidental to the enforcement of this section. The compensation shall be fixed by the court and shall be paid by the county where the proceeding is held, together with any expense approved by the court, upon certificate by the judge to the county treasurer. The state police, local police and probation officers shall assist the guardian ad litem so appointed, upon his request.

Approved October 26, 1971.

Chap. 948. AN ACT AUTHORIZING THE CITY OF EVERETT TO PAY A SUM OF MONEY TO HARRY E. SAVAGE, AN EMPLOYEE OF THE SCHOOL DEPARTMENT OF SAID CITY.

Be it enacted etc., as follows:

The city of Everett is hereby authorized to appropriate and after such appropriation the city treasurer of said city is hereby authorized to pay to Harry E. Savage, an employee of the school department of said city, the sum of seven hundred and twenty-nine dollars and fifty-two cents as reimbursement for vacation time to which he was entitled during the period from nineteen hundred and sixty-three to nineteen hundred and sixty-nine but which he was not permitted to take.

Approved October 26, 1971.

Chap. 949. AN ACT AUTHORIZING THE CITY OF CHICOPEE TO ESTABLISH A DEPARTMENT OF PUBLIC WORKS AND CONSOLIDATE CERTAIN DEPARTMENTS, DIVISIONS AND COMMISSIONS THEREIN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of any general or special law, or any ordinance, there shall be established in the city of Chicopee a department of public works, hereinafter called the department, which shall be under the direction and control of the department of public works commission, hereinafter called the commission.

SECTION 2. The commission shall consist of four members, three of whom shall be appointed as provided in section three and the highway superintendent, hereinafter called the superintendent, who shall be a nonvoting member of the commission.

SECTION 3. The commissioners, other than the superintendent, shall be citizens of the city of Chicopee, shall be appointed by the mayor subject to the confirmation of the board of aldermen. Said

appointments shall be made as soon as practicable after the acceptance of this act as provided in section twelve, and thereafter such appointments shall be made in the month of January, and the term of office shall be coterminous with that of the mayor. Said members of said commission may be removed by the mayor, and vacancies shall be filled by appointment for the remainder of the unexpired term, in the same manner in which the original appointments are made. Said commissioners shall serve without compensation.

SECTION 4. The superintendent shall be appointed by the mayor to serve for a term of five years and shall receive such compensation as the mayor and the board of aldermen shall determine. He shall be especially fitted by education, training and experience to perform the duties of his office. Before entering upon his duties, the superintendent shall be sworn to the faithful and impartial performance thereof by the city clerk.

SECTION 5. On the first Monday of January following the acceptance of this act, the department shall have all the duties, responsibilities, powers and functions, now or from time to time vested by general or special law, or any ordinance in the following departments, divisions and commissions, which shall be and are hereby abolished, to wit: highway, waste water treatment, cemetery, forestry, engineering, building maintenance, construction and sanitation. No contracts, obligations or liabilities, in force on the date when this act takes effect, shall be affected hereby, but the department shall in all respects be the lawful successor of the departments, divisions and commissions so abolished.

SECTION 6. The commission shall superintend and direct the execution and performance of all the works, matters and things mentioned in accordance with this act. They shall be subject to such ordinances, rules and regulations in the execution of such duties as the mayor and the board of aldermen may from time to time ordain and establish, not inconsistent with the laws of the commonwealth. The commission shall make all contracts for the above purposes on behalf of said department.

SECTION 7. The commission with the approval of the mayor may, from time to time, establish such divisions within the department as they shall deem necessary. Each such division shall assume such management and control as shall be determined by the commission. The commission shall fix the salaries of the personnel under its jurisdiction, within the wage scales established by the board of aldermen and shall appoint all members of the department.

SECTION 8. All persons employed by or under the supervision of the departments, divisions and commissions abolished by section five shall upon the effective date of this act be transferred to the department without loss of pay and without change of rating, seniority and retirement or pension rights or any other privileges under any provision of law or ordinance. The incumbent superintendents of the aforesaid departments, divisions and commissions affected by this act, when transferred to the department as hereinbefore provided, shall become the associate superintendents of the corresponding divisions of the department for the remainder of their terms of office, if any. Their successors shall become division heads.

SECTION 9. The superintendent may, by letter filed with the city clerk, designate a qualified member of the department or other city official, to perform his duties, during his temporary absence or dis-

ability. In the event of the failure of the superintendent to make such designation, the mayor may so designate such person to perform the duties of the superintendent until his return or his disability shall cease.

SECTION 10. Any special law or any ordinance in conflict directly or by implication with any of the foregoing provisions of this act are hereby repealed.

SECTION 11. This act shall be submitted for acceptance to the voters of the city of Chicopee at its next municipal election to be held in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: — "Shall an act, passed by the General Court in the year nineteen hundred and seventy-one, entitled 'An Act authorizing the city of Chicopee to establish a department of public works and consolidate certain departments, divisions and commissions therein', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect but not otherwise.

Approved October 26, 1971.

Chap. 950. AN ACT AUTHORIZING THE CITY OF LOWELL TO DEVELOP CERTAIN LAND OWNED BY THE CITY ALONG STATE HIGHWAY ROUTE 113, FOR INDUSTRIAL PARK PURPOSES.

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 parcel of land: — certain land owned by the city of Lowell along state highway route 113, known as Pawtucket boulevard, and which land is located entirely within said city containing approximately 100 acres, more or less, and located both northerly and southerly of said route.

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 of the city of Lowell, the city manager of said city 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 said city, passed in September, nineteen hundred and seventy-one, authorizing the borrowing of one million seven hundred thousand dollars for the development of an industrial park under chapter seventy-four of the acts of nineteen hundred and forty-five, as amended, is hereby ratified and confirmed in all respects.

SECTION 3A. The city of Lowell may make application for and use such federal funds as said city may obtain for the purpose of developing said industrial park which funds may be expended in addition to any other funds which said city is authorized to expend for said purpose.

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

Approved October 27, 1971.

Chap. 951. AN ACT PERMITTING HORSE AND DOG RACING ON SUNDAYS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit forthwith the holding of horse and dog racing meetings on Sundays thereby increasing revenue 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. Section 2 of chapter 128A of the General Laws is hereby amended by striking out subsection (4), as appearing in section 3 of chapter 374 of the acts of 1934, and inserting in place thereof the following subsection: —

(4) The days on which it is intended to hold or conduct such a meeting.

SECTION 2. Section 3 of said chapter 128A is hereby amended by striking out clause (*a*), as so appearing, and inserting in place thereof the following clause: —

(*a*) Such a meeting may be held or conducted on a weekday or weekdays or on a Sunday or Sundays.

SECTION 3. Section 2 of chapter 136 of the General Laws, as amended by chapter 498 of the acts of 1969, is hereby further amended by striking out, in line 6, the word "granted," and inserting in place thereof the words: — granted under the provisions of section two of chapter one hundred and twenty-eight A or.

SECTION 4. Section 3 of said chapter 136, as appearing in section 2 of chapter 616 of the acts of 1962, is hereby amended by inserting after the word "granted", in line 9, the words: — under the provisions of section two of chapter one hundred and twenty-eight A or.

Approved October 27, 1971.

Chap. 952. AN ACT AUTHORIZING CITIES AND TOWNS TO CONTRACT FOR THE LEASE OR PURCHASE OF CERTAIN EDUCATIONAL MATERIAL AND EQUIPMENT FOR PERIODS NOT TO EXCEED THREE YEARS.

Be it enacted, etc., as follows:

Section 4 of chapter 40 of the General Laws is hereby amended by inserting after the paragraph inserted by chapter 128 of the acts of 1971 the following paragraph: —

For the lease, purchase, or lease with an option to purchase of educational materials, educational equipment and educational testing equipment and materials. Contracts for such leases may be made for periods not exceeding three years. *Approved October 27, 1971.*

Chap. 953. AN ACT PROVIDING FOR RECALL FOR TEMPORARY SERVICE OF CERTAIN RETIRED MEMBERS OF THE INDUSTRIAL ACCIDENT BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 23 of the General Laws is hereby amended by inserting after section 15 the following section: —

Section 15A. If the workload of the board so requires, the governor may, upon request of the board, recall any former member of the board to sit as a single member at hearings under chapter one hundred and fifty-two. Such former member when recalled shall be assigned to such hearings and conferences as the chairman shall determine, and when so recalled and assigned he shall have all the powers and duties of a member of the industrial accident board. The period for which a former member may be recalled shall not exceed ninety days, but the governor may, upon request of the board, again recall such member. No former member of the board shall represent any person before the board during the period for which he has been recalled as a member. A former member so recalled shall be paid by the commonwealth in addition to any pension or retirement allowance received by him the amount by which the regular salary of a member of the board exceeds the pension or retirement allowance which he is entitled to receive for such period.

SECTION 2. The first sentence of section 91 of chapter 32 of the General Laws, as appearing in chapter 676 of the acts of 1968, is hereby amended by inserting after the word "fifteen", in line 13, the words: —, for service rendered when recalled under section fifteen A of chapter twenty-three. *Approved October 27, 1971.*

EMERGENCY LETTER — December 14, 1971 at 4:10 P.M.

Chap. 954. 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 five 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 requirements of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws nor 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 2A. Section 2 of chapter 726 of the acts of 1970 is hereby amended by striking out the second sentence.

SECTION 3. The land necessary for these facilities and associated parking shall be approved by the city or town in which the facility is to be located or 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. Notwithstanding anything contained in the preceding two sentences, land owned by the commonwealth on the effective date of this act may, with the consent of the agency or department in charge thereof and the departments of natural resources and public works, be utilized for said facilities and parking. 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 — Nonemployees" 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 five 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 1971 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 the thirtieth, nineteen hundred and eighty-seven.

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 October 27, 1971.

Chap. 955. AN ACT FURTHER REGULATING THE HOURS OF CONDUCTING HARNESS HORSE RACING MEETINGS.

Be it enacted, etc., as follows:

Section 3 of chapter 128A of the General Laws is hereby amended by striking out clause (*b*), as most recently amended by section 2 of chapter 229 of the acts of 1958, and inserting in place thereof the following clause: —

(*b*) Such a meeting as may be for running horses shall be between the hours of ten o'clock ante meridian and seven o'clock post meridian. Such a meeting as may be for harness horses may be between twelve o'clock noon and seven o'clock post meridian or between seven o'clock post meridian and twelve o'clock midnight; provided, however, that the commission may, in its discretion, on written application from a harness horse racing licensee made at least seven days prior to the date or dates of any proposed change of time stated in said harness horse racing license and without necessity for any further public hearing, change the hours of conducting such harness horse race meeting between any of the aforesaid hours, notwithstanding the hours set forth on the license.

Approved October 27, 1971.

Chap. 956. AN ACT PERMITTING REGULAR POLICE OFFICERS TO RESIDE WITHIN TEN MILES OF THE LIMITS OF THEIR CITIES AND TOWNS WITHIN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by striking out section 99A, inserted by chapter 411 of the acts of 1965, and inserting in place thereof the following section: —

Section 99A. The members of the regular police department of a city or town may reside outside said city or town; provided, they reside within the commonwealth and within ten miles of the limits of said city or town.

SECTION 2. The provisions of section ninety-nine A of chapter forty-one of the General Laws, as amended by section one of this act, shall apply to members of the regular police department of a city or town appointed prior to and subsequent to the effective date of this act.

Approved October 27, 1971.

Chap. 957. AN ACT PROVIDING FOR THE PAYMENT OF UNEMPLOYMENT BENEFITS DURING THE PENDENCY OF AN APPEAL FROM A DETERMINATION OR DECISION THAT SUCH PAYMENTS ARE DUE.

Be it enacted, etc., as follows:

SECTION 1. Section 39 of chapter 151A of the General Laws, as appearing in section 16 of chapter 763 of the acts of 1951, is hereby amended by striking out, in lines 13 to 16, inclusive, the words "unless a hearing is requested by a party affected within five days after receipt, but in no case more than seven days after mailing of said notice" and inserting in place thereof the words: — in accordance with such determination. A party entitled to notice may request a hearing within five days after receipt, but in no case more than seven days after mailing of said notice., — and by striking out, in lines 25 to 27, inclusive, the words "unless an application for a review by the board of review is filed in accordance with section forty" and inserting in place thereof the words: — in accordance with such decision.

SECTION 2. Section 41 of said chapter 151A is hereby amended by striking out the last sentence, as appearing in section 1 of chapter 685 of the acts of 1941, and inserting in place thereof the following three sentences: — Benefits shall be paid or denied in accordance with the decision of the board or the examiner, as the case may be. If the board modifies or rescinds the decision of the examiner, benefits shall be paid or denied in accordance with the decision of the board. Unless action is taken under section forty-two, the decision of the board shall be final on all questions of fact and law.

SECTION 3. Section 42 of said chapter 151A is hereby amended by inserting after the penultimate sentence, as appearing in chapter 434 of the acts of 1947, the following sentence: — Benefits shall be paid or denied in accordance with the decision of such single justice during the pendency of such appeal.

SECTION 4. Said chapter 151A is hereby further amended by inserting after section 42A the following section: —

Section 42B. If any determination under section thirty-nine, or any decision under section thirty-nine, forty-one or forty-two, is finally modified or reversed, any benefits which have been paid but to which the claimant was not entitled under such final decision shall be deemed to be erroneous payments recoverable under section sixty-nine.

Approved October 27, 1971.

Chap. 958. AN ACT REQUIRING THE HOLDING OF A PUBLIC HEARING BY A SCHOOL COMMITTEE PRIOR TO ITS CHANGING ANY SCHOOL DISTRICT UNDER A PLAN PROPOSED TO ELIMINATE RACIAL IMBALANCE IN ITS PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

Section 37D of chapter 71 of the General Laws is hereby amended by inserting after the second paragraph the following paragraph: —

A school committee shall not alter or change a school district or districts under such a plan without holding a public hearing. Said school committee shall cause the notice of the time and place of such hearing

and of the subject matter, sufficient for identification, to be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of the hearing or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing and also send notice by mail, postage prepaid, to each parent affected by the proposed change. At the hearing any person, whether entitled to notice thereof or not, may appear in person or be represented by an agent who need not be an attorney.

Approved October 27, 1971.

Chap. 959. AN ACT REPEALING THE LAW RELATIVE TO THE REVOCATION OF REGISTRATIONS OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 5 of chapter 90 of the General Laws is hereby amended by striking out the last sentence, inserted by chapter 254 of the acts of 1970.

Approved October 27, 1971.

Chap. 960. AN ACT INCREASING ACCIDENTAL DEATH BENEFIT ALLOWANCES TO DEPENDENT BENEFICIARIES OF CERTAIN PUBLIC EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for increased accidental death benefit allowances to dependent beneficiaries of certain public employees who undergo hazardous conditions while in the performance of their duties, 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. Subdivision (2) of section 9 of chapter 32 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by section 1 of chapter 600 of the acts of 1968, and inserting in place thereof the following sentence: — In addition to any such payment, there shall be paid to such member's dependent beneficiary or beneficiaries, as hereinafter designated in this subdivision, an accidental death benefit allowance to consist of a yearly amount of pension equal to seventy-two per cent of the annual rate of regular compensation of such member on the date such injury was sustained or such hazard was undergone, or equal to seventy-two per cent of the average annual rate of his regular compensation for the twelve-month period for which he last received regular compensation immediately preceding the date of his death, whichever is greater; provided, that in the event an allowance is paid under this section as the result of the death of a member who had previously been retired for accidental disability, the amount of such allowance shall not be less than the annual amount of the pension portion of the allowance payable to such retired employee as of the date of his death.

SECTION 2. Notwithstanding any provision of law to the contrary, any beneficiary or beneficiaries receiving an accidental death benefit

allowance under the provisions of subdivision (2) of section nine of chapter thirty-two of the General Laws, as a result of a member's death which occurred on or after November the eighth, nineteen hundred and seventy, shall have such death benefit allowance increased so as to comply with the provisions of said subdivision (2) of said section nine, as amended by section one of this act. *Approved November 1, 1971.*

Chap. 961. AN ACT PROTECTING BUYERS OF INSURANCE FROM THE EFFECTS OF THE CANCELLATION, TERMINATION AND OTHER MODIFICATIONS OF THE AUTHORITY OF INSURANCE AGENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to protect immediately both policyholders and insurance agents from cancellations or other changes in company-agent relationships by establishing a procedure of notice to terminate agents and of selection of three referees to decide the justification of such termination or changes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and convenience.

Be it enacted, etc., as follows:

Section 163 of chapter 175 of the General Laws is hereby amended by adding the following six paragraphs: —

No company shall cancel the authority of any independent insurance agent for fire or casualty insurance, or both, if said agent is not an employee of said company and no company shall modify a contract with such an agent unless the company gives written notice of its intent to cancel such agent or its intent to modify such contract at least ninety days before the proposed effective date of any such cancellation or modification. No company shall allow the license of any such agent to expire unless the company gives written notice of its intent to do so at least ninety days before the proposed effective date of any such expiration. Except as otherwise provided herein, any agent receiving notice of such cancellation, modification or expiration may, within fifteen days after receipt thereof, make a written demand for reference to three referees of the question as to whether or not such cancellation, modification or expiration will so affect the renewal, continuation or replacement of any policies placed with the company through the efforts of the agent, or the services needed by any policyholder doing business with the company as a result of the efforts of the agent, as to justify renewal or continuation of any policies expiring within six months of the issuance of any such notice at fair compensation for one additional policy period equal in length to the most recent policy period of any such expiring policy, but in no event for more than one additional year.

Any agent making a written demand for such reference shall accompany said written demand with the names and addresses of three persons, whereupon the company shall within fifteen days thereof notify the agent of its choice of one of said persons to act as one of the referees and at the same time submit the names and addresses of three persons to the agent, who shall within fifteen days after receiving such names notify the company in writing of his choice of one of such persons to act as a second referee. At the same time the agent shall notify the commissioner, such notice to be on a form prescribed by the commissioner,

that both the company and agent have chosen referees. Within ten days of the receipt of such notice the commissioner shall appoint a person to serve as the third referee and shall notify such person, the agent and the company in writing of such appointment. Each person nominated or appointed as a referee shall be a disinterested person, shall be a resident of the commonwealth and shall be willing to act as such referee. Within ten working days of the appointment of the third referee, who shall serve as chairman, the three referees shall meet, hear the evidence, reduce their decision to writing, and sign it, and shall deliver a copy thereof to the agent, to the company and to the commissioner.

Any insurance company and any insurance agent may by written contract agree to modify the provisions of the preceding two paragraphs, other than the requirement of a ninety-day notice in the event of a cancellation or modification of a contract or of intent to allow the expiration of a license, by provisions presented to and approved by the commissioner which he finds after due hearing and investigation will adequately protect both the right of a policyholder to a continuance of insurance and the services of any agent of his own choosing and the right of an agent to fair compensation for the insurance placed with a company as the result of his efforts. The commissioner may make reasonable rules of general application regarding such modified provisions.

The decision of the referees may provide for the renewal or continuance of any or all policies expiring within six months as aforesaid and for the continuance of such previous contractual provisions, if the referees, or a majority of them, find that such decision will best protect the right of a policyholder to a continuance of insurance and the services of an agent of his own choosing and the right of any agent to compensation for the insurance placed with a company as a result of his efforts giving due consideration to the possibility the affected agent has of obtaining similar coverage for policyholders affected from other companies at reasonable compensation. The decisions rendered in accordance with the provisions of this section providing for reference shall be binding on all companies and agents affected thereby. If such a decision orders the renewal or continuance of any policies, policyholders and the affected agent shall be entitled in all respects to the same services and practices as were in effect prior to reference insofar as amounts and types of coverage, credit terms and agency services are also continued. The referees, or a majority of them, shall fix a fair compensation for the agent affected whenever they order such a renewal or continuance of policies.

All policies expiring within six months of the notice may be renewed as aforesaid but no agent or company relying on this section shall again refer the same issue to referees upon the expiration of such policies and no order for continuance shall remain effective for more than one additional policy period or for one year whichever is less for each policy affected thereby. Where, however, other provisions of the general laws require notice to policyholders before nonrenewal of any coverages, the company shall at the request of the agent who is unable to replace any such policy comply with those provisions of law.

An agent initiating reference under this section and the company receiving the written demand shall each be liable for the payment of the reasonable charges and expenses of his nominee for referee and one half

of the compensation for the reasonable charges and expenses of the third referee. The third referee shall forthwith upon the execution of the decision furnish the agent and the company with a written statement specifying in detail his charges for compensation and expenses. The agent or the company, if aggrieved by said charges, may petition the commissioner for review. The petition shall set forth with particularity the specific item or charges in dispute. The commissioner shall, within ten days of receipt of the petition, notify the interested parties of the date established for a hearing on said petition and after said hearing the commissioner shall approve or disapprove said charges in whole or in part. His findings and decision shall be final and conclusive. *Approved November 1, 1971.*

Chap. 962. AN ACT INCREASING THE AMOUNT OF PENSIONS AND RETIREMENT ALLOWANCE PAYABLE TO CERTAIN FORMER PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. The annual amount of every pension, retirement allowance or annuity payable to any former employee of the commonwealth, or to any school teacher who was employed by the commonwealth or by any county, city, town or district, who at the time of retirement had attained age sixty and had completed at least twenty years of service and who has been retired for a period of at least twenty years prior to the effective date of this act, shall, if the annual amount of such pension, retirement allowance or annuity together with any increases, including cost-of-living increases, is less than three thousand dollars, be increased to three thousand dollars.

SECTION 2. This act shall take effect as of July the first, nineteen hundred and seventy-one. *Approved November 1, 1971.*

Chap. 963. AN ACT PROVIDING FINANCIAL SUBSIDIES TO CERTAIN ADOPTING PARENTS.

Be it enacted, etc., as follows:

SECTION 1. The department of public welfare shall establish a program for financial subsidy to certain adopting parents to facilitate the adoption of children who are in foster care with the department or, pursuant to contract by the department, with any foster care agency licensed under chapter one hundred and nineteen of the General Laws and who would not otherwise receive appropriate adoptive placement. Said department shall adopt rules and regulations to implement the provisions of this act. Financial subsidy may consist of payments either for the general support of such children or for their medical or remedial care, or both.

Eligibility for payments for such support or care of children to be adopted shall be determined in accordance with income and resource limitations based upon the number of persons, including the child or children to be adopted, in the household. Support payments shall not exceed those support payments currently authorized by said department for a comparable child or children in family foster care under the

provisions of chapter one hundred and nineteen of the General Laws. Adoptive parents shall, prior to adoption, make arrangements with said department for the receipt of said postadoptive support payments in order to be eligible to receive them.

Eligibility for payments for medical or remedial care of a child to be adopted shall be determined in accordance with an income and resource schedule based on the number of persons in the household, including said child, and the out-of-pocket expenses for the medical and remedial care of said child. Such payments shall not exceed the medical or remedial care payments currently authorized by said department for a comparable child in family foster care under the provisions of chapter one hundred and nineteen of the General Laws, and such payments shall be made directly to providers of service. The medical or remedial services provided shall require the prior approval of said department in the manner set forth by departmental regulations, and such payments shall not supersede payments or services available from other federal, state, local or private medical or remedial programs or insurance plans. If such medical or remedial services arise out of injury, disease or disability for which a third party may be liable, said department shall require the person receiving such medical or remedial care to assign to the commonwealth from the proceeds of any such claim against such third party the amounts so expended. Only adoptive parents who have made arrangements with the department prior to adoption to receive postadoption assistance for medical or remedial care shall be eligible to receive such assistance.

A recipient of said financial subsidy shall annually provide the department with copies of his federal and state income tax returns and a financial statement which includes full disclosure of assets and liabilities. Said department shall annually review the need of a recipient for such subsidy and shall terminate any payments when such need no longer exists.

SECTION 2. In evaluating a petitioner's ability to provide suitable support for a child pursuant to section six of chapter two hundred and ten of the General Laws, a probate court shall give consideration to assurances by the department of public welfare that it will provide or contribute funds for the necessary maintenance care or medical or remedial care for the child.

SECTION 3. The provisions of this act and the subsidy program established hereunder shall apply to one hundred adoptions only and shall cease to be operative thereafter. *Approved November 1, 1971.*

Chap. 964. AN ACT PROVIDING FOR THE ESTABLISHMENT OF THREE ADDITIONAL POSITIONS OF ASSOCIATE COMMISSIONER OF EDUCATION.

Be it enacted, etc., as follows:

Section 1F of chapter 15 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 1 of chapter 887 of the acts of 1970, and inserting in place thereof the following paragraph: —

Each of the divisions shall be headed by an associate commissioner. The board shall, by a majority vote of all its members, appoint the associate commissioners, and shall establish their salaries. The board

shall appoint such associate 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, the person appointed associate commissioner for the division of occupational education shall have had experience and background in vocational and occupational education, and the person appointed associate commissioner for the division of special education shall have had experience and background in special education.

Approved November 1, 1971.

Chap. 965. AN ACT RELATIVE TO VALIDATING AND MAKING IRREVOCABLE CERTAIN LICENSES GRANTED BY THE DEPARTMENT OF PUBLIC WORKS TO MAINTAIN EXISTING FILL AND STRUCTURES IN CERTAIN TIDEWATERS IN THE TOWN OF COHASSET.

Be it enacted, etc., as follows:

SECTION 1. Licenses numbered 3153 and 3860 granted by the department of public works to John G. Carzis on June the twenty-eighth, nineteen hundred and forty-nine and June the eleventh, nineteen hundred and fifty-six, respectively, to maintain existing fill and structures in certain tidewaters in the town of Cohasset shall, notwithstanding any provision of law to the contrary and notwithstanding the failure to record said licenses within one year as required by section eighteen of chapter ninety-one of the General Laws, be valid and irrevocable, upon recording of attested copies of said licenses within one year from the effective date of this act; provided, however, 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. Said department may grant licenses pursuant to chapter ninety-one of the General Laws for the aforesaid purposes for land in said town now owned by John G. Carzis, which, with the buildings and other structures thereon, is known as Hugo's Lighthouse, bounded easterly by Cohasset Harbor, southerly by land of Barbara B. Kinne, southwesterly by Border Street, westerly by land of Jessie B. Cox and northerly by said Harbor which shall, notwithstanding any provision of section fifteen of said chapter ninety-one, to the contrary, be irrevocable, subject, however, to the conditions, which shall be expressed in any such license, that applicable provisions of said chapter ninety-one are complied with and that if the commonwealth or any of its political subdivisions shall take, within ten years after such license is granted, any land which has the benefit of such license, the damages recoverable by reason of such taking shall not exceed the cost of acquisition of such land by the owner from whom the taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at four per cent annually from the date any such cost was incurred.

Approved November 1, 1971.

Chap. 966. AN ACT FURTHER DEFINING THE PREFERENCE TO DEPRESSED AREAS WITHIN THE COMMONWEALTH RELATIVE TO THE PURCHASE OF SUPPLIES AND EQUIPMENT BY THE STATE PURCHASING AGENT.

Be it enacted, etc., as follows:

Section 22 of chapter 7 of the General Laws is hereby amended by striking out clause (17), as most recently amended by chapter 638 of the acts of 1958, and inserting in place thereof the following clause: —

(*17*) A preference in the purchase of supplies and materials, other considerations being equal, in favor, first, of supplies and materials manufactured and sold within the commonwealth, with a proviso that the state purchasing agent may, where practicable, allow a further preference in favor of such supplies and materials manufactured and sold in those cities and towns within the commonwealth which have been designated as depressed areas. For the purpose of this section a depressed area shall be considered as cities and towns which are designated as Groups D, E or F, in the Department of Labor of the United States publication entitled "Area Trends in Employment and Unemployment", or which are listed in said publication as areas which have substantial or persistent unemployment and second of supplies and materials manufactured and sold elsewhere within the United States.

Approved November 1, 1971.

Chap. 967. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO PARTICIPATE IN CERTAIN COOPERATIVE FEDERAL, STATE AND LOCAL RESOURCE AND CONSERVATION DEVELOPMENT PROJECTS.

Be it enacted, etc., as follows:

Section 11 of chapter 91 of the General Laws is hereby amended by adding the following two paragraphs: —

The department is hereby authorized to enter into agreements with the Soil Conservation Service of the United States Department of Agriculture for the performance of work necessary on resource conservation and development projects approved for the commonwealth. Said agreements shall be limited to those for which the Soil Conservation Service is authorized to share in the installation cost, including flood prevention measures, agricultural water management, erosion and sediment control measures, fish and wildlife measures and recreation development.

In any project undertaken under the authority of this section, the department is authorized to pay the commonwealth's share of funds to the federal government if the Soil Conservation Service is the contracting agency for the project. *Approved November 1, 1971.*

Chap. 968. AN ACT FURTHER REGULATING THE LICENSING OF INSURANCE AGENTS AND BROKERS.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 175 of the General Laws, as appearing in chapter 693 of the acts of 1941, is hereby amended by

striking out the twenty-first and twenty-second paragraphs and inserting in place thereof the following two paragraphs:—

For each original examination and subsequent reexamination of an insurance agent licensed under section one hundred and sixty-three, ten dollars.

For each original examination and subsequent reexamination of an insurance broker licensed under section one hundred and sixty-six, ten dollars.

SECTION 2. Said chapter 175 is hereby further amended by striking out section 162A, added by chapter 629 of the acts of 1947, and inserting in place thereof the following section:—

Section 162A. An insurance company, agent or broker may pay money, commission or brokerage, or give or allow anything of value, to a duly licensed insurance broker for or on account of the solicitation or negotiation of any contract or contracts of insurance by such insurance broker.

SECTION 3. The first paragraph of section 163 of said chapter 175, as appearing in the Tercentenary Edition, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Upon written notice by a company authorized to transact business in the commonwealth of its appointment of a person to act as its agent herein, the commissioner shall, if he is satisfied that the appointee is a suitable and competent person of full age who meets the requirements of section one hundred and sixty-three A and intends to hold himself out and carry on business in good faith as an insurance agent and upon payment of the fee prescribed by section fourteen, issue to him a license which shall state in substance that the company is authorized to do business in the commonwealth and that the person named therein is the constituted agent of the company in the commonwealth for the transaction of such business as it is authorized to transact therein.

SECTION 4. Said chapter 175 is hereby further amended by inserting after section 163 the following section:—

Section 163A. No appointee, except one who within one year preceding the receipt of written notice of appointment required by section one hundred and sixty-three holds or has held a license as an insurance agent or insurance broker of the same nature applied for, or one who is appointed solely to represent the company in the sale of travel, accident and or baggage insurance, shall be qualified therefor or be so licensed unless within the three years immediately preceding the date written notice by an insurance company is filed with the commissioner he has successfully completed a course of study, approved as to method and content by the commissioner, requiring the following hours of classroom work or the equivalent in correspondence school work for the following licenses: not less than ninety hours for a full agent's license; not less than fifty hours for a license limited to fire and casualty insurance; not less than twenty hours for a license limited to accident and health insurance; and not less than twenty hours for a license limited to life insurance.

Such courses of study shall be given by: a degree conferring college or university which has a curriculum registered with the state department of education and approved by the commissioner of

insurance, whether such course be given as a part of such curriculum or separately; or a school which exists primarily to teach insurance courses with a curriculum approved by the commissioner of insurance; or an insurance company for the education of insurance agents or brokers, with a curriculum approved by the commissioner. In lieu of said courses of study, an appointee may be qualified and licensed if he has successfully completed at least one year as a full-time, bona fide employee of an insurance agent, broker or insurance company in responsible insurance duties approved as to scope and performance requirements by the commissioner.

The commissioner shall require satisfactory evidence that the courses of study actually taken or duties actually performed by the appointee were in substantial compliance with the requirements established by him, which evidence shall be attached to the written notice of appointment required under section one hundred and sixty-three; and every appointee so qualified shall appear at a time and place designated by the commissioner and take a written examination prepared under the direction of the commissioner, who shall fix a passing grade which in his judgment indicates the appointees' ability to perform in a satisfactory manner his duties under the license for which he has been appointed.

SECTION 5. Section 166 of said chapter 175, as appearing in the Tercentenary Edition, is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence:—If the commissioner is satisfied that the applicant is trustworthy and competent and if a resident of the commonwealth meets the requirements of section one hundred and sixty-six A, or if a resident in any other state granting brokers' licenses or like privileges to residents of the commonwealth, meets the requirements of such other state for a license therein and intends to hold himself out and carry on business in good faith as an insurance broker, he shall issue the license, which shall expire in one year from its date, unless sooner revoked or suspended as provided herein.

SECTION 6. Said chapter 175 is hereby further amended by inserting after section 166 the following section:—

Section 166A. No applicant for a license under section one hundred and sixty-six, except one who within one year preceding the receipt of the application required by section one hundred and sixty-six of this chapter holds or has held a license as an insurance broker or insurance agent of the same nature applied for, shall be qualified therefor or be so licensed unless within the three years immediately preceding the date application is filed with the commissioner he has successfully completed a course of study approved as to method and content by the commissioner, requiring the following hours of classroom work or the equivalent in correspondence school work for the following licenses: not less than ninety hours for a full broker's license; not less than fifty hours for a license limited to fire and casualty insurance; not less than twenty hours for a license limited to accident and health insurance; and not less than twenty hours for a license limited to life insurance.

Such courses of study shall be given by: a degree conferring college or university which as a curriculum registered with the state department of education and approved by the commissioner of insurance,

whether such course be given as a part of such curriculum or separately; or a school which exists primarily to teach insurance courses with a curriculum approved by the commissioner of insurance; or an insurance company for the education of insurance agents or brokers, with a curriculum approved by the commissioner. In lieu of said courses of study, an appointee may be qualified and licensed if he has successfully completed at least one year as a full-time, bona fide employee of an insurance agent, broker or insurance company in responsible insurance duties approved as to scope and performance requirements by the commissioner.

The commissioner shall require satisfactory evidence that the courses of study actually taken or duties actually performed by the appointee were in substantial compliance with the requirements approved, which evidence shall be attached to the application required under section one hundred and sixty-six; and every applicant so qualified shall appear at a time and place designated by the commissioner and take a written examination prepared under the direction of the commissioner, who shall fix a passing grade which in his judgment indicates the applicant's ability to perform in a satisfactory manner his duties under the license for which he has applied.

SECTION 7. Said chapter 175 is hereby further amended by inserting after section 166A the following section:—

Section 166B. Whenever the commissioner revokes a license in accordance with the provisions of section one hundred and sixty-three or one hundred and sixty-six, or both, he may also order the person whose license has been revoked to dispose of any interest as proprietor, partner, stockholder, officer or employee of any licensed agent or broker. All terms and conditions relating to said disposition of any such interest shall be subject to the approval of the commissioner. No person whose license as an agent or broker has been revoked shall be allowed to thereafter own, manage, direct or be an employee of any broker or agent without the prior approval of the commissioner. The license of any agent or broker employing such a person or permitting such a person to own or manage or serve as a partner, stockholder or officer of his agency or brokerage without the prior approval of the commissioner shall be subject to revocation or suspension.

SECTION 8. This act shall take effect on January the first, nineteen hundred and seventy-two. Every person holding a license as an insurance agent or broker on the effective date of this act and every person who has held such a license within the three-year period prior thereto which license has not been suspended or revoked by the commissioner of insurance, shall be deemed to have met all qualifications of this act for all purposes and nothing herein shall in any way affect the validity of any license issued by the commissioner prior to the effective date of said act. *Approved November 1, 1971.*

Chap. 969. AN ACT FURTHER REGULATING THE RETIREMENT RIGHTS OF ELEVATOR MAINTENANCE MEN EMPLOYED BY COUNTIES.

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 is hereby amended by inserting after the word "men", in line 17, as appearing in section 1

of chapter 650 of the acts of 1968, the words:—, elevator maintenance men employed by a county.

SECTION 2. The retirement allowance of any elevator maintenance man employed by a county, who retired subsequent to July the first, nineteen hundred and seventy and prior to the effective date of this act, shall be recomputed as though he had retired from Group 2 of paragraph (*g*) of subdivision (2) of section three of chapter thirty-two of the General Laws on the date of his retirement.

Approved November 1, 1971.

Chap. 970. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF NATICK FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled "Commonwealth of Massachusetts Department of Public Works—Public Lands Needed for Highway Purposes, July 1, 1971", which said department is hereby directed to file in the office of the state secretary, and which said secretary is hereby authorized to receive for filing, and are identified as follows:

"Approximately one acre of land containing the existing West Natick-Speen Street Fire Station #4 located at the northwest corner of Travis Road and Speen Street and under the control of the Town of Natick and the Inhabitants thereof, to be used for the relocation of Route 9 and Speen Street." *Approved November 1, 1971.*

Chap. 971. AN ACT INCREASING THE AGGREGATE AMOUNT OF NOTES AND BONDS OF THE MASSACHUSETTS HOUSING FINANCE AGENCY TO ONE BILLION DOLLARS.

Be it enacted, etc., as follows:

Paragraph (*b*) of section 8 of chapter 708 of the acts of 1966 is hereby amended by striking out the last sentence, as amended by section 9 of chapter 855 of the acts of 1970, and inserting in place thereof the following sentence:—The aggregate principal amount of notes and bonds of the MHFA at any one time shall not exceed the sum of one billion dollars of which not less than two hundred million dollars shall be used to make mortgage loans in cities and towns which have been found to have a rate of unemployment of at least six per centum in the issue of "Area Trends in Employment and Unemployment" published by the United States Department of Labor for the October preceding the making of any such loan.

Approved November 1, 1971.

Chap. 972. AN ACT FURTHER REGULATING THE AWARDING OF CERTAIN CONTRACTS BY THE CITY OF SOMERVILLE.

Be it enacted, etc., as follows:

SECTION 1. Section 46A of chapter 240 of the acts of 1899, as most recently amended by section 1 of chapter 183 of the acts of 1936, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following four sentences:— Such advertisements shall state the time and place where plans and specifications of the proposed construction or disposal work, apparatus, supplies or materials, or lease, may be had and the time and place for opening the proposals in answer to said advertisements, and shall reserve to the city the right to reject any or all of such proposals for cause, in which case a written report containing the reasons for such rejection shall be filed with the board of aldermen and the mayor. Any contractor who has been found by a court of competent jurisdiction to have performed substandard work which did not comply with the terms of the contract shall not be eligible to bid or be awarded a contract for a period of six years from the date of the finding of such court. If two or more contractors have filed bids which are identical in all respects then lots shall be drawn to make the award. All such proposals shall be opened in public and unless all bids are rejected, the lowest qualified bidder shall be awarded the contract or lease.

SECTION 2. Section 46B of said chapter 240, as appearing in section 1 of chapter 308 of the acts of 1932, is hereby amended by inserting after the second sentence the following three sentences:—All work under such contract shall be inspected by a qualified city inspector at the time the work begins, during its progress and upon its completion. Invoices for said work shall define clearly the work done and its exact location. Written records shall be kept of each inspection with all contract copies.

SECTION 3. Section 46C of said chapter 240, inserted by chapter 363 of the acts of 1937, is hereby amended by adding the following two sentences:—In the case of emergency spending, each authorized department head shall make a written report monthly to the mayor, the board of aldermen and the city auditor. Said report shall contain the name of the contractor or contractors, equipment, labor, materials and supplies bought and sold, and the prices paid or received therefor, and a detailed account of all other costs incurred and money spent as a result of such special emergency. *Approved November 1, 1971.*

Chap. 973. AN ACT FURTHER REGULATING THE SUSPENSION, REVOCATION OR RENEWAL OF THE LICENSES OF REAL ESTATE BROKERS AND SALESMEN.

Be it enacted, etc., as follows:

The first paragraph of section 87AAA of chapter 112 of the General Laws is hereby amended by striking out clauses (*j*) and (*k*), as appearing in chapter 148 of the acts of 1967, and inserting in place thereof the following two clauses and sentence:—

(*j*) committed any act expressly prohibited in sections eighty-seven RR to eighty-seven CCC, inclusive; or (*k*) affirmatively solicited for sale, lease, or the listing for sale or lease, of residential property on the grounds of alleged change of value due to the presence or the prospective entry into the neighborhood of a person or persons of another race, economic level, religion or ethnic origin or distributes, or causes to be distributed, material or makes statements designated to induce a residential property owner to sell or lease his property due to such change in the neighborhood. The board shall, after notice by the Massachusetts commission against discrimination that said commission has made a finding, which finding has become final, that a licensed broker or salesman committed an unlawful practice in violation of chapter one hundred and fifty-one B arising out of or in the course of his occupation as a licensed broker or salesman, shall suspend forthwith the license of said broker or salesman for a period of thirty days, and, if said commission finds that said violation by such licensed broker or salesman occurred within two years of the date of a prior violation of said chapter one hundred and fifty-one B, which finding has been final, it shall so notify the board, and the board shall forthwith suspend the license of such broker or salesman for a period of ninety days. *Approved November 1, 1971.*

Chap. 974. AN ACT FURTHER REGULATING THE ADMINISTRATION OF CONFERENCES AND HEARINGS HELD AND DECISIONS RENDERED BY SINGLE MEMBERS OF THE INDUSTRIAL ACCIDENT BOARD.

Be it enacted, etc., as follows:

Section 7 of chapter 152 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 7 and 8, the words "for hearing by a member thereof" and inserting in place thereof the words:—for conference by a member thereof, to be held not later than twenty-eight days from the date such notice was received by the division. Such member shall make such inquiries and investigations as he deems necessary and shall have the power to require and receive reports of injury, signed statements of the employee and other witnesses, medical and hospital reports and records and such other oral and written matter as enable him to determine whether compensation under this chapter is due. If the member determines, on such information, that compensation is due under this chapter, he shall forthwith file a written order for such compensation. If the member determines that compensation should be modified or terminated, he shall forthwith file a written order modifying or discontinuing compensation. Any party aggrieved by an order filed under this section may request the division to set the case for a hearing before another member thereof. Upon the filing of such request the chairman shall schedule a hearing to be held on a date not later than three months from the date the request was filed. Pending a decision rendered after such hearing, compensation shall be paid, modified or discontinued in accordance with the order filed under this section. Such an order shall for all purposes be enforceable under section eleven; provided, however, that in the event of a request for a hearing,

such order shall be enforceable under said section eleven only until a decision has been rendered after such hearing. If, after such hearing, a decision is rendered that weekly payments made under the original order were not due, the state treasurer shall reimburse the insurer and the employee shall reimburse the state treasurer for the amounts paid the insurer. If, after such hearing, a decision is rendered ordering payment of compensation from the date on which a modification or discontinuance of payments had been ordered, the employee shall be paid the compensation found due. The decision rendered after a hearing shall be enforceable under said section eleven unless a claim for review is filed by either party within seven days.

Approved November 1, 1971.

Chap. 975. AN ACT FURTHER REGULATING THE INTEREST RATE TO BE CHARGED ON UNPAID LOCAL BETTERMENT ASSESSMENTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to provide that, until January the first, nineteen hundred and seventy-two, unpaid local betterment assessments bear interest at the rate of four per cent per annum from the thirtieth day after they have been committed to the local tax collector, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section thirteen of chapter eighty of the General Laws, as amended by chapter two hundred and seventy of the acts of nineteen hundred and seventy-one, betterment assessments made under said chapter eighty prior to January the first, nineteen hundred and seventy-two shall bear interest at the rate of four per cent per annum from the thirtieth day after the assessments have been committed to the collector. Each collector shall refund any interest in excess of four per cent collected on betterment assessments committed to him in the current year. *Approved November 2, 1971.*

Chap. 976. 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 as set forth in sections two and eight of this act, for the several purposes and subject to the conditions in said sections, are hereby made available, subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

SECTION 2.

Executive Office of Transportation and Construction.

Bureau of Building Construction.

Item

8072-01 For project feasibility studies and for preparation of preliminary plans and descriptive specifications, as authorized by section twenty-eight of chapter six A 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**

8072-02 For fire protection improvements in accordance with the recommendations of the department of public safety to comply with the provisions of section two A of chapter one hundred and forty-three of the General Laws, and for certain other improvements to eliminate fire hazards, including improvements to the electrical distribution systems, to be designated by the director of building construction to the various departments and agencies with the approval of the commissioner of administration **500,000**

8072-81 For certain renovations and improvements to sewage treatment facilities at various institutions of the commonwealth; to be designated by the director of building construction with the approval of the commissioner of administration, in accordance with recommendations of the water resources commission **500,000**

8070-13 } Item 8070-13 of section two of chapter seven hundred and sixty-seven of
8072-03 } the acts of nineteen hundred and sixty-nine is hereby amended by striking out the wording and inserting in place thereof the following: —

To cover unexpected contingencies in the cost of projects authorized by chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine, and by section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five, section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six, section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven and section two of 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 that any limitations 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 **13,000,000**

8072-04 To cover unexpected contingencies in the cost of projects authorized in section two of 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, and that any limitations 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 . . **8,999,646**

Item

8072-05 To cover the cost of acquisition of land with buildings thereon authorized by section two of this act when the amounts made available therefor are insufficient, to be allocated by the commissioner of administration with the approval of the governor; provided, that the amount so allocated for the purchase of any such land or land with buildings thereon shall not exceed twenty-five per cent of the larger of the following two amounts: (1) the assessed valuation thereof for the latest year, in which all real property in the city or town where the property to be purchased is located, has been most recently assessed, and (2) the assessed valuation thereof for the year in which equalized valuations have been most recently established in accordance with sections nine to ten C, inclusive, of chapter fifty-eight of the General Laws, multiplied by a fraction whose numerator is the equalized valuation so established for the city or town within which such land is located and whose denominator is the total assessed valuation of all property subject to local taxation within said city or town for such year . . $3,800,000

Massachusetts Aeronautics Commission.

8072-06 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-two and succeeding years; provided, that this item shall not be subject to section twenty-two of chapter six A of the General Laws . . $300,000

Executive Office for Administration and Finance.

Bureau of State Buildings.

8072-07 For the extension of the present air conditioning system to service the senate lobby and reception room areas $85,000

8072-08 For certain renovations and improvements to the house of representatives and related offices, including remodeling of vacated office space in the state house for the senate and house of representatives' use 1,125,000

8072-09 For modernizing and converting to automatic operation two banks of elevators 120,000

8072-10 For a continued program of major renovations to certain east and west wing roof areas of the state house 200,000

8072-82 For certain expansion and improvement of the air conditioning system in the fourth floor of the Saltonstall building, and for certain modifications of the existing cooling tower and the installation of an additional cooling tower 70,000

Executive Office of Human Services.

Soldiers' Home in Massachusetts.

8071-07 } Item 8071-07 of section two of chapter six hundred and thirty-three of
8072-11 } the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: —

For the construction of a new operating suite and renovation, including enlargement of the central services department and including the cost 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 this project will be not less than four hundred thousand dollars; total project cost not to exceed one million nine hundred and seventy thousand dollars . . . $801,000

Department of Youth Services.

Hampden County Detention Center.

Item
8072-12 For the construction of additions to the existing building to provide additional office space and a multipurpose area, including the cost of furnishings and equipment **$415,000**

Residential Treatment Unit, Oakdale.

8072-13 For renovations of the dormitory roof and parapet . . **$55,000**

Industrial School for Boys.

8072-14 For certain renovations to the administration building . **$100,000**

Lyman School for Boys.

8072-15 For certain renovations of the old school building, including plumbing and heating improvements and the demolition of Chauncy cottage **$240,000**

Department of Correction.

Correctional Institution at Bridgewater.

8070-19 Item 8070-19 of section two of chapter four hundred and twenty-seven of the acts of nineteen hundred and seventy-one is hereby amended by striking out the word "seventy" and inserting in place thereof the word: — sixty-nine.

8072-83 For the preparation of plans for the central section, Phase II, of the modernization program **$600,000**

8072-84 For the preparation of plans for a youthful offender center **285,000**

Correctional Institution at Concord.

8072-16 For the construction of a sewage treatment plant, a work release building, renovations to the farm dormitory and farm buildings, a vehicle garage, and the replacement of all temporary towers, including the cost of furnishings and equipment; and for the completion of the plans for stage IV replacement of the main group **$2,538,000**

Correctional Institution Camp at Monroe.

8072-17 For the preparation of plans for the replacement of the prison camp to provide facilities for fifty inmates; provided, that the design shall permit the utilization of manufactured component type construction **$50,000**

Correctional Institution Camp at Plymouth.

8072-18 For the preparation of plans and the construction of an addition to the existing dormitory, including renovations of the existing sanitary facilities, furnishings and equipment; to be in addition to the amount appropriated in item 8069-18 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$55,000**

Department of Public Health.

Lemuel Shattuck Hospital.

8072-19 For the plans for and the renovation of the outpatient department within the institution, including the cost of furnishings and equipment **$530,000**

Massachusetts Hospital School.

Item

8066–64 Item 8066–64 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five is hereby amended by inserting after the word "schoolhouse,", in line one, the following: — including an electronic and a mechanical laboratory and an elevator and.

8072–20 For the preparation of plans for an outpatient facility, a clinical laboratory and an x-ray suite **$40,000**

Pondville Hospital.

8072–21 For the construction of a new hospital building, including cancer research laboratories and including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8069–86 of section two of 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 three hundred and fifty thousand dollars **$1,475,000**

Rutland Heights Hospital.

8072–22 For renovations and improvements to the electrical distribution and lighting systems, to be in addition to the amount appropriated in item 8071–17 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy **$300,000**

Western Massachusetts Hospital.

8068–51 Item 8068–51 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 preparation of plans for a regional rehabilitation and chronic disease control center, including a cancer research center for western Massachusetts, and plans for certain renovations to the existing hospital building and for certain necessary equipment; to be in addition to the amount appropriated in item 8065–77 of section two of chapter six hundred and forty of the acts of nineteen hundred and sixty-four; total project cost not to exceed six million dollars.

Department of Mental Health.

Region One.

Greenfield Mental Health Center.

8070–21 Item 8070–21 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine is hereby amended by inserting after the word "of", in line one, the word "preliminary"; and said item 8070–21 of section two of said chapter seven hundred and sixty-seven is hereby further amended by striking out, in lines ten and eleven, the words "five hundred thousand" and inserting in place thereof the words: — eight hundred and fifty thousand.

Comprehensive Mental Health Center.

8072–78 For the purchase of the Northampton School for Girls property in Northampton for a site for a comprehensive mental health center, including certain renovations and improvements and the cost of furnishngs and equipment **$1,000,000**

Pittsfield Mental Health Center.

Item

8067–44 } Item 8067–44 of section two of chapter five hundred and ninety of the
8072–23 } acts of nineteen hundred and sixty-six is hereby amended by striking out the wording and inserting in place thereof the following: —

For the preparation of plans for a mental health treatment center, as authorized by chapter five hundred and seventy-one of the acts of nineteen hundred and sixty-four; to be in addition to the amount appropriated in item 8067–44 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six; total project cost not to exceed seven million dollars **$150,000**

Belchertown State School.

8072–24 For the preparation of plans for the renovation and improvement of various buildings **$40,000**

Northampton State Hospital.

8072–25 For certain renovations to "D" Building, including plumbing and electrical improvements **$210,000**

Joseph P. Gentile School.

8072–86 } Item 8069–24 of section two of chapter four hundred and seventy-six of
8069–24 } 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 Phase I and Phase II for a new school for the mentally retarded, to be located in the city of Springfield, including the acquisition of certain land or land with buildings thereon; total project cost not to exceed thirteen million seven hundred and forty-four thousand dollars; to be in addition to the amount appropriated in item 8069–24 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight . . **$350,000**

Region Two.

Monson State Hospital.

8071–79 Item 8071–79 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: —

For certain renovations in various buildings at Monson state hospital.

8072–26 For the preparation of plans for certain renovations and additions to the service building **$45,000**

8072–27 For the replacement of certain boilers in the power plant . **375,000**

Region Three.

Walter E. Fernald State School.

8071–23 Item 8071–23 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out, in line one, the word "thirteen" and inserting in place thereof the word: — eleven — and by inserting, in line one, after the word "units," the words: — and the plans for.

8072–28 For the replacement of two boilers in the power plant . **$425,000**

Metropolitan State Hospital.

8072–29 For the preparation of plans for modifications to the main kitchen and dining rooms **$50,000**

Region Four.

John T. Berry Rehabilitation Center.

Item

8072-30 For the construction of an auditorium-gymnasium building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8069-31 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 six hundred and fifty thousand dollars **$1,650,000**

Danvers State Hospital.

8072-31 For certain interior and related exterior renovations to the "I" building and nurses home, including plumbing, heating and electrical improvements and the cost of furnishings and equipment; total project cost not to exceed one million eighty thousand dollars . . **$1,080,000**

Region Five.

Quincy Mental Health Center.

8072-32 For the construction of a mental health center, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8069-91 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 four million eight hundred thousand dollars . **$4,475,000**

Westborough State Hospital.

8072-33 For certain renovations to the Hadley Building, including plumbing improvements **$350,000**

Region Six.

Massachusetts Mental Health Center.

8072-87 For the preparation of plans for a multi-level building, to provide for certain mental health programs expansion and including additional power plant facilities, total project cost not to exceed fourteen million five hundred and fifty thousand dollars . . . **$455,000**

Boston State Hospital.

8072-96 For the construction of a rehabilitation and research institute for chronic mental illness, to be in addition to the amount appropriated in item 8066-07 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five, total project cost not to exceed three million one hundred and five thousand dollars . **$3,000,000**

Region Seven.

Barnstable County Mental Health Center.

8072-34 For the construction of a community mental health center in Bourne and for an area clinic in Barnstable, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8069-35 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 three million dollars **$1,990,000**

New Bedford Community Mental Health Center.

8070-26 } Item 8070-26 of section two of chapter seven hundred and sixty-seven of
8072-35 } the acts of nineteen hundred and sixty-nine, as amended by item 8070-26 of section two of chapter one hundred and sixty-two of the acts of nineteen hundred and seventy-one, is hereby further amended by striking out the wording and inserting in place thereof the following: —

Item

For the acquisition of certain land, or land with buildings thereon, 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 four million six hundred thousand dollars **$115,000**

Paul A. Dever State School.

8066-55 Item 8066-55 of section two of chapter seven hundred and ninety-one of the acts of nineteen hundred and sixty-five is hereby amended by inserting after the word "building", in line one, the following: —, including an E.E.G. suite and ancillary facilities.

8072-36 For the preparation of plans for a school building, including a gymnasium and swimming and wading pools, to be in addition to the amount appropriated in item 8067-52 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six; total project cost not to exceed two million six hundred and fifty thousand dollars **$60,000**

Foxborough State Hospital.

8072-37 For certain renovations to "D" and "E" buildings, including plumbing and heating improvements **$250,000**

Executive Office of Educational Affairs.

Department of Education.

Board of Higher Education.

8172-02 For a master plan for all public institutions of higher learning under the jurisdiction of the board of higher education; provided, that a copy of the plan shall be forwarded within thirty days of completion to the house and senate committees on ways and means . . **$100,000**

Board of Trustees of State Colleges.

Bridgewater State College.

8072-39 For the construction of a training school, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8070-58 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine; total project cost not to exceed seven million four hundred thousand dollars . **$7,400,000**

8071-28 Item 8071-28 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by adding at the end thereof the following: — ", and facilities including the cost of furnishings and equipment".

8072-99 For the preparation of plans for additions and improvements to the power plant and utility distribution system **100,000**

Fitchburg State College.

8070-59 } For the preparation of plans for a special education center; to be in ad-
8172-01 } dition to the amount appropriated in item 8070-59 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine; total project cost not to exceed twelve million dollars **$135,000**

8072-40 For the expansion of the dining hall facilities and for certain renovations of the existing kitchen, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8071-30 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy **495,000**

8072-41 For the construction of a library-student union building, including the cost of furnishings and equipment and the demolition of Palmer Hall, to be in addition to the amount appropriated in item 8070-31 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine; total project cost not to exceed eight million nine hundred and sixty thousand dollars . . . **8,660,000**

Item

8072-42 For the construction of a teacher-training school and for the renovation of existing training school buildings for college classroom use, including the cost of furnishings and equipment; to be in addition to the amount appropriated in item 8069-43 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$330,000**

Framingham State College.

8072-43 For certain boiler plant alterations, including the installation of an additional boiler **$440,000**

8072-44 For the construction of a student-union and cafeteria building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8071-82 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy; total project cost not to exceed four million dollars **3,750,000**

Lowell State College.

8072-45 For the construction of a music, fine arts, classroom, auditorium building, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8071-39 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy; total project cost not to exceed five million six hundred and eighty thousand dollars **$5,490,000**

North Adams State College.

8071-41 Item 8071-41 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out, in line two, the word "college" and inserting in place thereof the words: — physical educational facilities.

8071-42 Item 8071-42 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by adding the following: — and facilities, including the cost of furnishings and equipment.

Salem State College.

8070-37 Item 8070-37 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine is hereby amended by striking out, in line two, the words "four million six hundred thousand" and inserting in place thereof the words: — five million five hundred and sixty thousand.

8072-46 For the construction of a physical education center; including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8070-37 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine; provided, that application shall be made for federal funds and such funds, when received, shall be credited to the General Fund Debt Service account; total project cost not to exceed five million five hundred and sixty thousand dollars **$960,000**

8072-47 For the purchase and installation of furnishings and equipment for the addition to the arts and science building **125,000**

8072-90 For the construction of a library, including the cost of furnishings and equipment; to be in addition to the amount appropriated in item 8069-48 of section two of 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 seven hundred and fifty thousand dollars **500,000**

8071-43 } Item 8071-43 of section two of chapter six hundred and thirty-three of
8072-48 } the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: —

For the installation of an additional boiler in the existing boiler plant, including provisions for certain stack improvements . **21,000**

Item

8071-44 } Item 8071-44 of section two of chapter six hundred and thirty-three of
8072-49 } the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: —

For the purchase of the Saint Chretienne Academy property in Salem for the development of the college, including certain building renovations and the cost of furnishings and equipment . . . **$1,800,000**

State College at Westfield.

8072-91 For the construction of a swimming pool in connection with the student union-library center development, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8070-38 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine, total project cost not to exceed five hundred thousand dollars **$200,000**

Worcester State College.

8071-51 } Item 8071-51 of section two of chapter six hundred and thirty-three of
8072-97 } the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: —

For the preparation of preliminary plans for a student union building; total project cost not to exceed five million five hundred thousand dollars **$110,000**

8072-50 For the extension of certain utility distribution systems, including roads and walks **250,000**

8072-51 For the preparation of plans for a teacher preparation facility, total project cost not to exceed six million dollars . . **300,000**

Massachusetts College of Art.

8069-52 } Item 8066-28 of section two of chapter seven hundred and ninety-one of
8072-98 } the acts of nineteen hundred and sixty-five, as amended by item 8069-52 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight and by item 8066-28 of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby further amended by striking out the wording and inserting in place thereof the following: —

For the purchase of the Stigmatine Fathers property in Dover for a new site for the campus; including the development of a master plan and the preparation of plans for the phase I development of the new campus; to be in addition to the amount appropriated in item 8069-52 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight **$3,700,000**

Lowell Technological Institute.

8071-55 Item 8071-55 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by inserting, in line one, after the word "for" the word: — approximately.

8072-53 For the preparation of plans for the replacement of one boiler and for certain improvements to the electrical distribution system **$40,000**

8072-54 For the purchase and installation of furnishings and equipment for the arts and science building **900,000**

8072-55 For the acquisition of land, or land with buildings thereon, by purchase or eminent domain under chapter seventy-nine of the General Laws for the further development of the institute; 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 **400,000**

8072-56 For the procurement and installation of a computer and certain data processing equipment in the arts and science building with remote time sharing terminals in other buildings **1,200,000**

Southeastern Massachusetts University.

Item		
8072–57	For certain extension of the campus utility distribution systems	$330,000
8072–58	For the preparation of plans and the installation of an additional boiler	250,000

University of Massachusetts — Amherst.

8070–46	Item 8070–46 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine is hereby amended by inserting after the word "dollars", in line seven, the words: — ; provided, that expenditures from this item shall be contingent upon prior approval of the project by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of this project will be not less than seven hundred and fifty thousand dollars.	
8072–59	For the construction of the remaining two towers of the graduate research center; including the cost of furnishings and equipment; to be in addition to the amount appropriated in item 8071–63 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy; total project cost not to exceed thirty million three hundred and forty-five thousand dollars	$11,190,000
8072–60	For improvements and additions to the steam and electrical distribution systems, to be in addition to the amount appropriated in item 8071–62 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy	1,275,000
8072–61	For the purchase and erection of four greenhouse ranges, including a connecting corridor to Morrill science building	225,000

University of Massachusetts Medical School — Worcester.

8066–98	Item 8066–98 of section two of chapter eight hundred and forty-seven of the acts of nineteen hundred and sixty-five is hereby amended by striking out, in line nine, the words: — and staff housing facilities.	
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 amended by striking out, in line nine, the words: — and housing facilities.	
8070–10	Item 8070–10 of section two of chapter one hundred and thirty-eight of the acts of nineteen hundred and sixty-nine is hereby amended by striking out, in line nine, the words: — and housing facilities.	
8071–65	Item 8071–65 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the wording and inserting in place thereof the following: — For the construction of a teaching hospital.	
8071–86	Item 8071–86 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out, in line nine, the words: — and housing facilities.	
8072–62	For the acquisition of certain land, or land with buildings thereon, for the medical school in the city of Worcester	$75,000
8072–63	For the purchase and installation of furnishings and equipment for the H. B. Shaw building for the medical school in the city of Worcester; total project cost not to exceed two million dollars	100,000
8072–64	For the paving of the existing parking lot at the H. B. Shaw building	40,000

University of Massachusetts, Boston — Columbia Point Campus.

8072–65	For the installation of certain buildings foundation systems, and for the preparation of plans for college building 030, physical education building 120, and phase II of science building 080	$11,000,000

Massachusetts Board of Regional Community Colleges.

8072–93	For updating the master plan of community colleges	$50,000

Bristol Community College.

8072–66	For the purchase and installation of furnishings and equipment for the phase I development of the college	$1,150,000

Holyoke Community College.

Item

8072-79 For the construction of a fine arts and administration building, including the cost of furnishings and equipment; total project cost not to exceed five million one hundred thousand dollars **$5,000,000**

8072-80 For the preparation of plans for phase II for the development of the college **1,000,000**

Massachusetts Bay Community College.

8072-94 For the purchase of the Elizabeth Seton High School property in Wellesley, for a new site for the campus, including certain necessary building renovations and the cost of furnishings and equipment and a master plan **$6,000,000**

8068-32, 8070-51, 8071-69 The heading immediately preceding items 8068-32 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven, item 8070-51 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine, and item 8071-69 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the words "*Massachusetts Bay Community College.*" and inserting in place thereof the words: — *Bunker Hill Community College.*

Massasoit Community College.

8072-67 For the construction of phase II, including a classroom building, fine arts building, field house and administration building, and for certain playing fields; to be in addition to the amount appropriated in item 8071-87 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy; total project cost not to exceed ten million dollars **$9,650,000**

Mount Wachusett Community College.

8071-70 Item 8071-70 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the words "sixteen million four hundred thousand" and inserting in place thereof the words: — twenty million six hundred and sixty thousand.

8072-68 For the construction of a regional community college for twenty-two hundred students, including the cost of furnishings and equipment, to be in addition to the amount appropriated in item 8071-70 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy; 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 one million one thousand six hundred and forty-six dollars; total project cost not to exceed twenty million six hundred and sixty thousand dollars **$19,260,000**

Northern Essex Community College.

8072-69 For the purchase and installation of certain furnishings and equipment, for the completion of certain finished site work, and for the construction of a maintenance building **$2,300,000**

North Shore Community College.

8072-70 For the acquisition of land, or land with buildings thereon, by purchase or by eminent domain under chapter seventy-nine of the General Laws for the further development of the college; provided, that no payment shall be made for the purchase of said property until an independent appraisal of the value of the property has been made by a qualified disinterested appraiser **$500,000**

8072-71 For certain site development work, including the installation of utilities and the construction of necessary service and access roads in accordance with the master plan **590,000**

Quinsigamond Community College.

Item		
8072-72	For certain necessary building renovations and site modifications, including a master plan and the cost of necessary furnishings and equipment	$400,000

Springfield Community College.

8070-53	Item 8070-53 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by inserting, in line seven, after the word "#20" the words: — and for the demolition of certain buildings,.	
8072-73	For the construction of humanities building #13, including the cost of furnishings and equipment; total project cost not to exceed two million nine hundred and fifty thousand dollars	$2,800,000
8072-74	For the construction of science building #17, including the cost of furnishings and equipment; total project cost not to exceed ten million ninety thousand dollars	9,740,000
8072-75	For the preparation of plans for technology building #12, auditorium building #14 and resource center building #16 in accordance with the approved master plan	500,000

Middlesex Community College.

8072-76	For the purchase and installation of certain furnishings and equipment, the drainage and paving of certain parking areas, and for the installation of an elevator in Building #8, including the necessary building addition	$205,000

South Shore Community College.

8072-95	For the preparation of plans for a new community college	$500,000

SECTION 2A. Any land, or land with buildings thereon, for the acquisition of which by eminent domain an appropriation has been made in section two of any of the acts shown below is hereby authorized to be acquired under chapter seventy-nine of the General Laws by the agency to which the appropriation has been made:

Chapter 590 of the Acts of 1966
Chapter 276 of the Acts of 1967
Chapter 682 of the Acts of 1967
Chapter 476 of the Acts of 1968
Chapter 138 of the Acts of 1969
Chapter 767 of the Acts of 1969
Chapter 633 of the Acts of 1970

SECTION 2B. Any land or land with buildings thereon for the acquisition of which an appropriation is made in section two of this act shall be acquired 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 any such property until at least one independent appraisal of the value thereof has been made by a qualified disinterested appraiser; and, provided further, that the cost of such appraisal or appraisals shall be charged to said item of appropriation.

SECTION 2C. Section 1 of chapter 725 of the acts of 1970 is hereby amended by inserting, after the word "Newton", in line 32, the words:— ; and not less than two million dollars for the acquisition of land and the construction thereon of a covered skating rink, year-round swimming pool and related athletic facilities in the East Boston section of the city of Boston.

SECTION 3. To meet the cost of a portion of the expenditures authorized by section two of this act, there is hereby appropriated from the Federal Capital Improvement Fund the sum of one million nine hundred and fifty-one thousand six hundred and forty-six dollars; provided, that federal funds received on account of projects contained in items $\left.\begin{matrix}8071\text{–}07\\8072\text{–}11\end{matrix}\right\}$, 8070–46 and 8072–68 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 this act, shall also apply to the items incorporated therein by reference.

SECTION 4. Any premium or accrued interest received from the sale of bonds and notes payable from the General Fund 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 the first, nineteen hundred and seventy-one, 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 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 additional payments, as authorized by sections two and eight 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 the thirtieth, nineteen hundred and seventy-seven. Notwithstanding any provisions of this act such notes shall be general obligations of the commonwealth.

SECTION 6. 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 the thirtieth, nineteen hundred and seventy-seven. 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 7. To meet the expenditures necessary in carrying out the provisions of section two of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of one hundred and seventy-one million nine hundred and eighteen thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Capital Outlay Loan, Act of 1971, 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 the thirtieth, nineteen hundred and ninety-seven.

SECTION 7A. Section four of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by striking out, in lines three and four, the words "three million thirty-three thousand seven hundred and eighteen" and inserting in place thereof the words: — two million eight hundred and twenty-five thousand and twenty-two; — and by striking out, in lines six and seven, the words "8069–78 and 8069–86" and inserting in place thereof the words: — and 8069–78.

Section eight of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by striking out, in lines five and six, the words "five hundred and seven thousand eight hundred and eighty-eight" and inserting in place thereof the words: — three hundred and sixty-six thousand five hundred and eighty-four; — and by striking out, in line sixteen, the words "four million two hundred and thirty" and inserting in place thereof the words: — two million two hundred and forty-four.

Section seven of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out, in line seven, the words "three million three hundred ninety-four" and inserting in place thereof the words: — one million eight hundred and fifty-three.

SECTION 7B. To meet the cost of a portion of the expenditures authorized by section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight, there is hereby appropriated from the General Fund Debt Service account the sum of six hundred and ninety-six dollars.

To meet the cost of a portion of the cost of the expenditures authorized by section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy, the sum of nine hundred and six

dollars is hereby appropriated from the General Fund Debt Service account.

SECTION 7C. The wording of the following items is hereby amended by striking out, in each item, the words "Federal Capital Improvement Fund" and inserting in place thereof the words: — General Fund Debt Service account: items 8068–03, 8068–20, 8068–50 and 8068–51 of section two of chapter six hundred and eighty-two of the acts of nineteen hundred and sixty-seven; items 8069–50, 8069–53 and 8069–54 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight; and item 8070–37 of section two of chapter seven hundred and sixty-seven of the acts of nineteen hundred and sixty-nine.

The comptroller is hereby authorized to transfer the sum of nine hundred and seventy-four thousand two hundred and ninety-seven dollars from the Federal Capital Improvement Fund to the General Fund Debt Service account.

SECTION 8.

Government Center Commission.

Ashburton Place Office Building.

Item		
8072–77	For the construction of an office building containing an estimated gross area of six hundred and fifty thousand square feet, to be constructed on foundations and columns provided under item 8071–76 of section eight of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy, including movable partitions, escalation and contingency costs	**$32,400,000**

SECTION 9. To meet the expenditures necessary in carrying out the provisions of section eight 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 specified by the governor from time to time, but not exceeding, in the aggregate, the sum of thirty-two million four hundred thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, State Government Center Loan, Act of 1971 and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June the thirtieth, nineteen hundred and ninety-seven.

SECTION 10. No agency of the commonwealth receiving an appropriation under sections two and eight 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 — Nonemployees" 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. *Approved November 3, 1971.*

Chap. 977. AN ACT DIRECTING THE COMMISSIONER OF INSURANCE TO REQUIRE ALL INSURANCE COMPANIES WRITING AUTOMOBILE INSURANCE TO FILE DATA SHOWING THE AMOUNT OF PROFIT MADE ON ALL LINES OF AUTOMOBILE INSURANCE INCLUDING PROFITS FROM INVESTMENT INCOME AND FURTHER DIRECTING THE COMMISSIONER OF INSURANCE TO CONDUCT A PUBLIC HEARING RELATIVE TO EARNINGS MADE ON COMPULSORY MOTOR VEHICLE INSURANCE AND PROVIDING FOR A REBATE OR RATE REDUCTION TO POLICYHOLDERS OF CERTAIN EARNINGS AND REQUIRING COMPANIES TO WITHHOLD FUNDS FOR THIS PURPOSE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediate relief to compulsory motor vehicle liability insurance policyholders from the high cost for such insurance coverage, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The third paragraph of section 113B of chapter 175 of the General Laws is hereby amended by inserting after the second sentence the following sentence:—Every company selling automobile insurance coverage in the commonwealth shall file with the commissioner complete financial records showing the amount of profit made on every line of automobile insurance during the previous year and shall also file records showing profits from investment income, including investment income on net realized capital gains.

SECTION 1A. Said section 113B of said chapter 175 of the General Laws, as most recently amended by chapter 785 of the acts of 1970, is hereby further amended by inserting after the first paragraph thereof the following paragraph:—

In fixing and establishing premium charges in accordance with the provisions of this section, the commissioner shall determine whether or not the premium charges fixed and established by him for the then calendar year have or will prove to meet the standards set forth in this section or are excessive. If the commissioner finds that the

premium charges for any current calendar year are or will prove to be excessive, unjust, unreasonable, discriminatory or inadequate, he shall take these facts into account and shall fix and establish premium charges for the ensuing calendar year at levels which he determines will produce adequate, just, reasonable, nondiscriminatory or not excessive charges for the two affected calendar years taken together. Whenever the commissioner acts in accordance with the provisions of this paragraph he shall state the facts relied upon in making his findings and shall include in the memoranda of the classifications and premium charges fixed and established by him a determination of the premium charges he would have fixed and established for the ensuing calendar year had he not found the charges for the then current calendar year failed to meet the standards set forth in this section.

SECTION 2. The commissioner of insurance, hereinafter called the commissioner, is hereby authorized and directed to hold a public hearing on or before November the fifteenth, nineteen hundred and seventy-one, relative to the earnings realized or to be realized by insurance companies from compulsory motor vehicle liability insurance policies or bonds issued or executed in the commonwealth for the year nineteen hundred and seventy-one. If the commissioner determines from such hearings that said earnings either have or may result in an unfair profit to said insurance companies, he shall direct such insurance companies to set sufficient funds aside as a special reserve, in an amount determined by him to be adequate to assure the availability of funds to provide for a fair and reasonable sharing of such profits by the policyholders.

If the commissioner is able finally to determine, prior to December the first, nineteen hundred and seventy-one, the extent of any such unfair profit, he shall direct the aforesaid insurance companies, under a schedule determined by him, to return to its policyholders for the year nineteen hundred and seventy-one such share of such profits as he determines is fair and reasonable, said returns to be made either by payment to such policyholders or as an identified credit on policies or bonds issued to such policyholders in the year nineteen hundred and seventy-two.

If the commissioner is unable finally to determine the extent of any such unfair profit from the information available to him prior to December the first, nineteen hundred and seventy-one, he shall fix and establish premium charges for the calendar year nineteen hundred and seventy-two under the provisions of section one hundred and thirteen B of chapter one hundred and seventy-five of the General Laws, as amended by section one A of this act, provided, however, such rates shall be provisional. He shall thereafter hold another public hearing at a time in the year nineteen hundred and seventy-two selected by him when adequate information relating to the earnings realized by insurance companies from compulsory motor vehicle liability insurance policies issued in the year nineteen hundred and seventy-one becomes available. The commissioner shall then finally determine the extent of any such unfair profit and shall finally determine whether the premium charges established by him provi-

sionally for the calendar year nineteen hundred and seventy-two meet the standards set forth in said section one hundred and thirteen B, as amended by said section one A of this act. After making said findings, he shall either direct the aforesaid insurance companies to return to their policyholders for the year nineteen hundred and seventy-one such share of such profits as he determines is fair and reasonable, or he shall adjust, if necessary, and set finally the premium charges under said section one hundred and thirteen B as amended by said section one A of this act. The commissioner shall give appropriate credit to any insurance company that has paid a dividend to policyholders or otherwise voluntarily returned profits on compulsory motor vehicle liability insurance policies or bonds issued or executed by it within the commonwealth for the year nineteen hundred and seventy-one.

The commissioner may also, if necessary, establish separate rates of return for each company providing compulsory automobile insurance in the commonwealth.

The commissioner may direct that the insurance companies use all or part of the special reserve fund either to make payment of said returns or to offset income loss on policies issued in nineteen hundred and seventy-two because of any rate reduction authorized under the provisions of this act. The commissioner may also make such orders with respect to the disposition of the special reserve fund as may be necessary to effect the purpose of this act. Failure of the insurance companies to return the amounts as so determined by the commissioner shall be sufficient cause for him to revoke the right of the company to do business in the commonwealth after December the thirty-first, nineteen hundred and seventy-one.

Any person or company aggrieved by any action, order, finding or decision of the commissioner under this chapter may appeal to the supreme judicial court under the provisions of and for the relief set forth for appeals in section one hundred and thirteen B of chapter one hundred and seventy-five.

The court shall determine whether the filing of the appeal shall operate as a stay of any such order or decision of the commissioner. The court may, in disposing of the issue before it, modify, affirm or reverse the order or decision of the commissioner in whole or in part.

SECTION 3. 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 November 3, 1971.*

Chap. 978. AN ACT PROVIDING FOR COMPULSORY PROPERTY PROTECTION FOR ALL REGISTERED MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to require all vehicles insured for compulsory motor vehicle insurance to be also insured by property protection insurance on and after January the first, nineteen hundred and seventy-two, in order to permit public and private insurance personnel to effect an orderly and efficient transition of the

administration of this new requirement, 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. Chapter 90 of the General Laws is hereby amended by inserting after section 34N the following section:—

Section 34O. Every person having in force a motor vehicle liability policy or motor vehicle liability bond, as defined in section thirty-four A, shall also maintain in force either property protection insurance or a bond providing equivalent benefits; such a bond shall create the same rights, liabilities, waivers and exemptions as are provided with respect to property protection insurance coverage. Every insurer issuing or executing a motor vehicle liability policy or bond shall also provide property protection coverage for the policyholder or obligor. Property protection insurance is insurance containing provisions as prescribed in this section, among such other provisions, including conditions, exclusions and limitations, as the commissioner of insurance may approve. Subject to such stated limits and conditions, exclusions and limitations approved by the commissioner, the insurer shall offer additional coverage, optional to the policyholder, for resulting loss of use of the insured vehicle. The commissioner shall fix, establish or approve classifications of risks and premium charges for property protection insurance and for property protection coverage under bonds, in accordance with the provisions of section one hundred and thirteen B of chapter one hundred and seventy-five.

Every policy of property protection insurance shall provide that the insurer will pay on behalf of the insured all sums the insured shall become legally obligated to pay as damages because of injury to or destruction of property, including loss of use thereof, caused by accident and arising out of the ownership, maintenance or use, including loading and unloading of the insured motor vehicle, subject to a limit of not less than five thousand dollars because of injury to or destruction of property of others in any one accident. Under terms and conditions approved by the commissioner the insurer shall have the right and duty to defend any suit against the insured seeking damages on account of such injury to or destruction of property even if any of the allegations of the suit are groundless, false or fraudulent. Property protection insurance shall also provide the protection described in whichever of the three following options the policyholder elects:

(1) *All Risk Coverage.* The insurer will pay for direct and accidental loss of or damage to the insured vehicle, subject to a deductible of one hundred dollars, up to a limit equal to the actual cash value of the vehicle less such deductible. This option includes, without limitation, coverages heretofore included within collision and upset. Benefits under this coverage are payable without regard to negligence, comparative negligence, gross negligence or fault of any kind.

(2) *Restricted Coverage.* In the following cases and no others the insurer will pay for direct and accidental loss of or damage to the insured vehicle, subject to a deductible of one hundred dollars up to

a limit equal to the actual cash value of the vehicle less such deductible:

(*a*) Cases in which the insured except for the exemption from liability granted by this section would have been entitled to recover in tort for such loss or damage against another identified person also insured by a policy of property protection insurance;

(*b*) Cases in which the insured is entitled to recover in tort for such loss or damage against another identified person who is not exempt from liability under the provisions of this section; the insured, in such a case, shall take all steps necessary to preserve the insurer's right of subrogation;

(*c*) Cases in which the loss or damage is incurred by the insured vehicle while the vehicle is lawfully parked and the loss or damage is the result of impact with another vehicle owned by another identified person;

(*d*) Cases in which the insured vehicle is struck in the rear by another vehicle owned by another identified person moving in the same direction;

(*e*) Cases in which the operator of the vehicle causing loss or damage to the insured vehicle is, as a result of his operation at the time the loss or damage was incurred, convicted of either operating under the influence of alcohol or a narcotic drug as defined in section one hundred and ninety-seven of chapter ninety-four, or of driving the wrong way on a one-way street or of operating at an excessive rate of speed as defined in section seventeen of chapter ninety, or of any similar violation of the law of any other state in which the loss or damage is sustained. No coverage is created under this clause, however, if the operator of the insured vehicle is himself convicted of any such violations as a result of his operation at the time said loss or damage was incurred.

The insured shall be entitled to payment in any of the cases described in clauses (*c*), (*d*) and (*e*) of option (2) whether or not the facts disclose that he is or would have been entitled to recover in tort for such loss or damage against another, and such payment shall not be reduced as a result of any facts showing comparative negligence.

In no event, however, shall payments due under clauses (*a*) and (*b*) of option (2) exceed the amount recoverable in tort for the loss or damage to the insured vehicle, taking into account comparative negligence as well as other applicable factors. In such cases, if a deductible has been elected, the full amount of the deductible shall be subtracted from the amount that would otherwise have been recoverable in tort.

(3) *No Coverage for Own Car.* Under this option the policyholder shall not be entitled to receive insurance payments under property protection insurance for accidental loss of or damage to his own vehicle as identified in the policy. The policyholder's election of this option shall bar all claims for loss of or damage to his vehicle he might otherwise have had against others insured under property protection insurance policies and the policyholder shall be exempt from liability to such persons as provided herein. This option shall be offered subject to such conditions as the commissioner of insurance may require in order to assure that each policyholder electing

it has been fully informed of the results of absence of coverage for damages to his own vehicle.

Insurers shall make available to all property protection insurance policyholders, at their option a fifty dollar deductible coverage for options (1) and (2) above and may also offer other deductible amounts approved by the commissioner of insurance.

Payments under option (1) and under clauses (*c*), (*d*) and (*e*) of option (2) shall be due and payable within fifteen days after receipt by the insurer of reasonable proof that claimant is, in fact, a policyholder, that an accident occurred and the amount of the loss or damage claimed. In any case where the insurer fails to make payment within fifteen days of receipt of such reasonable proof, the insured may commence an action in contract for payments claimed to be due. If the court determines that the insurer was unreasonable in refusing to pay said insured's claim, the claimant shall be entitled to recover double the amount of damages claimed plus his costs and reasonable attorney fees fixed by the court.

Every owner, authorized operator or other person legally responsible for the operation of any vehicle to which this section applies, regardless of the coverage option or deductible option elected by the policyholder, shall be exempt from all liability every property protection insurance policyholder and his insurer might otherwise have been entitled to claim, by subrogation or otherwise, for accidental loss of or damage to any vehicle to which this section applies. This exemption from liability shall not affect tort rights and subrogation rights therein against persons not so exempted.

Except as provided in this paragraph there shall be no rights of subrogation among property protection insurance policyholders and their insurers. The inter-insurer subrogation provided for in this paragraph shall apply only to cases in which two or more vehicles are involved and at least one is not a vehicle within the private passenger classification fixed and established from time to time by the commissioner of insurance. When such subrogation does apply, because one or more vehicles involved is not within said private passenger classification, any insurer making payments under options (1) or (2) is hereby given the right to make claim for the net amount paid, costs of processing claims for such payment and the expenses of enforcing this right, against any other insurer providing property protection insurance on a motor vehicle registered in this commonwealth whose owner or operator would, except for the exemption contained herein, be liable in tort for such damages. Determination as to whether any insurer is legally entitled to recover such amounts from another insurer shall be made by agreement between the involved insurers, or, if they fail to agree, by arbitration in accordance with the provisions of the General Laws.

Fire, theft and comprehensive coverage may be written as part of any policy of property protection insurance, or separately, as authorized by the commissioner.

SECTION 1A. Paragraph (7) of subsection (*a*) of section 5B of chapter 62 of the General Laws, as appearing in section 5 of chapter 555 of the acts of 1971, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—An

exemption equal to the amount of premiums paid for a motor vehicle liability policy or motor vehicle liability bond, as defined in section thirty-four A of chapter ninety, for one passenger motor vehicle only owned and registered in the commonwealth for the personal, non-business use of a resident of the commonwealth.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-two. *Approved November 3, 1971.*

Chap. 979. AN ACT AUTHORIZING THE SALEM AND BEVERLY WATER SUPPLY BOARD TO EXPAND ITS FACILITIES IN ORDER TO PROVIDE ADDITIONAL WATER SUPPLY, WATER STORAGE AND TREATMENT WORKS FOR THE CITIES OF SALEM AND BEVERLY AND AUTHORIZING SAID CITIES TO BORROW MONEY FOR SAID PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 700 of the acts of 1913 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 234 of the acts of 1951, and inserting in place thereof the following section:—

Section 1. A board is hereby created which shall be known as the Salem and Beverly Water Supply Board and shall consist of three members. The city engineer of the city of Salem and the commissioner of public works of the city of Beverly shall be members of said board, ex officiis. The third member shall be appointed by the governor for a term of three years, shall not be a resident of either of said cities, or hold property, or have a usual place of business therein, and may be removed at any time by the governor. He shall be the chairman, and shall receive as compensation, so long as he shall continue to be a member of said board, such sum as the board shall fix, not exceeding four thousand five hundred dollars per year. The ex officiis members shall receive as compensation the sum of fifteen hundred dollars per year. In case of a vacancy occurring in the office of the nonresident member, it shall be filled by appointment for the unexpired part of the term by the governor. In the event of the incapacity of an ex officio member of said board, the mayor of the city represented by such member shall appoint an employee of the department wherein such incapacity exists as an interim member to serve in place of such ex officio member until he is able to resume his duties as a member of said board, and the chairman shall be notified in writing of such appointment. Said interim member shall represent his respective city as a member of the board, ex officio with full powers, including the right to vote, and shall receive the rate of compensation paid to the ex officio member for the period served, provided that any compensation paid to the interim member shall be deducted from the annual compensation of said ex officio member.

SECTION 2. Said chapter 700 is hereby further amended by striking out section 3 and inserting in place thereof the following section:—

Section 3. Except as hereinafter provided, all costs, expenses, liabilities and damages, including engineering, legal, appraisal, and

other professional services, incurred by the board in carrying out the purposes of this act in providing additional water supply, water storage and treatment facilities, as set forth in sections four, four A and four B, shall be paid by said cities in the proportion of one half by said city of Salem and one half by said city of Beverly.

SECTION 3. Section 4 of said chapter 700 is hereby amended by striking out the words "three thousand", inserted by section 1 of chapter 697 of the acts of 1951, and inserting in place thereof the words:—seven thousand,—and by inserting after the word "year", in line 25, the words:—and during the months from June to November, inclusive, in any one calendar year, may, in case of emergency, take water from said water or its tributaries in quantities not exceeding those which may be taken from December to May, inclusive, with the approval of the department of public health, whenever, in the opinion of the board, the taking of water during the months aforesaid is necessary to provide an adequate supply of water for said cities of Salem and Beverly.

SECTION 4. Said chapter 700 is hereby further amended by inserting after section 4A the following section:—

Section 4B. In addition to the powers conferred by section four, the board, acting on behalf of said cities of Salem and Beverly, may reconstruct, enlarge, improve, remodel, make extraordinary repairs, and make, erect, or purchase additions to water supply and water storage facilities and to treatment and distribution plants and facilities at any future time under the control and management of and operation by the board, and may erect a diversion dam in the Ipswich river at a site to be approved by the department of public health.

SECTION 5. Section 9 of said chapter 700 is hereby amended by striking out, in line 42, the words "to their present reservoirs" and inserting in place thereof the words:—or by the board from pumping station or stations erected by or purchased by the board, as may be determined by agreement between said cities and said board to the distribution system or reservoirs of said cities or to such reservoirs, as they, or each of them, acting through their authorized officials, may designate.

SECTION 6. Section 12 of said chapter 700 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:—Said bonds or notes shall bear such rate of interest as may be approved by the officers authorized to sign the same.

SECTION 7. Section 14 of said chapter 700 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence:—Said bonds or notes shall bear such rate of interest as may be approved by the officers authorized to sign the same.

SECTION 8. Said chapter 700 is hereby further amended by inserting after section 15 the following two sections:—

Section 15A. In addition to the authority conferred by sections twelve to fifteen, inclusive, the cities of Salem and Beverly may, from time to time, at the request of the board, issue bonds or notes for the purposes of and in amounts sufficient for paying their respective shares of the costs of construction and other works and facilities, of damages and of costs of engineering, legal, appraisal and other professional services in connection with the same, all of which shall not

exceed the sum of seven million five hundred thousand dollars, exclusive of interest on bonds and notes issued hereunder. The shares of said cities for such payments shall be determined as set forth in section three. Said bonds or notes shall be payable in not more than twenty years from their dates by annual payments commencing not more than one year after said dates. Each authorized issue of bonds or notes shall constitute a separate loan. Said bonds or notes shall bear such rates of interest as may be approved by the officers authorized to sign the same. Said bonds or notes shall be exempt from taxation in the commonwealth and shall not be included in determining the statutory limit of indebtedness. Such bonds or notes shall have an impression of the city seal, shall be signed by the treasurer of the city, and countersigned by the mayor or auditor thereof, and shall bear on their face the words, City of (Salem) (Beverly) Water Loan, Act of 1971.

The proceeds of said bonds or notes, exclusive of accrued interest and the costs of issuing and marketing them, shall be added to the Salem and Beverly Water Supply Fund established by section sixteen.

Section 15B. To assist in the payment of the costs specified in section fifteen A, the board and the cities of Salem and Beverly may file applications for federal or state grants which may be available for such purposes.

SECTION 9. Section 19 of said chapter 700 is hereby amended by striking out the first three sentences and inserting in place thereof the following three sentences:—The board may incur such expenses as it may deem proper for the maintenance, care and operation of the works constructed under the authority given hereunder and for the care and control of said sources of water supply; and said cities shall raise the funds necessary for paying such expenses, and for paying the salary of the nonresident member of the board, from current revenues derived from water rates or charges or receipts for the use of water, or from taxation, but not from loans; and said expenses of the maintenance and operation of the works, the care and control of said sources of water supply, and the salaries of the members of the board, for the term of one year from November the first, nineteen hundred and seventy-one and for each year thereafter, shall be paid by said cities on statements certified and approved by the board, in the proportions in which said cities respectively shall have consumed water from the sources of supply under the control of the board in the three years next preceding and including the thirtieth day of September in such preceding year and in each year thereafter. In the month of October, nineteen hundred and seventy-two and in each month of October thereafter, the board shall, by vote, determine and award the proportion in which for the next succeeding year said cities shall pay the expenses of the maintenance, care and operation of said works, the care and control of said sources of water supply, and the salaries of the members of the board, on statements certified and approved by the board, and such determination and award shall be final and binding upon the parties, if there be no appeal therefrom as herein provided. Notice of such determination and award shall be given in writing by the board to the clerk of each of said cities on or before the fifteenth day of November of each year.

SECTION 10. Said section 19 of said chapter 700 is hereby further amended by striking out, in line 34, the words "five years" and inserting in place thereof the words:—one year,—and by striking out, in lines 38 and 39, the words "salary of the nonresident member" and inserting in place thereof the words:—salaries of the members of the board, on statements certified and approved by the board, and their determination and award, when accepted and confirmed by said court, shall be final and binding on the parties.

SECTION 11. This act shall take effect upon its passage.

Approved November 3, 1971.

Chap. 980. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO LEASE CERTAIN PARK LAND IN THE TOWN OF PLAINFIELD TO THE TOWN OF CUMMINGTON.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Hampshire county are hereby authorized to lease to the town of Cummington for a term of forty years a certain parcel of land within the borders of the Deer Hill State Reservation, held by said county for park purposes and located off the easterly side of West street in the town of Plainfield, bounded and described as follows:—

Beginning at a stake marking the southwesterly corner of the parcel herein described, said stake bearing N 76°-30 E and being 125.00 feet from a stake and stones located on the easterly side of West Street, said stake and stones marking the northwesterly corner of the Deer Hill Reservation; thence running North for 50 feet; thence running East for 50 feet; thence running South for 50 feet; thence running West for 50 feet to the point of beginning, the abuttor on all sides being the Deer Hill State Reservation. The parcel contains 2500 square feet.

Said county commissioners are further authorized to grant to said town the right to lay and relay, maintain or repair water pipes from the water line near the easterly side of West Street over other land of the Deer Hill State Reservation to the above described parcel, together with the right to pass and repass over other land of the Deer Hill State Reservation on foot and in vehicles for the purpose of construction and maintaining a water storage tank on the above described premises.

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

Approved November 3, 1971.

Chap. 981. AN ACT AUTHORIZING THE CITY OF LAWRENCE TO PAY A CERTAIN WAGE ADJUSTMENT TO SCHOOL CUSTODIANS IN THE SCHOOL DEPARTMENT OF SAID CITY RELATIVE TO A CERTAIN COLLECTIVE BARGAINING AGREEMENT.

Be it enacted, etc., as follows:

SECTION 1. The city of Lawrence is hereby authorized to pay from available funds the sum of two hundred dollars to each school custodian in the school department of said city in accordance with a

wage adjustment granted by the school committee of said city under the provisions of a collective bargaining agreement for the years nineteen hundred and seventy and nineteen hundred and seventy-one.

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

Approved November 3, 1971.

Chap. 982. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO ERECT A NEW PUMPING STATION IN THE TOWN OF STONEHAM AND TO CONSTRUCT A WATER MAIN TO THE CITY OF WOBURN.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to construct a new pumping station and facilities adjacent to its Spot Pond reservation in the town of Stoneham and to construct a water main to the city of Woburn for the purpose of furnishing the city of Woburn with an adequate water supply. Said commission for the purposes aforesaid may acquire, install and operate such machinery, pumps, generators, waterwheels and other appurtenances as may from time to time be found necessary or advisable.

Engineering and administrative expenses, including but not limited to personnel, materials, supplies and transportation costs incurred under this act, shall be considered as part of the direct cost of the projects and works for which they are incurred.

In case federal funds or federal assistance is made available to the commonwealth for projects authorized by this act, such funds or assistance shall be in addition to the sums herein authorized; provided that such funds, when received, shall be deposited in the state treasury and be available for expenditure subject to the provisions of law regulating the disbursement of public funds and the approval thereof.

The commission may prepare plans for such improvements but no part of the construction within the town of Stoneham and the city of Woburn shall be commenced until the city of Woburn has entered into an agreement with the commission to reimburse the commission for a portion of the costs of such construction in proportion to the benefits to be derived therefrom from said city as set forth in said agreement.

SECTION 2. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purpose of meeting payments as authorized by this act and may issue and renew from time to time notes of the commonwealth therefor, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer. Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, but the final maturities of such notes, whether original or renewal, shall be not later

than three years from the date of the original issue. Notwithstanding any provision of this act, such notes shall be part of the debt of the metropolitan water district.

SECTION 3. To meet the expenditure necessary in carrying out the provisions of this act or to refinance notes issued as provided in section two 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 four million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan Water District Additional Loan, Act of 1971 and shall be on the serial payment plan for such maximum terms of years, not exceeding fifty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest 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 the thirtieth, two thousand and twenty-six. All interest payments and payments on account of principal on such obligations shall be part of the debt and expenses of the metropolitan water district.

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

Approved November 3, 1971.

Chap. 983. AN ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS IN CERTAIN COUNTY HOSPITALS APPROPRIATION ACTS FOR THE YEAR NINETEEN HUNDRED AND SEVENTY-ONE.

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 seventy-one, the sums so appropriated to be in addition to any amount at present available for the purposes.

HAMPSHIRE COUNTY.

Item		
1.	For personal services	$817 70
11a.	For reserve for salary increases	27,500 00
11b.	For upgrading of certain nursing positions	4,300 00
	For total expenditures	$32,617 70

MIDDLESEX COUNTY.

Item		
1.	For personal services	$10,781 30
5.	For equipment	1,000 00
11.	For reserve fund	20,000 00
11a.	For reserve for salary increases	160,000 00
11b.	For upgrading of certain nursing positions	8,718 00
	For total expenditures	$200,499 30

NORFOLK COUNTY.

11a.	For reserve for salary increases	$78,100 00
11b.	For upgrading of certain nursing positions	7,468 94
	For total expenditures	$85,568 94

PLYMOUTH COUNTY.

11a.	For reserve for salary increases	$59,600 00
11b.	For upgrading of certain nursing positions	6,196 00
	For total expenditures	$65,796 00

WORCESTER COUNTY.

11a.	For reserve for salary increases	$93,000 00
11b.	For upgrading of certain nursing positions	10,300 00
	For total expenditures	$103,300 00

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

Approved November 3, 1971.

Chap. 984. AN ACT PROVIDING THE WACHUSETT MOUNTAIN STATE RESERVATION AND MOUNT GREYLOCK STATE RESERVATION SHALL BE INCLUDED IN ANY DETERMINATION OF VALUATION FOR PURPOSES OF STATE REIMBURSEMENT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for reimbursement in lieu of taxes to certain towns for the location of Wachusett Mountain State Reservation and Mount Greylock State Reservation therein, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 58 of the General Laws is hereby amended by striking out section 13, as most recently amended by section 9 of chapter 838 of the acts of 1969, and inserting in place thereof the following section:—

Section 13. In nineteen hundred and fifty-seven, and in every fifth year thereafter, the commission shall, between January the first and June the first, determine as of January the first the fair cash value of all land in every town owned by the commonwealth and used for the purposes of a fish hatchery, game preserve or wild life sanctuary, a state military camp ground, the Soldiers' Home in Massachusetts, the Soldiers' Home in Holyoke, a state forest, the University of Massachusetts, or a public institution under the department of correction, the department of education, the department of mental health, the department of public health, the department of public welfare, or the department of youth services, land owned by the commonwealth known as the Wachusett Mountain State Reservation and the Mount Greylock State Reservation, and of all land owned by the commonwealth and under the care and control of the department of natural resources or the division of public beaches in the department of public works and used for recreational or conservation purposes; and of all land held by county commissioners for hospital purposes under sections seventy-eight to ninety, inclusive, of chapter one hundred and eleven; 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. This determination shall be in such detail as to lots, subdivisions or acreage as the commission may deem necessary. To assist in making such determination the commission may require oral or written information from any officer or agent of the commonwealth or of any county or town therein and from any other inhabitant thereof and may require such information to be on oath. Such officers, agents and persons, sofar as able, shall furnish the commission with the required information in such form as it may indicate, within fifteen days after being so requested by it. No reimbursements hereunder on account of lands owned by the commonwealth and under the care and control of the department of natural resources and the division of public beaches in the department of public works and used for recreational or conservation purposes shall be made from the Inland Fisheries and Game Fund.

SECTION 2. Notwithstanding any provision of law to the contrary, (1) the state tax commission shall forthwith determine, as of January the first in the current year, the fair cash value of all land owned by the commonwealth located in the towns of Princeton and Westminster under the care and control of the department of natural resources and used as a recreational area which was, at the time of its acquisition by the commonwealth, under the care and control of the Wachusett Mountain State Reservation Commission and exempt from local taxation and of all land owned by the commonwealth located in the city of North Adams and the towns of Adams, Cheshire, Lanesborough, New Ashford and Williamstown under the care and control of the department of natural resources and used as a recreational area which was, at the time of its acquisition by the commonwealth, under the care and control of the Mount Greylock State Reservation Commission and exempt from local taxation, (2) not later than December the first in the current year the commissioner of corporations and taxation shall deliver to the treasurer a statement

as to the value of such land owned by the commonwealth in said towns during said year, and (3) not later than December the thirty-first of the current year the state treasurer shall reimburse said towns an amount in lieu of taxes upon the value of such land as reported to him by said commissioner, determined by multiplying each thousand dollars of valuation or fractional part thereof by the rate provided for under section fifty-eight of chapter sixty-three of the General Laws.

Approved November 3, 1971.

Chap. 985. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ENTER INTO AN AGREEMENT WITH AN INDEPENDENT CONTRACTOR FOR THE MAINTENANCE OF THE LIGHTING SYSTEM ALONG INTERSTATE HIGHWAY ROUTES 91 AND 291.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the maintenance of a lighting system along interstate highway routes 91 and 291, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public safety and convenience.

Be it enacted, etc., as follows:

The department of public works is hereby authorized to provide for the maintenance of the lighting system along interstate highway routes 91 and 291 by an independent contractor. Any contract relative to such maintenance shall be subject to the approval of the attorney general as to form and the bidding procedures of the commonwealth.

Approved November 3, 1971.

Chap. 986. AN ACT INCREASING THE MAXIMUM AGGREGATE NUMBER OF RACING DAYS FOR HARNESS HORSE RACING MEETINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make an increased number of harness horse racing days available during the next calendar 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 3 of chapter 128A is hereby amended by striking out clause (*j*), as amended by section 4 of chapter 575 of the acts of 1946, and inserting in place thereof the following clause:—

(*j*) No licenses shall be issued for more than an aggregate of one hundred and twenty racing days in any one year at the harness horse racing meetings combined, not including harness horse racing meetings at state or county fairs, provided, however, that not less than sixty racing days shall be held during the period from January the first to March the thirty-first of any calendar year. No license shall be issued to permit harness horse racing meetings to be held at the same time that a dog racing meeting or a running horse racing meeting is being held at a race track within ten miles of the track at which such harness horse racing meeting is to be held. Except for harness horse racing meetings at state or county fairs, no license shall be issued to

permit harness horse racing meetings to be held or conducted at the same time within twenty-five miles of another harness horse racing meeting. *Approved November 3, 1971.*

Chap. 987. AN ACT TO IMPROVE THE FACILITIES OF CERTAIN AGRICULTURAL FAIRS.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 20 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 2 of chapter 861 of the acts of 1971, and inserting in place thereof the following paragraph:—

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:—.

SECTION 2. Section 2 of chapter 128 of the General Laws is hereby amended by adding after paragraph (*g*), added by section 2 of chapter 807 of the acts of 1969, the following paragraph:—

(*h*) Allot to fairs which do not conduct a horse or dog racing meeting monies for the purchase, rental or installation of facilities to further aid in the display of exhibits and the health and comfort of the general public.

SECTION 3. Chapter 128A of the General Laws is hereby amended by striking out section 15, as most recently amended by section 4 of said chapter 807, 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*); and not less than two hundred thousand dollars of which shall be used in carrying out the provisions of paragraph (*h*) of section two of chapter one hundred and twenty-eight; fifty thousand dollars of which shall be used to carry out the provisions of sections ten, eleven and twelve of chapter twenty, and the remainder shall be used in carrying out the provisions of paragraphs (*b*) and (*f*) of said section two. *Approved November 3, 1971.*

Chap. 988. AN ACT INCREASING THE MAXIMUM SALARY WHICH MAY BE PAID TO THE ASSISTANT COMMISSIONER OF AGRICULTURE.

Be it enacted, etc., as follows:

Chapter 20 of the General Laws is hereby amended by striking out section 5, as most recently amended by section 25 of chapter 116

of the acts of 1971, and inserting in place thereof the following section:—

Section 5. The assistant commissioner shall receive such salary not exceeding fourteen thousand dollars, as the governor may determine, and traveling expenses incurred in his official duties and shall devote his full time during business hours to the duties of his office.

Approved November 3, 1971.

Chap. 989. AN ACT AUTHORIZING CITIES AND TOWNS TO PROVIDE POLICE OFFICERS FOR THE USE OF THE METROPOLITAN DISTRICT COMMISSION UPON REQUEST OF THE COMMISSIONER OR SUPERINTENDENT OF THE METROPOLITAN DISTRICT POLICE.

Be it enacted, etc., as follows:

Chapter 92 of the General Laws is hereby amended by inserting after section 61 the following section:—

Section 61A. The mayor, selectmen, chief of police, or person however designated having the duties of a chief of police, or, in the absence of the chief of police or person however designated having the duties of a chief of police, the commanding officer, of any city or town may upon the request of the commissioner, the superintendent of the metropolitan district police, or of a person however designated having the duties of superintendent, provide police officers for the use by the commission, who shall have the authority of constables and police officers within the jurisdiction of the commission except the power of serving and executing civil process, and, while exercising such authority within such jurisdiction, shall have the same immunities and privileges as when acting within their respective cities and towns; and the city or town providing said officers shall be entitled to receive from the commission the amount paid to them for their services, including their necessary traveling expenses.

Approved November 3, 1971.

Chap. 990. AN ACT CHANGING THE NAME OF TRUSTEES FOR COUNTY AID TO AGRICULTURE TO TRUSTEES FOR COUNTY COOPERATIVE EXTENSION SERVICE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 128 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the caption preceding section 40 and inserting in place thereof the following caption:—TRUSTEES FOR COUNTY COOPERATIVE EXTENSION SERVICE.

SECTION 2. Section 40 of said chapter 128, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "county aid to agriculture" and inserting in place thereof the words:—county cooperative extension service. *Approved November 3, 1971.*

Chap. 991. AN ACT FURTHER REGULATING THE FORM IN WHICH THE BUDGET OF CERTAIN COUNTY TRUSTEES SHALL BE SUBMITTED.

Be it enacted, etc., as follows:

Section 44 of chapter 128 of the General Laws is hereby amended by inserting after the first sentence, as amended by section 75 of chapter 849 of the acts of 1969, the following sentence:—The trustees in preparing their budget shall indicate estimated expenses for the agricultural, home economics, resource development and youth programs and shall record their expenditures in like manner in their annual report. *Approved November 3, 1971.*

Chap. 992. AN ACT PLACING CERTAIN EMPLOYEES IN GROUP 4 OF THE CONTRIBUTORY RETIREMENT LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*g*) of subdivision (2) of section 3 of chapter 32 of the General Laws is hereby amended by striking out the definition of *Group 2*, as most recently amended by section 1 of chapter 662 of the acts of 1970, and inserting in place thereof the following definition:—

Group 2. Capitol police, public works building police, permanent watershed guards and permanent park police, employees of the Massachusetts Port Authority, comprising guards, guard sergeants, head guard and chief of waterfront police, conservation officers paid as such, district fire wardens, coastal wardens in the department of natural resources, officials and employees of the registry of motor vehicles having police powers, officials and employees of the department of public safety having police powers, employees of a municipal fire or police department who are employed as signal operators or signal maintenance repairmen, ambulance attendants of a municipal department who are required to respond to fires and perform duties assigned to them, employees of a city or town who are employed as licensed electricians and employees of any county, regardless of any official classification, whose regular and major duties require them to have the care, custody, instruction or other supervision of prisoners, and employees of the commonwealth or of any county whose regular and major duties require them to have the care, custody, instruction or other supervision of parolees or insane persons or of defective delinquents; provided, that no member who attains age sixty-five while classified in *Group 1* may thereafter be classified in *Group 2*, irrespective of change of employment.

SECTION 2. Said paragraph (*g*) of said subdivision (2) of said section 3 of said chapter 32 is hereby further amended by striking out the definition of *Group 4*, as most recently amended by section 2 of said chapter 662, and inserting in place thereof the following definition:—

Group 4. Members of the state police detectives appointed under section six of chapter twenty-two, serving in any division of the department of public safety, members of the police force of the metropolitan district commission, employees of the Massachusetts Port Authority at the General Edward Lawrence Logan International Air-

port, comprising permanent crash crewmen, fire control men, assistant fire control men, members of police and fire departments not classified in *Group 1*, employees whose regular compensation is paid by the United States from funds allocated to the Massachusetts National Guard and who are regularly and permanently employed under the control of the military department of the commonwealth and whose duties in such employment require substantially all normal working hours and whose continued employment is based upon federal recognition in the Massachusetts National Guard, employees of a municipal gas or electric plant who are employed as linemen, electric switchboard operators, electric maintenance men, steam engineers, boiler operators, firemen, oilers, mechanical maintenance men and supervisors of said employees and employees of the department of correction who are employed at any correctional institution or prison camp under the control of said department and who hold the position of correction officer, female correction officer, industrial instructor, recreation officer, assistant industrial shop manager, industrial shop manager, assistant to the supervisor of industries, supervisor of industries, senior correction officer, senior female correction officer, supervising correction officer, supervising female correction officer, prison camp officer, senior prison camp officer, supervising prison camp officer or assistant deputy superintendent. *Approved November 3, 1971.*

Chap. 993. AN ACT REGULATING THE OPERATION OF PET SHOPS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 129 of the General Laws is hereby amended by adding the following definition:—

"Pet Shop", every place or premise where birds, mammals or reptiles are kept for the purpose of sale at either wholesale or retail, import, export, barter, exchange or gift.

SECTION 2. Said chapter 129 is hereby further amended by inserting after section 39 the following section:—

Section 39A. Every person engaged in the business of operating a pet shop shall obtain a license therefor from the director, the fee for which shall be fifty dollars, and such license shall expire on December the thirty-first following the date of issuance, unless sooner revoked. The director, subject to the approval of the governor, may make rules and regulations governing the issuance and revocation of such licenses and the conduct of the businesses so licensed and relative to the maintenance of premises, buildings and conveyances, the health of the birds, mammals or reptiles and the method and time of inspection and checking of said animals.

This section shall not apply to a publicly or privately owned zoological park, a publicly owned animal pound, an institution, as defined in section one of chapter forty-nine A, to persons selling, exchanging or otherwise transferring the offspring of their personally owned animals, or to horse or cattle auctions.

SECTION 3. Section 43 of said chapter 129, as amended by section 2 of chapter 416 of the acts of 1946, is hereby further amended by inserting after the word "thirty-nine", in line 3, the words:—or thirty-nine A. *Approved November 3, 1971.*

Chap. 994. AN ACT INCREASING THE MEMBERSHIP OF THE PAROLE BOARD AND FURTHER REGULATING THE APPOINTMENT OF THE MEMBERS OF SAID BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 27 of the General Laws is hereby amended by striking out section 4 and inserting in place thereof the following section:—

Section 4. There shall be in the department, but not subject to its jurisdiction, a parole board, consisting of seven members, to be appointed by the governor, with the advice and consent of the council, for terms of five years.

Whenever a vacancy occurs in the membership of the board the governor may appoint a panel of five persons consisting of the chief justice of the superior court, the president of the state parole officers association, the chairman of the advisory committee on correction, the president of the Massachusetts bar association and the secretary of the executive office of human services who shall serve as chairman of said panel. Said panel shall submit to the governor, within sixty days of the establishment of said panel, a list of not less than six nor more than nine persons, or not more than twelve persons in the event there should be two or more vacancies to fill, who are qualified by knowledge, education or experience in the administration of criminal justice or in the behavioral sciences as hereinafter provided. Such persons shall be graduates of an accredited four-year college or university and shall have had at least five years of training and experience in one or more of the following fields:—parole, probation, corrections, law, law enforcement, psychology, psychiatry, sociology and social work; provided, however, that the panel may, by unanimous vote, submit the name of a person who has demonstrated exceptional qualifications and aptitude for carrying out the duties required of a parole board member, if such person substantially, although not precisely, meets the above qualifications. The list of names of such persons for each vacancy shall include one or more of the following, insofar as it is possible to select such persons who are willing and able to fill promptly the existing vacancy or vacancies:—an attorney admitted to practice in Massachusetts, a psychiatrist who is a member in good standing of the American Psychiatric Association, a psychologist certified by the Massachusetts Board of Certification in Psychology, Inc. and a member of the Massachusetts parole staff. If the governor does not appoint a panel as aforesaid any vacancy on said board shall be filled by the appointment of a member who possesses the qualifications as hereinbefore provided.

The governor shall designate one of the members as chairman, said member to serve as chairman at the will of the governor. The chairman shall be the executive and administrative head of said board, shall have the authority and responsibility of directing assignments of members of said board and shall be the appointing and removing authority for parole agents and other members of the parole staff. In the case of the absence or disability of the chairman, the governor may designate one of the members to act as chairman during such absence or disability.

The chairman shall receive a salary of twenty-one thousand and ninety-four dollars and each of the other members shall receive a salary of sixteen thousand three hundred and twenty-four dollars. Members shall devote full time to their duties, and no member shall hold any other salaried public office or engage in any business or profession for profit during his incumbency.

SECTION 2. The two additional members of the parole board provided by section four of chapter twenty-seven of the General Laws, as amended by section one of this act, shall be appointed as soon as possible in the manner and for the terms set forth in said section four.

SECTION 3. Any member of the parole board holding office immediately prior to the effective date of this act shall continue to serve until the expiration of the term for which he was appointed, and upon the expiration of the term of any such member his successor shall be appointed pursuant to the provisions of section four of chapter twenty-seven of the General Laws, as amended by section one of this act; provided, however, that any member of the parole board who on the effective date of this act has served as such for one year or more shall at the expiration of his term of office be eligible for reappointment by the governor, with the advice and consent of the council, whether or not his name has been submitted by the panel as provided in said section four.

Until all seven members of the parole board are appointed and qualified, the chairman of the parole board on the effective date of this act shall continue to serve as chairman of the parole board.

Approved November 3, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, November 4, 1971

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 994 of the Acts of 1971, entitled "AN ACT INCREASING THE MEMBERSHIP OF THE PAROLE BOARD AND FURTHER REGULATING THE APPOINTMENT OF THE MEMBERS OF SAID BOARD." and the enactment of which received my approval on November 3, 1971, 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 immediately enable the expansion of membership of the Parole Board in order to assist that Board in dealing with its increased caseload.

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

OFFICE OF THE SECRETARY, BOSTON, November 4, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by

His Excellency the Governor of the Commonwealth of Massachusetts at twelve o'clock and twenty 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 nine hundred and ninety-four of the acts of nineteen hundred and seventy-one.

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

Chap. 995. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO RECONSTRUCT THE MILL STREET BRIDGE IN THE TOWN OF LENOX.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to reconstruct Mill Street Bridge in the town of Lenox.

Approved November 3, 1971.

Chap. 996. AN ACT REQUIRING CERTAIN AMUSEMENT LICENSEES TO PROVIDE BY INSURANCE FOR THE PAYMENT OF WORKMEN'S COMPENSATION AS A PREREQUISITE TO LICENSING.

Be it enacted, etc., as follows:

Section 181 of chapter 140 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following paragraph:—

No license shall issue, however, for a traveling carnival, circus or other such traveling amusement which does not have its principal place of business within the commonwealth unless the licensee certifies that he has provided by insurance for the payment of compensation and the furnishing of other benefits under chapter one hundred and fifty-two to all persons to be employed by said licensee and that such insurance shall continue in full force and effect during the term of the license; and the licensee further certifies that he has obtained a policy of public liability insurance in the amount of at least twenty-five thousand dollars to pay any claims or judgments rendered against the licensee in favor of patrons or others to recover damages resulting from the negligence of the licensee. The amount of insurance of the policy hereinbefore required or in effect shall not limit or impair any right of recovery to which any plaintiff may be entitled in excess of such amount. *Approved November 3, 1971.*

Chap. 997. AN ACT INCREASING THE AMOUNT OF MONEY THE WATER COMMISSIONERS OF THE WATER SUPPLY SYSTEM OF THE TOWN OF AMESBURY MAY EXPEND ANNUALLY FOR NEW CONSTRUCTION.

Be it enacted, etc., as follows:

Section 9 of chapter 164 of the acts of 1906 is hereby amended by striking out, in line 10, the word "three" and inserting in place thereof the word:—twenty-eight. *Approved November 3, 1971.*

Chap. 998. AN ACT AUTHORIZING THE CITY OF ATTLEBORO TO PAY A CERTAIN SUM OF MONEY TO THE WILLIS MACKINNON INSURANCE COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The city of Attleboro is hereby authorized to appropriate money for the payment of and after such appropriation the treasurer of said city is hereby authorized to pay to the Willis MacKinnon Insurance Company the sum of fourteen thousand five hundred and nine dollars, for premiums for workmen's compensation insurance coverage provided for said city in the year nineteen hundred and seventy, payment for 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 a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the insurance coverage for which said bill has been submitted was ordered by an official or an employee of said city, and that coverage was actually provided for said city.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for insurance coverage which was not received by said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

Approved November 3, 1971.

Chap. 999. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO ENTER INTO AN AGREEMENT WITH THE TOWN OF SHREWSBURY FOR THE USE OF THE SHREWSBURY SEWER SYSTEM BY SAID DEPARTMENT.

Be it enacted, etc., as follows:

The commissioner of mental health is hereby authorized to enter into an agreement with the town of Shrewsbury for the purpose of connecting the sewerage system of certain buildings located in said town and owned by the commonwealth being situated on the Boston Turnpike and Lake street, and known as Hillside Farm, with the sewerage system of said town. Said agreement shall provide for payment by the commonwealth to said town in lieu of a sewer assessment and annual sewer use charge. *Approved November 3, 1971.*

Chap. 1000. AN ACT DESIGNATING THE HATHORNE REGIONAL CENTER IN DANVERS AS THE CHARLES V. HOGAN REGIONAL CENTER.

Be it enacted, etc., as follows:

SECTION 1. The Hathorne regional center in the town of Danvers shall be designated and known as the Charles V. Hogan regional center in memory of Charles V. Hogan, a former member of the Massachusetts senate. The commissioner of mental health shall cause a suitable tablet bearing such designation to be placed therein.

SECTION 2. The second paragraph of section 14 of chapter 19 of the General Laws, as appearing in section 2 of chapter 647 of the acts of 1969, is hereby amended by striking out, in line 2, the word "Hathorne" and inserting in place thereof the words:—Charles V. Hogan. *Approved November 3, 1971.*

Chap. 1001. AN ACT FURTHER DEFINING THE WORD "SERVICE" AS IT RELATES TO PERSONS ENTITLED TO BENEFITS OF THE SOLDIERS' HOME IN MASSACHUSETTS AND THE SOLDIERS' HOME IN HOLYOKE.

Be it enacted, etc., as follows:

Section 2 of chapter 115A of the General Laws, as appearing in section 42 of chapter 627 of the acts of 1954, is hereby amended by striking out, in lines 21 and 22, the words "provided, in any case, that proof of service in the campaign or expedition mentioned is made" and inserting in place thereof the words:—(*h*) Army of Occupation in Germany, also known as the A.E.F., between November the twelfth, nineteen hundred and eighteen and July the eleventh, nineteen hundred and twenty-three; provided, in any case, that proof of service in the campaign, army of occupation or expedition mentioned is made. *Approved November 3, 1971.*

Chap. 1002. 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 seven hundred and nineteen of the acts of the current year, for the fiscal year ending June the thirtieth, nineteen hundred and seventy-two, or for such period as may be specified, the sums so appropriated to be in addition to any amounts at present available for the purpose.

SECTION 2.

Secretariat.

Item		
0450–1100	For the office of the secretary of communities and development, including not more than four permanent positions . . .	$1,000
	General Fund 60.0%	
	Tourism and Industrial Promotion Fund 40.0%	
0450–1200	For the office of the secretary of consumer affairs, including not more than four permanent positions	1,000
0450–1300	For the office of the secretary of educational affairs, including not more than five permanent positions	1,000

Item

0450-1400 For the office of the secretary of environmental affairs, including not more than five permanent positions $5,000

General Fund	16.0%
MDC Water District Fund	20.0%
MDC Sewerage District Fund	15.0%
MDC Parks District Fund	35.0%
State Recreation Areas Fund	6.0%
Marine Fisheries Fund	3.0%
Inland Fisheries and Game Fund	2.0%
Public Access Fund	1.0%
Agricultural Purposes Fund	1.0%
Mosquito and Greenhead Fly Control Fund	1.0%

0450-1500 For the office of the secretary of human services, including not more than eight permanent positions 5,000

0450-1600 For the office of the secretary of elder affairs, including not more than four permanent positions 500

0450-1700 For the office of the secretary of manpower affairs, including not more than four permanent positions 1,000

0450-1800 For the office of the secretary of public safety, including not more than four permanent positions 4,000

Highway Fund	85.0%
General Fund	13.0%
Recreational Vehicles Fund	2.0%

0450-1900 For the office of the secretary of transportation and construction, including not more than five permanent positions . . 5,000

Highway Fund	96.0%
General Fund	4.0%

Executive Office for Administration and Finance.

0451-1000 For the office of the secretary of administration for services coded in accordance with the expenditure code manual under the subsidiary title "03 Services-Nonemployees" by qualified specialists in management procedures and systems; all such services to be for the purpose of advancing the objectives of chapter seven hundred and four of the acts of nineteen hundred and sixty-nine and to be rendered under the supervision of said secretary and upon assignments of such specialists made by him from time to time to state agencies subject to the provisions of sections two C, three, three A, four, nine B and twenty-nine of chapter twenty-nine of the General Laws; provided, that notwithstanding the provisions of any law to the contrary, the salary of any personnel of any agency transferred to the office of a secretary shall be transferred by a schedule approved by the commissioner of administration and the house and senate committees on ways and means; and, provided further, that the position of any such personnel shall be retained in said agency and shall not be filled in any manner except by the provisions of section seven of chapter six A of the General Laws; and, provided further, that the position and salary of any vacant position may be transferred to the office of a secretary by a schedule approved by the commissioner of administration and the house and senate committees on ways and means $400,000

Highway Fund	30.0%
General Fund	70.0%

Department of Agriculture.

Division of Markets.

0916-1000 For the office of the division, including not more than eleven permanent positions $40,000

Division of Fairs.

Item

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 $50,000

Agricultural Purposes Fund . . 100.0%

Department of Mental Health.

Region Two.

5221-0000 Item 5221-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "seventy-eight" and inserting in place thereof the word: — eighty-two $17,000

Department of Education.

Division of Research and Development.

7044-1801 For certain payments for the use of facilities of the museum of science $40,000

State Recreation Areas Fund . 100.0%

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.

7118-0000 Item 7118-0000 of section two of chapter seven hundred and nineteen 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-seven $39,000

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

Approved November 4, 1971.

Chap. 1003. 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 seven hundred and nineteen of the acts of the current year, for the fiscal year ending June the thirtieth, nineteen hundred and seventy-two, 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		
0119–0000	For traveling, and such other expenses of the committees of the senate, as may be authorized by order of the senate	$35,000

House of Representatives.

Other Expenses.

0145–0000	For the administration of the office of legislative data processing	$42,447
0147–0000	For the administration of the legislative engrossing division, as authorized by chapter thirty-four of the acts of nineteen hundred and seventy-one, including not more than four permanent positions, prior appropriation continued	32,000
0164–0000	For travelling and such other expenses of joint committees of the general court, as may be authorized by joint order of the general court, prior appropriation continued	85,000
0167–0000	For an investigation and study relative to air pollution, as authorized by an order of the general court passed in the house on February the first, nineteen hundred and sixty-seven and in the senate on February the twenty-first, nineteen hundred and sixty-seven, and as most recently revived and continued	25,000
0169–7102	For the office of legislative post audit and oversight bureau	108,000

Special Investigations.

0183–5000	For the 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	$25,000
0184–5000	For an investigation and study 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, as most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one	15,000
0185–0000	For 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, as authorized by chapter ninety-seven of the resolves of nineteen hundred and sixty-eight, as most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one	25,000
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 nineteen hundred and sixty-nine and most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one	10,000
0185–7001	For an investigation and study relative to establishing a collective bargaining commission, as authorized by chapter ninety-seven of the resolves of nineteen hundred and sixty-nine	40,000
0185–7002	For an investigation and study relative to the operation of and conditions at Belchertown state school and Monson state hospital, as authorized by chapter nineteen of the resolves of nineteen hundred and seventy-one	25,000
0185–7103	For an investigation and study of the Massachusetts National Guard, as authorized by chapter twenty-five of the resolves of the current year	25,000
0185–7104	For an investigation and study by a special commission relative to the feasibility of merging the Lowell technological institute and the Lowell state college, as authorized by chapter sixteen of the resolves of nineteen hundred and sixty-nine	20,000

Item

0185-7105 For an investigation and study relative to reuse of solid waste, as authorized by chapter fifty-seven of the resolves of nineteen hundred and seventy $20,000

0185-7106 For an investigation and study by a special commission relative to the regulation of the location and operation of electric utility generation and transmission facilities, as authorized by chapter seventy-eight of the resolves of the current year 50,000

0185-7107 For an investigation and study by a special commission, as authorized by chapter eighteen of the resolves of the current year 7,500

0185-7110 For an investigation and study by a special commission relative to the retirement age and allowances for employees of the commonwealth, cities and towns and matters relating thereto, as authorized by chapter thirty-six of the resolves of nineteen hundred and seventy-one 15,000

Judiciary.

Supreme Judicial Court.

0301-0011 For the commission to make design development plans to provide for additional court house accommodations and facilities in the county of Suffolk, as authorized by chapter seven hundred and forty-one of the acts of the current year $1,500,000

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 said facilities other than from funds provided by this item 29,000

0301-0500 For the service of the executive secretary 4,745

Superior Court.

0302-0301 For the compensation of justices of district courts while sitting in the superior court, prior appropriation continued . . $30,000

0302-0302 For expenses of justices of district courts while sitting in the superior court, prior appropriation continued 7,000

0302-0401 Item 0302-0401 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "seventy-eight" and inserting in place thereof the word: — ninety-three 75,320

Administration of Probate and Insolvency Courts.

0305-1001 Item 0305-1001 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — , including certain prior year charges in the amount of three thousand two hundred and fifty-four dollars and eighteen cents $2,000

Probate and Insolvency Courts.

The italics heading preceding item 0305-6011 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by inserting after the words "assistant registers" the words: — , probation officers.

0305-6011 Item 0305-6011 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "ten" and inserting in place thereof the word: — eleven $10,000

0305-6131 Item 0305-6131 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "sixty-five" and inserting in place thereof the word: — seventy.

0305-6141 Item 0305-6141 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "twenty-five" and inserting in place thereof the word: — twenty-six 8,000

Board of Bar Examiners.

Item
0310–0001 For the service of the board, including not more than six permanent positions $15,000

Executive.

Civil Defense Agency.

0414–0000 For the service of the civil defense agency; 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, including not more than one hundred and five permanent positions $15,000

0414–0001 Item 0414–0001 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; provided, that certain annuity payments due for the fiscal years nineteen hundred and seventy, nineteen hundred and seventy-one and nineteen hundred and seventy-two may be paid from this item 3,625

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.

0431–1172 For the state's share of certain armory protection programs $14,800

Massachusetts Commission for the Blind.

Bureau of Medical Care.

0441–1020 For administration of a program of medical assistance, including not more than five permanent positions $10,000

Bureau of Individual Services.

0441–2010 For administration of a talking book program, including not more than three permanent positions $22,000

Bureau of Industrial Aid and Workshops.

0441–4010 Item 0441–4010 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; provided, that there shall be charged against this appropriation the amount of fifty-two dollars, determined by the auditor to be the shortage as of August the twenty-fourth, nineteen hundred and seventy-one.

0441–4020 Item 0441–4020 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; provided, that there shall be charged against this appropriation the amount of forty-six dollars and fifty cents, determined by the auditor to be the shortage as of August the twenty-fourth, nineteen hundred and seventy-one.

0441–4050 For certain payments to blind persons $5,000

Secretariat.

0450–1250 For the personal services and expenses of the division of standards, including not more than thirty-eight permanent positions $21,000

Item

0450–1950 Item 0450–1950 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "ninety-seven" and inserting in place thereof the word: — ninety-nine $25,000

Executive Office for Administration and Finance.

0451–1701 Item 0451–1701 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding after the word "disabilities" the words: — , including not more than five permanent positions.

Fiscal Affairs Division.

0451–2100 Item 0451–2100 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fifty-three" and inserting in place thereof the word: — sixty-two $70,000

Highway Fund 30.0%

General Fund 70.0%

0451–2510 For a portion of the state share of training programs under the intergovernmental act of nineteen hundred and seventy, to be in addition to any other state and federal funds available for the purpose 50,000

Central Services Division.

0451–3914 For certain repairs to the water system, including the installation of certain pumps $20,000

Comptroller's Division.

0452–1000 For the administration of the division, including not more than two hundred and twenty-six permanent positions . $100,000

Highway Fund 30.0%

General Fund 70.0%

0452–5000 For administration of the fraudulent claims commission, including not more than sixty-one permanent positions, as authorized by chapter nine hundred and forty-three of the acts of the current year 434,800

Group Insurance Commission.

0454–1000 For administration of the group insurance program, including not more than forty-six permanent positions $60,159

Rate Setting Commission.

0458–0000 For the administration of the commission, including not more than fifty-three permanent positions $17,490

Other Boards and Commissions serving under the Governor and Council.

George Fingold Library.

0461–2000 Item 0461–2000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — , and including certain prior year expenses . $5,000

State Racing Commission.

0461–6000 Item 0461–6000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "ten" and inserting in place thereof the word: — nineteen $85,000

Agricultural Purposes Fund . . 7.5%

General Fund 92.5%

Contributory Retirement Appeal Board.

Item
0462-4000 For the expenses of the board $2,500

New England Board of Higher Education.

0463-0000 For expenses of the board, and for compensation and expenses of the members (1954, 589) $28,500
0463-1000 For payments to medical or dental schools on acceptance of certain Massachusetts students (1954, 589, Art. V) . . 15,000

Health and Welfare Commission.

0464-1000 For the office of the commission, including not more than three permanent positions $4,750

Soldiers' Home in Massachusetts.

0471-0000 For the maintenance of the home, including not more than six hundred and twenty-four permanent positions . . . $22,000

Soldiers' Home in Holyoke.

0481-0000 Item 0481-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the item and inserting in place thereof the following item: —

0481-0000 For the maintenance of the home, including not more than three hundred and five permanent positions; provided, that the amount of nine thousand nine hundred and seventy-three dollars shall be allowed and paid from this item for certain overtime earned but not paid for in prior fiscal years, as authorized by chapter sixty-five of the resolves of the current year $231,000

0481-9019 For certain improvements to the storm drainage system 30,000
0481-9020 For certain repairs and renovations to the roof and parapet walls 15,665
0481-9021 Replacement of autoclave unit 20,000

Secretary of the Commonwealth.

0511-0000 Item 0511-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words "one hundred and one" and inserting in place thereof the words: — one hundred and two $63,000
0512-0000 For the printing of rules and regulations of the various state agencies, as authorized by section six of chapter thirty A of the General Laws, as amended 265,430
0518-0000 Item 0518-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: —, including a certain prior year expense . 1,500

Massachusetts Historical Commission.

0526-0000 For the administration of the commission, including not more than one permanent position $5,552

Commission on Interstate Co-operation.

0530-0000 For the office of the commission; 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-one of the General Laws, including not more than three permanent positions $10,075

Treasurer and Receiver-General.

0610-0000 For the office of the treasurer and receiver-general, including not more than ninety-eight permanent positions . . . $17,000

Highway Fund 30.0%
General Fund 70.0%

Item

0611-5000 For compensation to victims of violent crimes, as authorized by chapter two hundred and fifty-eight A of the General Laws . $35,000

State Board of Retirement.

0612-0000 For the administration of the board, including not more than thirty-nine permanent positions $10,000

State Lottery Commission.

0640-0000 For the expenses of the operation and administration of the state lottery, as authorized by chapter eight hundred and thirteen of the acts of the current year; provided, that an amount equal to this appropriation shall be transferred from the State Lottery Fund to the General Fund; and, provided further, that all the positions in this item shall not be subject to chapter thirty-one of the General Laws; provided, that the salary of the position of executive director for lottery and the position of assistant to the executive director for lottery may be established without reference to the general salary schedule; and, provided further, that the director shall, sofar as practicable in making appointments to such positions promote employees of the commonwealth serving in positions which are classified under chapter thirty-one; 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; including not more than ninety-four permanent positions $2,447,998

0640-1000 For the payment of prizes by the state lottery commission in accordance with the provisions of chapter eight hundred and thirteen of the acts of the current year; provided, that a sum equal to said payments shall be reimbursed by said commission from the revenues received under the provisions of said chapter eight hundred and thirteen 2,000,000

Auditor of the Commonwealth.

0710-0000 Item 0710-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "eighteen" and inserting in place thereof the word: — thirty $139,000

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, prior appropriation continued . $194,189

Department of Agriculture.

Division of Poultry and Poultry Products.

0913-1000 For the office of the division, including not more than six permanent positions $17,500

Division of Markets.

Item

0916–1000 Item 0916–1000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "eleven" and inserting in place thereof the word: — twelve $6,930

State Reclamation Board.

0919–0100 For the office of the board, including not more than three permanent positions $3,700

For the expenses of the following mosquito control projects:

0919–1100 Berkshire County $21,188
Mosquito & Greenhead Fly Control Fund 100.0%

0919–1200 Norfolk County 22,050
Mosquito & Greenhead Fly Control Fund 100.0%

0919–1300 Bristol County 10,600
Mosquito & Greenhead Fly Control Fund 100.0%

0919–1400 Plymouth County 8,970
Mosquito & Greenhead Fly Control Fund 100.0%

0919–1500 Essex County, city of Revere and town of Winthrop . 10,376
Mosquito & Greenhead Fly Control Fund 100.0%

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 forty-four permanent positions; provided, that the position of deputy commissioner and senior attorney shall not be subject to the provisions of chapter thirty-one of the General Laws $26,834
General Fund 89.2%
Public Access Fund 2.3%
State Recreation Areas Fund . 5.1%
Marine Fisheries Fund . . . 3.0%
Inland Fisheries and Game Fund . .4%

1000–1495 For the construction of access and trail sites . . 100,000
Public Access Fund 100.0%

Division of Forests and Parks.

1011–0000 Item 1011–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "sixty-four" and inserting in place thereof the word: — sixty-five $105,650

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 383,118
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; provided, that federal funds not exceeding three thousand dollars may be expended for the purpose of certain machinery repairs, said federal funds to be in addition to the amount appropriated, including not more than sixty-one permanent positions 7,800

1014–0001 For a certain study of the gypsy moth and a test control program in cooperation with the United States forest service; provided, that expenditures from this item shall be contingent upon the prior approval of the proper federal authorities for full reimbursement of the amounts expended for the purposes of this item; and, provided further, that said program shall be terminated within eighteen months from the effective date of this appropriation . 7,932

Division of Law Enforcement.

Item

1020-0000 For the office of the division, including not more than seventy-seven permanent positions $4,100
Inland Fisheries and Game Fund . 21.0%
Marine Fisheries Fund . . . 24.0%
State Recreation Areas Fund . 5.0%
General Fund 50.0%

Division of Marine Fisheries.

1040-0100 For expenses of the Cat Cove marine research station . $10,000
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:

1040-1372 For the collection, compilation, evaluation and dissemination of commercial fisheries statistics $5,850
Marine Fisheries Fund . . . 100.0%

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 6,015
Marine Fisheries Fund . . . 100.0%

1040-1374 Coordination of commercial fisheries research and development work 4,000
Marine Fisheries Fund . . . 100.0%

1040-1376 For an investigation of the use of anadromous fish . 4,500
Marine Fisheries Fund . . . 100.0%

1040-1377 For the improvement of the program for the protection of shellfish 2,700
Marine Fisheries Fund . . . 100.0%

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 eighteen permanent positions $13,400
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 fifty-two permanent positions 24,556
Inland Fisheries and Game Fund . 100.0%

Division of Water Resources.

1080-0200 For water planning, including not more than six permanent positions $1,000

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 $20,235

Department of Banking and Insurance.

Division of Insurance.

Item

1121-0000 Item 1121-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fourteen" and inserting in place thereof the word: — ninety-eight $172,382

Department of Corporations and Taxation.

1201-0000 Item 1201-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "forty-one" and inserting in place thereof the word: — fifty-one $39,169

Highway Fund 6.0%

General Fund 94.0%

1201-1000 Item 1201-1000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; and, provided further, that a certain shortage in the amount of one hundred and ten dollars resulting from the receipt of counterfeit bills shall be allowed and paid from this item 28,500

Highway Fund 2.5%

General Fund 97.5%

1201-1201 For the preparation of a certain procedure manual as authorized by chapter nine hundred and twenty-six of the acts of the current year 50,000

1201-1301 For the preparation and administration of a training program for local assessors as authorized by chapter eight hundred and seventy-five of the acts of the current year 12,000

Department of Civil Service and Registration.

Division of Registration

1421-0000 For the administration of the division; provided, that the position of investigator of radio-television technicians shall not be subject to chapter thirty-one of the General Laws, and including not more than eighty-three permanent positions $58,984

For the services of the following agencies in the division:

1421-0400 Board of registration in pharmacy, including not more than ten permanent positions $6,303

1421-1200 Board of public accountancy, including not more than nine permanent positions 34,910

1421-1500 Item 1421-1500 of section two of chapter seven hundred and nineteen 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-one.

Department of Commerce and Development.

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 $100,000

Tourism and Industrial Promotion Fund 100.0%

Item

1590–0010 For the expenses of the Massachusetts Science and Technology Foundation, as authorized by chapter eight hundred and forty-three of the acts of nineteen hundred and sixty-nine; provided, that the foundation shall reimburse the commonwealth for appropriation made under this item $50,000

Department of Labor and Industries.

Labor Relations Commission.

1620–1000 For the office of the commission, including not more than twenty-four permanent positions $28,857

Health, Welfare and Retirement Trust Funds Board.

1630–1000 Item 1630–1000 of section two of chapter seven hundred and nineteen 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 $12,000

Division of Employment Security.

1681–0682 For the administrative expenses of the welfare general relief assistance check payment program, including not more than thirty permanent positions $200,000

Department of Youth Services.

1700–0010 Item 1700–0010 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "twenty-four" and inserting in place thereof the word: — twenty-five $48,000

1702–0021 For a certain residential care program; and, provided further, that no expenditure shall be made for residential care under this item unless the rate setting commission, in accordance with the procedure established by section thirty L of chapter seven of the General Laws, shall have approved the rate of compensation for said residential care. The rate setting commission shall immediately upon approval of said rates file a schedule of the approved rates with the comptroller and the house and senate committees on ways and means 1,000,000

1702–0912 For the payment of a certain superior court judgment . 742

Bureau of Clinical Services.

For the administration, maintenance of and for certain improvements at the institutions within the bureau:

1720–1010 Item 1720–1010 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; provided, that the amount of two thousand and eighty-seven dollars and thirty cents shall be allowed and paid from this item for certain travel expenses incurred by agency personnel but not paid for in the fiscal year nineteen hundred and seventy-one $5,588

1720–1933 For roof renovations, including certain exterior masonry repairs 75,000

1720–3010 Item 1720–3010 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "twenty-three" and inserting in place thereof the word: — twenty-four 15,000

1720–4010 Item 1720–4010 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "twenty-seven" and inserting in place thereof the word: — twenty-eight 9,800

Bureau of Institutional Services.

For the administration, maintenance of and for certain improvements at the institutions within the bureau:

Item		
1730–3932	For the purchase of a fire truck	$40,000
1730–4916	For roof renovations of certain buildings	50,000
1730–5932	For roof renovations of certain buildings	220,000
1730–6010	Item 1730–6010 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out, in line one, the words "Institute of juvenile guidance" and inserting in place thereof the words: — Northeast training center and residential unit; and item 1730–6010 of section two of said chapter seven hundred and nineteen is hereby further amended by inserting after the word "positions", in line two, the words: — , and including certain prior year expenses	5,000

Bureau of After-care, Delinquency Prevention and Community Services.

1740–1000	For the commonwealth's share of delinquency prevention programs in certain cities and towns; provided, that expenditures from this item shall be contingent upon the prior approval of the programs by the commissioner of administration and shall be expended with at least an equivalent amount of city or town or private funds for the purpose of this item; and, provided further, that no expenditure or commitment made pursuant to this item shall be incurred in excess of available funds which have been appropriated therefor in the current fiscal year	$230,000

Department of Correction.

1801–0000	Item 1801–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "seventy" and inserting in place thereof the word: — seventy-three	$152,700

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 eighty-six permanent positions	$44,000
1812–0000	Item 1812–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fifteen" and inserting in place thereof the word: — twenty-four	162,500
1812–2000	Correctional institution at Walpole, industries; 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; and including not more than thirty-five permanent positions	215,000
1814–0000	Item 1814–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "seventy-five" and inserting in place thereof the word: — eighty-four	258,855
1818–0000	Item 1818–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "seventy" and inserting in place thereof the word: — eighty-three	380,668
1831–0000	Correctional institution camps, including not more than thirty-nine permanent positions	1,605

Department of Public Welfare.

1900–1000	Item 1900–1000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words "and, provided further, that persons employed in the	

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positions of organization and procedures coordinator and financial control analyst shall not be subject to chapter thirty-one of the General Laws;"; — and by striking out the words "two hundred and seventy-one" and inserting in place thereof the words: — three hundred and thirty $834,416

1900–1020 For the administration of certain donated fund programs including personal services; provided, that the salaries of all employees of the department engaged in said programs shall be charged in full to this item; and, notwithstanding any provision of section seventeen B of chapter ten of the General Laws or any provision of section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon receipt by the department of public welfare and deposit with the state treasurer of funds from any source, public or private, other than the commonwealth, in an amount equal to twenty-five per cent of such expenditures and upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under title IV–A of the social security act of nineteen hundred and sixty-seven, shall be in an amount not less than seventy-five per cent of such expenditure; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department of public welfare that no federal grants or reimbursements available for present or future programs other than those authorized in this item will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item 145,051

1903–2010 For a program of protective services for children; provided, that notwithstanding any provision of section seventeen B of chapter ten of the General Laws or any provision of section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon receipt by the department of public welfare and deposit with the state treasurer of funds from any source, public or private, other than the commonwealth, in an amount equal to twenty-five per cent of such expenditures and upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under title IV–A of the social security act of nineteen hundred and sixty-seven, shall be in an amount not less than seventy-five per cent of such expenditure; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department of public welfare that no federal grants or reimbursements available for present or future programs other than those authorized in this item will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item 533,410

1903–2020 For a program of emergency care of children; provided, that notwithstanding any provision of section seventeen B of chapter ten of the General Laws or any provision of section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon receipt by the department of public welfare and deposit with the state treasurer of funds from any source, public or private, other than the commonwealth, in an amount equal to twenty-five per cent of such expenditures and upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under title IV–A of the social security act of nineteen hundred and sixty-seven, shall be in an amount not less than seventy-five per cent of such expenditure; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department of public welfare that no federal grants or reimbursements available for present or future programs other than those authorized in this item will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item 584,332

1903–2030 For a program of day care services; provided, that notwithstanding any provision of section seventeen B of chapter ten of the General

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Laws or any provision of section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon receipt by the department of public welfare and deposit with the state treasurer of funds from any source, public or private, other than the commonwealth, in an amount equal to twenty-five per cent of such expenditures and upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under title IV-A of the social security act of nineteen hundred and sixty-seven, shall be in an amount not less than seventy-five per cent of such expenditure; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department of public welfare that no federal grants or reimbursements available for present or future programs other than those authorized in this item will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item $2,400,000

1903-2040 For a homemakers' service program; provided, that notwithstanding any provision of section seventeen B of chapter ten of the General Laws or any provision of section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon receipt by the department of public welfare and deposit with the state treasurer of funds from any source, public or private, other than the commonwealth, in an amount equal to twenty-five per cent of such expenditures and upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under title IV-A of the social security act of nineteen hundred and sixty-seven, shall be in an amount not less than seventy-five per cent of such expenditure; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department of public welfare that no federal grants or reimbursements available for present or future programs other than those authorized in this item will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item . . . 394,145

1903-2050 For a program of services for unwed mothers; provided, that notwithstanding any provision of section seventeen B of chapter ten of the General Laws or any provision of section twelve of chapter eighteen of the General Laws, any expenditure from this item shall be contingent upon receipt by the department of public welfare and deposit with the state treasurer of funds from any source, public or private, other than the commonwealth, in an amount equal to twenty-five per cent of such expenditures and upon prior approval and assurance by the proper federal authorities that the federal allocation for the purpose of such expenditure, as authorized under title IV-A of the social security act of nineteen hundred and sixty-seven, shall be in an amount not less than seventy-five per cent of such expenditure; and, provided further, that acceptance of such funds shall be subject to the approval of the commissioner of administration, upon certification by the department of public welfare that no federal grants or reimbursements available for present or future programs other than those authorized in this item will be reduced or eliminated by the use of such grants or reimbursements for the purposes of this item 480,000

Department of Public Health.

Bureau of Administration.

2010-0100 Item 2010-0100 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fifty-nine" and inserting in place thereof the word: — sixty $42,225

2010-0300 For the administration of the drug formulary commission, as authorized by section thirteen of chapter seventeen of the General Laws 40,000

Bureau of Environmental Sanitation.

Item
2011-9006 Item 2011-9006 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out, in line eight, the words "Recreational Vehicle Fund" and inserting in place thereof the words: — division of sanitary engineering in the department of public health.

Bureau of Chronic Disease Control.

2012-0165 For a triviral vaccine program $100,000
2012-0170 For a yellow fever vaccine program 120
2012-0200 For the office of the division of alcoholism, including not more than ten permanent positions 300,000
2012-0700 Item 2012-0700 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — , including not more than one permanent position, and including certain prior year expenses 23,805

Bureau of Health Services.

2013-2500 For an immunization program to prevent a certain disease of the newborn $26,150

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 $1,350

Institute of Laboratories.

2016-0100 Item 2016-0100 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; provided, that the amount of seven hundred and two dollars and thirty-four cents shall be allowed and paid from this item for certain overtime earned but not paid for in the fiscal year nineteen hundred and seventy.

Bureau of Consumer Products Protection.

2017-0100 Item 2017-0100 of section two of chapter seven hundred and nineteen 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 bureau; provided, that expenditures from this item for the fair packaging and labeling survey program shall be contingent upon the prior approval of the proper federal authorities for reimbursement of one hundred per cent of the amounts expended for said program, including not more than ninety-seven permanent positions $61,244

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 forty-nine permanent positions $45,025
2035-0000 Rutland Heights hospital, including not more than three hundred and sixty-nine permanent positions 27,800
2036-0000 Item 2036-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "thirty-five" and inserting in place thereof the word: — thirty-six".
2037-0000 Item 2037-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "ninety-one" and inserting in place thereof the word: — ninety-six 57,000

Department of Public Safety.

Item

2111-0000 For the administration of the department, including not more than one hundred and fourteen permanent positions . . . **$100,000**

2111-9003 For the commonwealth's share for certain renovations and improvements to the chemistry laboratory; provided, that no expenditures for this item shall be made until prior approval of a sum of at least three times greater is authorized by the proper federal authority **74,450**

2111-9004 For the payment of the salary of Frank S. Giles for certain prior fiscal years **24,000**

Division of State Police.

2112-0000 Item 2112-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words "nine hundred and ninety-one" and inserting in place thereof the words: — one thousand and fifty-six . . . **$608,047**

General Fund	15.0%
Highway Fund	85.0%

2113-0000 } The unexpended balance remaining in item 2113-0000 of section two of
2112-0000 } chapter seven hundred and nineteen of the acts of the current year is hereby transferred and made available for the purposes of item 2112-0000 of section two of said chapter seven hundred and nineteen; provided, that the permanent positions authorized in item 2113-0000 shall be transferred to said item 2112-0000 without impairment of civil service status, seniority or any other rights of the employees in these positions.

Department of Public Utilities.

2301-0000 Item 2301-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; provided, that expenditures for certain automotive equipment from this item shall be contingent upon the prior approval of federal authorities for reimbursement of fifty per cent of the amount expended for said equipment . . . **$12,650**

2311-9002 For an investigation and hearing of a proposed telephone rate increase; provided, that no salaries or expenses of employees shall be charge able to this item **185,000**

Commercial Motor Vehicle Division.

2321-0000 For the office of the division, including not more than thirty-nine permanent positions **$175**

Metropolitan District Commission.

Administration.

2410-0000 For general administration, including not more than sixty-nine permanent positions **$30,000**

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 state retirement system under the provisions of the General Laws, and including not more than six hundred and eighteen permanent positions **$20,000**

MDC Water District Fund . .	100.0%

Item

2420-9001 For an investigation and study of public water supplies and distribution in Worcester county, as authorized by chapter forty-five of the resolves of the current year $25,000

MDC Water District Fund . . 100.0%

2423-3003 For the preparation of preliminary plans for improvements to the Clinton sewage treatment plant 30,000

MDC Water District Fund . . 100.0%

2426-9004 For the conversion of certain engines from steam to diesel power, appropriation expires June the thirtieth, nineteen hundred and seventy-two 40,000

MDC Water District Fund . . 100.0%

Metropolitan Sewerage District.

2432-9009 For the acquisition of certain property situated in East Boston; 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 . . $6,000

MDC Sewerage District Fund . 100.0%

2434-9009 Item 2434-9009 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding at the end thereof the following: —

MDC Sewerage District Fund . 100.0%

2434-9010 Item 2434-9010 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding at the end thereof the following: —

MDC Sewerage District Fund . 100.0%

Metropolitan Parks District.

2440-0000 Item 2440-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words "three hundred and eighty-six" and inserting in place thereof the words: — four hundred and eleven $400,000

Highway Fund 60.0%

MDC Parks District Fund . . 39.0%

General Fund 1.0%

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 and in section two of chapter eight hundred and eleven of the acts of nineteen hundred and sixty-nine, appropriation expires June the thirtieth, nineteen hundred and seventy-three; 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 four hundred and fifty-two 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 800,000

MDC Parks District Fund . . 100.0%

2444-9001 Item 2444-9001 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one is hereby amended by adding the following: — ; and, provided further, that notwithstanding any provision of law to the contrary, the amount of two thousand six hundred and ninety dollars and ninety cents shall be allowed and paid from this item for work done in connection with parks division contract number 1813.

Highway Fund 100.0%

Item

2444-9013 For the construction of a recreation facility, including the cost of equipment, as authorized by chapter five hundred and fifty-eight of the acts of nineteen hundred and fifty-five, to be in addition to the amount appropriated in item 2444-9013 of section two of chapter four hundred and eighty of the acts of nineteen hundred and seventy **$250,000**
MDC Parks District Fund . . 100.0%

2444-9019 For reconstruction, modernization, enclosing and repair of the Murphy Skating Rink in South Boston **200,000**
MDC Parks District Fund . . 100.0%

2444-9024 For reconstruction, modernization, enclosing and repair of the Shea Skating Rink in Quincy **450,000**
MDC Parks District Fund . . 100.0%

2444-9025 For the renovation, enclosing and repair of various skating rinks **350,000**
MDC Parks District Fund . . 100.0%

2444-9026 For the construction of a pumping station in the Beachmont section of the city of Revere for flood control purposes . . **200,000**
MDC Parks District Fund . . 100.0%

2444-9027 For the plans and construction of a boat house on the Mystic river **200,000**
MDC Parks District Fund . . 100.0%

Department of Community Affairs.

Division of Community Development.

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 **$750,000**

2522-9101 For reimbursement of cities and towns for the commonwealth's share of federally-aided urban renewal projects . . . **1,500,000**

2522-9102 For reimbursement of cities and towns for the commonwealth's share of certain nonfederally-aided urban renewal projects . **500,000**

Division of Social and Economic Opportunity.

2543-1085 For the expenses of the governor's special planning commission on elderly affairs and the nineteen hundred and seventy-one white house conference on aging **$25,000**

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 sixty-nine permanent positions . . **$45,000**

Region One.

5121-0000 Item 5121-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "seventy-eight" and inserting in place thereof the word: — eighty-four **$32,000**

Item		
5181-0000	Item 5181-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "twenty-five" and inserting in place thereof the word: — eighty-five	$380,730

Region Two.

5211-0000	For administration, including not more than eleven permanent positions	$1,260
5291-0000	Item 5291-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; provided, that a certain prior year charge in the amount of eight hundred dollars may be paid from this item.	
5294-0000	Item 5294-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "eight" and inserting in place thereof the word: — sixty-three	177,000
5294-9001	Item 5294-9001 of section two of chapter four hundred and fifty-two of the acts of nineteen hundred and sixty-nine is hereby amended by striking out the wording and inserting in place thereof the following: — For plumbing and heating improvements in certain buildings.	
8071-79	Item 8071-79 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy is hereby amended by striking out the words "For certain renovations of Farm Group 6 Buildings" and inserting in place thereof the words: — For certain renovations to buildings.	

Region Three.

5321-0000	Item 5321-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fourteen" and inserting in place thereof the word: — thirty-six	$157,725
5361-0000	For the maintenance of the Dr. Harry C. Solomon mental health center, including not more than one hundred and twenty-eight permanent positions	25,000
5362-0000	Item 5362-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "ninety-nine" and inserting in place thereof the words: — one hundred and four	27,402
5381-0000	For the maintenance of the Walter E. Fernald state school, including not more than one thousand one hundred and sixty-eight permanent positions	13,610
5391-0000	For the maintenance of the Metropolitan state hospital, including not more than eight hundred and five permanent positions	17,500

Region Four.

5421-0000	Item 5421-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "eighty-two" and inserting in place thereof the word: — ninety-five	$72,607
5471-0000	For the maintenance of the John T. Berry rehabilitation center, including not more than eighty-nine permanent positions .	2,000
5481-0000	For the maintenance of the Hathorne state school, including not more than four hundred and sixty-five permanent positions .	200,000
5491-0000	Item 5491-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fifty-four" and inserting in place thereof the word: — forty three	12,000

Region Six.

5621-0000	Item 5621-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "sixty-eight" and inserting in place thereof the word "seventy-five"	$48,000

Item

5662-0000 Item 5662-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words "three hundred and fourteen thousand eight hundred and fifty-six" and inserting in place thereof the words: — eight hundred and sixty-one thousand six hundred and thirty-six . **$200,000**

5691-0000 For the maintenance of the Boston state hospital, including not more than one thousand two hundred and sixty-nine permanent positions **115,000**

Region Seven.

5721-0000 Item 5721-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "one" and inserting in place thereof the word: — two **$12,784**

5781-0000 Item 5781-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "eighteen" and inserting in place thereof the word: — twenty-nine **39,137**

5791-0000 Item 5791-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "nine" and inserting in place thereof the word: — seven.

Department of Public Works.

Highway Activities.

Personal Services.

6010-0000 Item 6010-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the wording and inserting in place thereof the following: —

For personal services; 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; and including not more than four thousand seven hundred and fifteen permanent positions; provided, that notwithstanding the provisions of section four of chapter sixteen of the General Laws, the commissioner may appoint four additional assistants who shall serve at the pleasure of the commissioner and shall not be subject to chapter thirty-one of the General Laws **$80,000**

Highway Fund 100.0%

Administrative and Engineering Expenses.

6020-1509 Item 6020-1509 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words

"Highway Fund 91.8%
General Fund 5.1%
Recreational Vehicle Fund . . 3.1%"

and inserting in place thereof the words: —

Highway Fund 94.9%
General Fund 5.1%

6020-1900 Item 6020-1900 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words

"Highway Fund 96.0%
General Fund 3.2%
Recreational Vehicle Fund . . .8%"

and inserting in place thereof the words: —

Highway Fund 96.8%
General Fund 3.2% **$17,000**

Item

6020-2401 For the purchase of all administrative and engineering equipment **$70,000**
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 **55,173**
General Fund 8%
Highway Fund 99.2%

6020-2502 For a technical analysis of existng design and construction practices **200,000**
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:

6030-7602 Item 6030-7602 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the words: —, appropriation expires June the thirtieth, nineteen hundred and seventy-three **$200,000**
Highway Fund 100.0%

6031-0131 For a property management program **202,500**
Highway Fund 100.0%

6031-5900 For roof repairs, district five building, appropriation expires June the thirtieth, nineteen hundred and seventy-two . . . **17,500**
Highway Fund 100.0%

6031-5901 For the installation of fluorescent lighting, district five, administration building **4,400**
Highway Fund 100.0%

Waterways Activities.

The salaries of all officers and employees of the department engaged in 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.

6032-2015 For an investigation and study of the Whittenton dam on Mill river and Moreys bridge dam on Lake Sabbatia in the city of Taunton, as authorized by chapter fifty-eight of the resolves of nineteen hundred and seventy and most recently revived and continued by chapter fifty-three of the resolves of the current year . . **$25,000**

6032-2017 For certain repairs and renovations to the State street wharf in the town of Marblehead **36,810**

6032-7100 For a continuous program of cleaning and dredging of harbors and inland waters, as authorized by chapter eight hundred and seventy-eight of the acts of nineteen hundred and seventy . . **75,000**
Harbors and Inland Waters Fund 100.0%

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:

6033-1025 For certain construction, as authorized by chapter seven hundred and forty-six of the acts of the current year . . . **$65,000**
Highway Fund 100.0%

Item

6033-1026 For the purchase of certain land, or land with buildings thereon, as authorized by chapter five hundred and ninety-seven of the acts of the current year $75,000

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

Bureau of Solid Waste Disposal.

6050-0000 Item 6050-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fourteen" and inserting in place thereof the word: — fifteen $10,000

Registry of Motor Vehicles.

6111-0000 Item 6111-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words "three hundred and three" and inserting in place thereof the words: — three hundred and eighteen $155,768

General Fund 1.2%

Highway Fund 98.8%

6111-0002 For the administration of the certificate of title law, as authorized by chapter seven hundred and fifty-four of the acts of nineteen hundred and seventy-one, including not more than thirty-one permanent positions 499,534

Highway Fund 100.0%

6111-0029 For the preparation of plans for and the construction of a registry building in Beverly, including the cost of furnishings and equipment 250,000

Highway Fund 100.0%

Division of Marine and Recreational Vehicles.

6120-0000 Item 6120-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fifty-one" and inserting in place thereof the word: — fifty-seven $23,500

6120-0010 } The unencumbered balance remaining in item 6120-0010 of section two
6120-0000 } of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one is hereby transferred and made available for the purposes of item 6120-0000 of section two of said chapter seven hundred and nineteen.

Recreational Vehicle Fund . . 100.0%

6120-1010 For the payment of the salary of John A. Davis for certain prior fiscal years; provided, that an amount equal to this appropriation shall be transferred from the Recreational Vehicle Fund to the General Fund 88,565

6120-2101 For the purchase of certain snowmobiles 32,000

Public Access Fund 100.0%

Department of Education.

Board of Education.

Board of Education and Commissioner's Office.

7010-0009 For the administration of the program for the elimination of racial imbalance, including expenses of the prior fiscal year . $8,110

Item

7010-0032 For a study and the providing of technical assistance to certain model cities; 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 amount expended from this item $100,000

7010-0035 For the development of a clearing house for cooperative educational programs between urban and suburban communities . 25,000

Division of Administration and Personnel.

7021-0000 Item 7021-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "thirty" and inserting in place thereof the word: — thirty-four $38,925

7021-9003 For the rental and maintenance of the Tremont street property, including not more than seven permanent positions . . 22,000

Division of Occupational Education.

7027-0010 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, as amended $6,712,858

7027-0011 For reimbursement to certain municipalities and regional school districts for certain tuition fees, as defined in section ten of chapter seventy-four of the General Laws, as amended . . 300,775

7027-0013 For the reimbursement of certain counties for county vocational schools 214,724

7027-1000 Item 7027-1000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "two" and inserting in place thereof the word: — three.

Division of Curriculum and Instruction.

7034-0000 Item 7034-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "thirty-four" and inserting in place thereof the word: — thirty-five $16,336

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 114,000

7034-0302 For the administration of bilingual programs, including not more than five permanent positions 56,400

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 1,474,641

7035-0001 For the reimbursement of certain towns and regional school districts for the transportation of pupils 4,379,346

7036-0101 For the administration of the library bureau, including not more than twenty-six permanent positions 1,428

7036-1401 For state aid to regional public libraries . . . 241,213

7036-1501 For state aid to public libraries 190,000

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 section sixteen D of chapter seventy-one of the General Laws $1,480,295

Board of Higher Education.

7070-0001 Item 7070-0001 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "sixteen" and inserting in place thereof the word: — nineteen;

Item

and by adding at the end thereof the following: — ; provided, that the amount of one hundred and seventy-four dollars and thirty-five cents shall be allowed and paid from this item for a certain salary earned but not paid for the period June the seventeenth, nineteen hundred and sixty-eight to August the thirty-first, nineteen hundred and sixty-eight $9,000

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 seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "thirty-two" and inserting in place thereof the word: — thirty-three $53,000

7107–0001 Item 7107–0001 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the words "two million seven hundred and forty thousand" and inserting in place thereof the words: — three million.

7108–0000 Item 7108–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fifty-five" and inserting in place thereof the word: — seventy-one 607,690

7110–0000 Item 7110–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "forty-nine" and inserting in place thereof the word: — fifty-one 55,000

7112–0000 Item 7112–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "fifty-six" and inserting in place thereof the word: — fifty-eight 20,000

7113–1011 State college at North Adams, boarding hall, including not more than six permanent positions 10,000

7114–0000 Item 7114–0000 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one is hereby amended by striking out the words "four hundred and ninety-one" and inserting in place thereof the words: — five hundred and nine 95,000

7115–0000 Item 7115–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "twenty-three" and inserting in place thereof the word: — twenty-four 9,000

7115–9001 For the moving of library books and equipment to the new facility and the renovation of the vacated areas for classrooms and offices 15,000

7116–0000 Item 7116–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "twenty-four" and inserting in place thereof the word: — twenty-six 24,740

7117–9103 For certain repairs and expansion of the electrical system 26,000

7118–9101 For certain repairs to the dock 20,000

Lowell Technological Institute of Massachusetts.

7210–0000 Item 7210–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "eighteen" and inserting in place thereof the word: — twenty-six $72,000

Southeastern Massachusetts University.

7310–9101 For certain repairs and renovations to the New Bedford institute of technology $39,000

University of Massachusetts.

Item

7410-0000 Item 7410-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "forty" and inserting in place thereof the word: — forty-one; — and by adding at the end thereof the following: — provided, that a certain charge for prior years in the amount of ninety-one thousand, six hundred and fifty dollars may be paid from this item $8,500

7411-1004 Item 7411-1004 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — , including certain prior year expenses.

7411-1005 Item 7411-1005 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "eight" and inserting in place thereof the word: — eighteen 160,000

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 Item 7501-1001 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "twenty-four" and inserting in place thereof the word: — twenty-six $15,388

7502-0000 Item 7502-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by adding the following: — ; provided, that a certain charge for the prior year in the amount of seven thousand six hundred and fifteen dollars may be paid from this item. 13,000

7503-9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) 12,200

7504-9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . 3,100

7509-0000 Mount Wachusett community college, including not more than one hundred and seven permanent positions . . . 3,500

7510-0000 Item 7510-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "ninety-one" and inserting in place thereof the word: — ninety-two 7,300

7510-9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) 19,160

7511-0000 North Shore community college, including not more than one hundred and sixty-six permanent positions 13,000

7511-0001 For certain renovations and the rental of space in the city of Lynn 727,000

7511-9101 For certain renovation and expansion of sanitary facilities 13,000

7511-9704 For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361) . 2,600

7512-0000 Item 7512-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "sixty-nine" and inserting in place thereof the word: — seventy-six 42,000

7514-0000 Item 7514-0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "sixty-five" and inserting in place thereof the word: — sixty-eight 153,783

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. $40,000

Unassigned Accounts.

Miscellaneous.

Item		
9990–0001	For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves	$2,700
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	1,198
9992–0010	For a reserve to meet the cost of certain salary adjustments, including cost-of-living increases; provided, that 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-two, which are available in whole or in part for personal services, such amounts as are necessary to meet the cost of such adjustments, to be in addition to amounts otherwise appropriated for such services for said fiscal year; and, provided further, that the governor, upon recommendation of the commissioner of administration, is authorized to allocate the amount of said transfers to the several state or other funds to which such items of appropriation are charged	17,000,000
9992–0011	For a reserve to meet the increased cost of fuel and power; provided, that 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-two where the amounts otherwise available are insufficient for the purpose; and, provided further, that the governor, upon recommendation of the commissioner of administration, is authorized to allocate the amounts of said transfer to the several state or other funds to which such items of appropriation are charged	2,000,000
9992–0012	For a reserve to meet the increased cost of state employees' mileage allowance and the increased cost of postage; provided, that 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-two where the amounts otherwise available are insufficient for the purpose; and, provided further, that the governor, upon recommendation of the commissioner of administration, is authorized to allocate the amounts of said transfer to the several state or other funds to which such items of appropriation are charged	1,000,000

For deficiencies in certain appropriations for previous years, based upon schedules approved by the joint committee on ways and means:

9990–0017	Highway Fund	$7,825

SECTION 3. Section two A of chapter four hundred and fifty-two of the acts of nineteen hundred and sixty-nine is hereby amended by striking out, in line four, the words "a covered year-round swimming pool" and inserting in place thereof the word: — another.

SECTION 4. Section nine of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out, in line eight, the words "three hundred and fifty" and inserting in place thereof the words: — four hundred.

SECTION 5. Section sixteen C of chapter seven hundred and nineteen of the acts of the current year is hereby amended by inserting after the word "seventy-one", in line four, the words: — and section twenty-six of chapter sixty-nine.

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

Approved November 4, 1971.

Chap. 1004. AN ACT RELATIVE TO COMPENSATION FOR OVERTIME SERVICE BY CERTAIN EMPLOYEES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 8 of the General Laws, as most recently amended by section 2 of chapter 249 of the acts of 1938, is hereby further amended by adding the following paragraph: —

The commissioner of administration in the event of any public emergency, or of any unusual demand for the services of capitol police officers, or whenever he deems it otherwise in the public interest, may require said officers to work additional hours of duty and prevent such officers from taking time off when entitled thereto, or at the time assigned therefor; provided, however, that such members shall be compensated for any additional work in accordance with the provisions of section thirty C of chapter one hundred and forty-nine.

SECTION 2. Section 6E of chapter 21 of the General Laws, inserted by section 29 of chapter 524 of the acts of 1964, is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences: — Such rules and regulations shall provide, in the case of boat based personnel, that such officers may be required to be on duty up to ninety-six consecutive hours, and off duty a similar number of hours, for each tour of duty. Land based personnel, however, shall be compensated for any additional work in accordance with the provisions of section thirty C of chapter one hundred and forty-nine.

SECTION 3. Section 9D of chapter 22 of the General Laws, as most recently amended by section 1 of chapter 836 of the acts of 1970, is hereby further amended by striking out the first and second paragraphs and inserting in place thereof the following paragraph: —

The commissioner may, in the event of any public emergency, or of any unusual demand for the services of members of the uniformed branch of the state police appointed under section nine A and serving in any division of the department, or whenever he deems it necessary in the public interest, require such members to work additional hours of duty and prevent such members from taking time off when entitled thereto, or at the time assigned therefor; provided, however, that such members shall be compensated for any additional work in accordance with the provisions of section thirty C of chapter one hundred and forty-nine.

SECTION 4. Said chapter 22 is hereby further amended by striking out section 9I, as amended by chapter 548 of the acts of 1956, and inserting in place thereof the following section: —

Section 9I. The commissioner may, in the event of any public emergency, or of an unusual demand for the services of state police detectives appointed under section six and serving in any division of the department, or whenever he deems it necessary in the public interest, require such state police detective to work additional hours of duty and prevent such members from taking time off when entitled thereto, or at the time assigned therefor; provided, however, that such members shall be compensated for any additional work in accordance with the provisions of section thirty C of chapter one hundred and forty-nine.

SECTION 5. Chapter 92 of the General Laws is hereby amended by striking out section 62, as most recently amended by section 1 of chapter

730 of the acts of 1950, and inserting in place thereof the following section: —

Section 62. The commissioner may in the event of any public emergency, or of any unusual demand for the services of members of said police force, or whenever he deems it necessary in the public interest, require such members to work additional hours of duty and prevent such members from taking time off when entitled thereto, or assigned therefor; provided, however, that such members shall be compensated for any additional work in accordance with the provisions of section thirty C of chapter one hundred and forty-nine.

SECTION 6. Section sixty-two B of said chapter ninety-two is hereby repealed.

SECTION 7. Chapter 149 of the General Laws is hereby amended by inserting after section 30B the following section: —

Section 30C. The service of all members of the uniform branch of the state police, state police detectives, members of the metropolitan district police force, capitol police and land based natural resource officers shall consist of an average of forty hours per week over a period of one or more work weeks not in excess of eight, as determined by the commissioner of the department in which they are respectively serving, or the commissioner of administration in the case of the capitol police, and shall be restricted to not more than five normal work days, as so determined, in any consecutive seven-day period; provided, however, that all service in excess of the normal work day, as so determined, or in excess of forty hours per week, as so averaged, rendered by any such officer at the request of the commissioner of the department in which he is serving, or the commissioner of administration in the case of the capitol police, shall be compensated for at the rate of one and one half times the regular hourly rate of such officer for every hour or fraction thereof of such services rendered.

The director of personnel and standardization is empowered to make rules and regulations, subject to the approval of the commissioner of administration, to carry out the provisions of this section.

Approved November 4, 1971.

Chap. 1005. AN ACT PROVIDING FOR THE ESTABLISHMENT AND IMPLEMENTATION OF PROGRAMS IN TRANSITIONAL BILINGUAL EDUCATION IN THE PUBLIC SCHOOLS OF THE COMMONWEALTH, WITH REIMBURSEMENT BY THE COMMONWEALTH TO CITIES, TOWNS AND SCHOOL DISTRICTS TO FINANCE THE ADDITIONAL COSTS OF SUCH PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. *Declaration of Policy.* — The General Court finds that there are large numbers of children in the commonwealth who come from environments where the primary language is other than English. Experience has shown that public school classes in which instruction is given only in English are often inadequate for the education of children whose native tongue is another language. The General Court believes that a compensatory program of transitional bilingual education can meet the needs of these children and facilitate their integration into the

regular public school curriculum. Therefore, pursuant to the policy of the commonwealth to insure equal educational opportunity to every child, and in recognition of the educational needs of children of limited English-speaking ability, it is the purpose of this act to provide for the establishment of transitional bilingual education programs in the public schools, and to provide supplemental financial assistance to help local school districts to meet the extra costs of such programs.

SECTION 2. The General Laws are hereby amended by inserting after chapter 71 the following chapter: —

CHAPTER 71A.

TRANSITIONAL BILINGUAL EDUCATION.

Section 1. The following words, as used in this chapter shall, unless the context requires otherwise, have the following meanings: —

"Department", the department of education.

"School committee", the school committee of a city, town or regional school district.

"Children of limited English-speaking ability", (1) children who were not born in the United States whose native tongue is a language other than English and who are incapable of performing ordinary classwork in English; and (2) children who were born in the United States of non-English speaking parents and who are incapable of performing ordinary classwork in English.

"Teacher of transitional bilingual education", a teacher with a speaking and reading ability in a language other than English in which bilingual education is offered and with communicative skills in English.

"Program in transitional bilingual education", a full-time program of instruction (1) in all those courses or subjects which a child is required by law to receive and which are required by the child's school committee which shall be given in the native language of the children of limited English-speaking ability who are enrolled in the program and also in English, (2) in the reading and writing of the native language of the children of limited English-speaking ability who are enrolled in the program and in the oral comprehension, speaking, reading and writing of English, and (3) in the history and culture of the country, territory or geographic area which is the native land of the parents of children of limited English-speaking ability who are enrolled in the program and in the history and culture of the United States.

Section 2. Each school committee shall ascertain, not later than the first day of March, under regulations prescribed by the department, the number of children of limited English-speaking ability within their school system, and shall classify them according to the language of which they possess a primary speaking ability.

When, at the beginning of any school year, there are within a city, town or school district, not including children who are enrolled in existing private school systems, twenty or more children of limited English-speaking ability in any such language classification, the school committee shall establish, for each classification, a program in transitional bilingual education for the children therein; provided, however, that a school committee may establish a program in transitional bilingual education with respect to any classification with less than twenty children therein.

Every school-age child of limited English-speaking ability not enrolled in existing private school systems shall be enrolled and participate in the program in transitional bilingual education established for the classification to which he belongs by the city, town or school district in which he resides for a period of three years or until such time as he achieves a level of English language skills which will enable him to perform successfully in classes in which instruction is given only in English, whichever shall first occur.

A child of limited English-speaking ability enrolled in a program in transitional bilingual education may, in the discretion of the school committee and subject to the approval of the child's parent or legal guardian, continue in that program for a period longer than three years.

An examination in the oral comprehension, speaking, reading and writing of English, as prescribed by the department, shall be administered annually to all children of limited English-speaking ability enrolled and participating in a program in transitional bilingual education. No school committee shall transfer a child of limited English-speaking ability out of a program in transitional bilingual education prior to his third year of enrollment therein unless the parents of the child approve the transfer in writing, and unless the child has received a score on said examination which, in the determination of the department, reflects a level of English language skills appropriate to his or her grade level.

If later evidence suggests that a child so transferred is still handicapped by an inadequate command of English, he may be reenrolled in the program for a length of time equal to that which remained at the time he was transferred.

Section 3. No later than ten days after the enrollment of any child in a program in transitional bilingual education the school committee of the city, town or the school district in which the child resides shall notify by mail the parents or legal guardian of the child of the fact that their child has been enrolled in a program in transitional bilingual education. The notice shall contain a simple, nontechnical description of the purposes, method and content of the program in which the child is enrolled and shall inform the parents that they have the right to visit transitional bilingual education classes in which their child is enrolled and to come to the school for a conference to explain the nature of transitional bilingual education. Said notice shall further inform the parents that they have the absolute right, if they so wish, to withdraw their child from a program in transitional bilingual education in the manner as hereinafter provided.

The notice shall be in writing in English and in the language of which the child of the parents so notified possesses a primary speaking ability.

Any parent whose child has been enrolled in a program in transitional bilingual education shall have the absolute right, either at the time of the original notification of enrollment or at the close of any semester thereafter, to withdraw his child from said program by written notice to the school authorities of the school in which his child is enrolled or to the school committee of the city, town or the school district in which his child resides.

Section 4. A school committee may allow a nonresident child of limited English-speaking ability to enroll in or attend its program in transitional bilingual education and the tuition for such a child shall be paid by the city, town or the district in which he resides.

Any city, town or school district may join with any other city, town, school district or districts to provide the programs in transitional bilingual education required or permitted by this chapter.

The commonwealth, under section eighteen A of chapter fifty-eight, shall reimburse any city, town or district for one half of the cost of providing transportation for children attending a program in transitional bilingual education outside the city, town or district in which they reside.

Section 5. Instruction in courses of subjects included in a program of transitional bilingual education which are not mandatory may be given in a language other than English. In those courses or subjects in which verbalization is not essential to an understanding of the subject matter, including but not necessarily limited to art, music and physical education, children of limited English-speaking ability shall participate fully with their English-speaking contemporaries in the regular public school classes provided for said subjects. Each school committee of every city, town or school district shall ensure to children enrolled in a program in transitional bilingual education practical and meaningful opportunity to participate fully in the extra-curricular activities of the regular public schools in the city, town or district. Programs in transitional bilingual education shall, whenever feasible, be located in the regular public schools of the city, town or the district rather than separate facilities.

Children enrolled in a program of transitional bilingual education whenever possible shall be placed in classes with children of approximately the same age and level of educational attainment. If children of different age groups or educational levels are combined, the school committee so combining shall ensure that the instruction given each child is appropriate to his or her level of educational attainment and the city, town or the school districts shall keep adequate records of the educational level and progress of each child enrolled in a program. The maximum student-teacher ratio shall be set by the department and shall reflect the special educational needs of children enrolled in programs in transitional bilingual education.

Section 6. The board of education, hereinafter called the board, shall grant certificates to teachers of transitional bilingual education who possess such qualifications as are prescribed in this section. The requirements of section thirty-eight G of chapter seventy-one shall not apply to the certification of teachers of transitional bilingual education. Teachers of transitional bilingual education, including those serving under exemptions as provided in this section, shall be compensated by local school committees not less than a step on the regular salary schedule applicable to permanent teachers certified under said section thirty-eight G.

The board shall grant certificates to teachers of transitional bilingual education who present the board with satisfactory evidence that they (1) possess a speaking and reading ability in a language, other than English, in which bilingual education is offered and communicative skills in English; (2) are in good health, provided that no applicant shall be disqualified because of blindness or defective hearing; (3) are of sound moral character; (4) possess a bachelor's degree or an earned higher academic degree or are graduates of a normal school approved

by the board; (5) meet such requirements as to courses of study, semester hours therein, experience and training as may be required by the board; and (6) are legally present in the United States and possess legal authorization for employment.

For the purpose of certifying teachers of transitional bilingual education the board may approve programs at colleges or universities devoted to the preparation of such teachers. The institution shall furnish the board with a student's transcript and shall certify to the board that the student has completed the approved program and is recommended for a teaching certificate.

No person shall be eligible for employment by a school committee as a teacher of transitional bilingual education unless he has been granted a certificate by the board; provided, however, that a school committee may prescribe such additional qualifications, approved by the board. Any school committee may upon its request be exempted from the certification requirements of this section for any school year in which compliance therewith would in the opinion of the department constitute a hardship in the securing of teachers of transitional bilingual education in the city, town or regional school district. Exemptions granted under this section shall be subject to annual renewal by the department.

A teacher of transitional bilingual education serving under an exemption as provided in this section shall be granted a certificate if he achieves the requisite qualifications therefor. Two years of service by a teacher of transitional bilingual education under such an exemption shall be credited to the teacher in acquiring the status of serving at the discretion of the school committee as provided in section forty-one of chapter seventy-one, and said two years shall be deemed to immediately precede, and be consecutive with, the year in which a teacher becomes certified. In requesting an exemption under this section a school committee shall give preference to persons who have been certified as teachers in their country or place of national origin.

All holders of certificates and legal exemptions under the provisions of section thirty-eight G of chapter seventy-one who provide the board with satisfactory evidence that they possess a speaking and reading ability in a language other than English may be certified under this section as a teacher of transitional bilingual education.

Nothing in this chapter shall be deemed to prohibit a school committee from employing to teach in a program in transitional bilingual education a teacher certified under section thirty-eight G of chapter seventy-one, so long as such employment is approved by the department.

Section 7. A school committee may establish on a full or part-time basis preschool or summer school programs in transitional bilingual education for children of limited English-speaking ability or join with the other cities, towns or school districts in establishing such preschool or summer programs. Preschool or summer programs in transitional bilingual education shall not substitute for programs in transitional bilingual education required to be provided during the regular school year.

Section 8. The costs of the programs in transitional bilingual education required or permitted under this chapter, actually rendered or furnished, shall, for the amount by which such costs exceed the average per pupil expenditure of the city, town or the school district for the

education of children of comparable age, be reimbursed by the commonwealth to the city, town or regional school districts as provided in section eighteen A of chapter fifty-eight.

Reimbursement shall be made upon certification by the department that programs in transitional bilingual education have been carried out in accordance with the requirements of this chapter, the department's own regulations, and approved plans submitted earlier by city, town or the school districts, and shall not exceed one and one half million dollars for the first year, two and one half million dollars per year for the second and third years and four million dollars per year for the fourth and subsequent years of programs in transitional bilingual education. In the event that amounts certified by the department for reimbursement under this section exceed the available state funds therefor, reimbursement of approved programs shall be made based on the ratio of the maximum available state funds to the total funds expended by all of the school committees in the commonwealth.

Nothing herein shall be interpreted to authorize cities, towns or school districts to reduce expenditures from local and federal sources, including monies allocated under the federal Elementary and Secondary Education Act, for transitional bilingual education programs.

The costs of programs in transitional bilingual education, other than those actually reimbursed under this chapter, shall be "reimbursable expenditures" within the meaning of chapter seventy and shall be reimbursed under said chapter.

Section 9. In addition to the powers and duties prescribed in previous sections of this chapter, the department shall exercise its authority and promulgate rules and regulations to achieve the full implementation of all provisions of this chapter. A copy of the rules and regulations issued by the department shall be sent to all cities, towns and school districts participating in transitional bilingual education.

SECTION 3. Subsection (*b*) of section 18A of chapter 58 of the General Laws is hereby amended by striking out paragraph (3), as appearing in section 7 of chapter 546 of the acts of 1969, and inserting in place thereof the following paragraph: —

(3) On or before November the twentieth, the reimbursements for the special education programs required to be paid by the commonwealth under chapters sixty-nine, seventy-one and seventy-one A;.

SECTION 4. Chapter 69 of the General Laws is hereby amended by inserting after section 34 under the caption BUREAU OF TRANSITIONAL EDUCATION the following section: —

Section 35. There shall be established within the department, subject to appropriation, a bureau of transitional bilingual education which shall be headed by a project director. The project director shall be appointed by the board of education upon the recommendation of the commissioner, and said project director shall have the minimum qualifications of a bachelor degree in either business administration, liberal arts, or science, and shall have at least two years of documented administrative or teaching experience. The project director shall file a quarterly report with the board of education, the clerk of the house of representatives and the clerk of the senate.

The bureau for transitional bilingual education shall be charged with the following duties: (1) to assist the department in the administration and enforcement of the provisions of chapter seventy-one A and in the

formulation of the regulations provided for in said chapter; (2) to study, review and evaluate all available resources and programs that, in whole or in part, are or could be directed toward meeting the language capability needs of children and adults of limited English-speaking ability resident in the commonwealth; (3) to compile information about the theory and practice of transitional bilingual education in the commonwealth and elsewhere, to encourage experimentation and innovation in the field of transitional bilingual education and to make an annual report to the general court and the governor; (4) to provide for the maximum practicable involvement of parents of children of limited English-speaking ability in the planning, development and evaluation of transitional bilingual education programs in the districts serving their children and to provide for the maximum practicable involvement of parents of children of limited English-speaking ability, teachers and teachers' aides of transitional bilingual education, community coordinators, representatives of community groups, educators and laymen knowledgeable in the field of transitional bilingual education in the formulation of policy and procedures relating to the administration of chapter seventy-one A by the commonwealth; (5) to consult with other public departments and agencies, including but not limited to the department of community affairs, the department of public welfare, the division of employment security and the Massachusetts commission against discrimination, in connection with the administration of said chapter; (6) to make recommendations to the department in the areas of preservice and in-service training for teachers of transitional bilingual education programs, curriculum development, testing and testing mechanisms and the development of materials for transitional bilingual education courses; and (7) to undertake any further activities which may assist the department in the full implementation of said chapter.

SECTION 5. Chapter eight hundred and fifty-two of the acts of nineteen hundred and seventy is hereby repealed.

Approved November 4, 1971.

Chap. 1006. AN ACT PROVIDING FOR REIMBURSEMENT TO THE TOWN OF PALMER FOR EXPENSES INCURRED ON ACCOUNT OF THE WATER EMERGENCY DURING NINETEEN HUNDRED AND SEVENTY IN THE BONDSVILLE SECTION OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The commonwealth shall, subject to the approval of the board established by section two of chapter six hundred and eighty-four of the acts of nineteen hundred and sixty-eight, reimburse the town of Palmer a sum not exceeding six thousand and forty-three dollars and forty-eight cents on account of expenses incurred during the period beginning August the eighteenth, nineteen hundred and seventy and ending on October the thirtieth, nineteen hundred and seventy, a state of emergency having been declared by the governor on said August the eighteenth, nineteen hundred and seventy, when a breakdown of the private water supply system resulted in the residents in the Bondsville section of the town of Palmer being without a water supply.

SECTION 2. Any unexpended funds made available by sections six and seven of said chapter six hundred and eighty-four of the acts of nineteen hundred and sixty-eight may be used to meet the expenditures necessary to carry out the provisions of this act.

Approved November 5, 1971.

Chap. 1007. AN ACT REDUCING THE LENGTH OF TIME WITHIN WHICH A LICENSE TO OPERATE MOTOR VEHICLES SHALL BE REVOKED UPON AN ORIGINAL CONVICTION 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 most recently amended by chapter 163 of the acts of 1969, 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 one year 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 November 5, 1971.

Chap. 1008. AN ACT ESTABLISHING A LEGISLATIVE POST AUDIT AND OVERSIGHT BUREAU.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a legislative post audit and oversight bureau which shall serve under the direction of the joint committee on post audit and oversight in order to expedite an evaluation of the effectiveness of programs already undertaken by the various agen-

cies of the state government in the current fiscal 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. Chapter 3 of the General Laws is hereby amended by adding under the caption LEGISLATIVE POST AUDIT AND OVERSIGHT BUREAU the following two sections: —

Section 63. The following words and phrases as used in this section aad in section sixty-four shall have the following meanings unless a different meaning is required by the context: —

"Agency", a separate agency or unit of state government created or established by law, including but not limited to the following and the officers thereof: authority, board, branch, bureau, commission, constitutional office, county government, department, division, institution, office, officers or public corporation, as the case may be, except any such agency or unit within the legislative branch of the state government.

"Audit", an examination of activities or transactions completed in a prior fiscal year.

"Bureau", the legislative post audit and oversight bureau.

"Committee", the joint committee on post audit and oversight of the general court.

"Performance Auditing", an auditing program conducted for the particular purpose of making an appraisal or evaluation of the efficiency of operations, the effectiveness of programs and the faithfulness of administrative compliance with the intent of legislation and administrative regulations affecting a specified agency of the commonwealth.

The committee shall oversee the development and implementation of a legislative auditing program to be conducted by the bureau with special emphasis on performance auditing. The committee shall receive the reports of the department of the state auditor and the legislative auditor and shall determine what remedial measures, if any, are necessary. If the committee shall deem special studies or investigations to be necessary, it may direct the legislative auditor to undertake such studies or investigations. The committee shall report to the general court, from time to time, with recommendations for legislative action based on its review of the reports of the department of the state auditor or on the findings and recommendations of the legislative auditor. The committee may report to any joint standing committee of the general court findings and recommendations affecting matters before such committee.

The committee shall meet monthly at the call of the senate chairman or house chairman and at such other times as shall be deemed necessary by said chairmen. Said committee may sit during the recess of the general court. Members of the committee shall be reimbursed for all necessary expenses and, while the general court is not in session, shall be reimbursed for travel and expenses to and from their homes to the state house at the same rate as that paid to members of the general court while it is in session.

Section 64. There is hereby established in the legislative branch of the state government a legislative post audit and oversight bureau which shall serve under and at the direction of the joint committee on post audit and oversight of the general court.

The committee shall appoint a person qualified by education, training and experience who shall be the director of the bureau and who shall be known as the legislative auditor. The committee shall also appoint such assistants to the director as are necessary to efficiently discharge the duties of the bureau. The compensation of the legislative auditor and his assistants shall be subject to the approval of the committees on rules of the two branches, acting concurrently, of the general court. The legislative auditor and his assistants shall not be subject to chapter thirty-one.

The bureau shall be provided with quarters in the state house or elsewhere at a location convenient to the general court. The legislative auditor and his assistants shall, at the direction of the committee, have access to and authority to examine, during regular business hours, any and all records, including but not limited to books, reports, accounts, vouchers, bank accounts and money or other property of any agency of the state and it shall be the duty of any officer or employee of any such agency having such records or property in his possession or under his control, to permit access to and examination thereof upon the request of the legislative auditor or his authorized representative.

SECTION 2. The fourth sentence of section 9 of said chapter 3, as appearing in section 4 of chapter 19 of the acts of 1969, is hereby amended by inserting after the word "means", in line 2, the words: —, the senate chairman and the house chairman of the joint committee on post audit and oversight. *Approved November 8, 1971.*

Chap. 1009. AN ACT PROVIDING FOR STUDENT REPRESENTATION ON THE BOARD OF EDUCATION, ESTABLISHING A STUDENT ADVISORY COUNCIL TO SAID BOARD, AND CREATING STUDENT REGIONAL COUNCILS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 15 of the General Laws is hereby amended by striking out section 1E, as amended by chapter 251 of the acts of 1966, and inserting in place thereof the following section: —

Section 1E. There shall be in the department a board of education, in this section and in sections one F and one G called the board, consisting of the chairman of the student advisory council established under this section, the chancellor of the board of higher education and the director of research of the advisory council on education, ex officiis, and eleven other members, residents of the commonwealth, to be appointed by the governor, one of whom shall be a member of a labor organization affiliated with the State Labor Council AFL–CIO and at least two of whom shall be women. Said chancellor and said director of research shall have no vote. No appointive member of said board shall be employed by or derive regular compensation from any educational institution, or school system, public or private, in the commonwealth, be employed by or derive regular compensation from the commonwealth, or serve as a member of a governing board of any public institution for higher education in the commonwealth or as a member of any school committee. Upon the expiration of the term of office of an appointive member of said board, his successor shall be appointed for a term of five years. No person shall be appointed to serve more than two full

terms. Prior service on said board for a term of less than three years, resulting from an initial appointment or an appointment for the remainder of an unexpired term, shall not be counted as a full term. If a member is absent from any four regularly scheduled monthly meetings, exclusive of July and August, in any calendar year, his office as a member of said board shall be deemed vacant. The chairman of the board shall forthwith notify the governor that such vacancy exists.

The members of the board shall be reimbursed for their necessary expenses incurred in the performance of their duties.

The board by majority vote of its members shall elect its own chairman from among its members.

The board shall meet regularly each month except that the chairman, with board approval, may omit meetings in July and August, and the chairman may call additional meetings at other times.

There is hereby established a student advisory council to the board of education, consisting of three elected representatives from each student regional council established under the provisions of this section. The members of said student advisory council shall by majority vote prior to the first day of May in each year elect from their number a chairman who shall serve for a term of one year.

Said student advisory council shall meet from time to time and shall consider such matters as it deems appropriate for its chairman to place before the board.

There are hereby established not less than five nor more than fifteen student regional councils, whose membership shall be limited to elected student representatives from the secondary schools of the commonwealth who have been residents of the commonwealth for at least six months prior to their election. Said student regional councils shall consist of not less than twenty nor more than forty-five student representatives.

No person shall be eligible to be elected to a student regional council unless at the time of his election he is enrolled as a student in a secondary school within the commonwealth and has resided in the commonwealth for at least six months prior to the election. If at any time during his term of office a member of a student regional council ceases to be so enrolled, his membership shall be terminated and his position shall be deemed vacant. A vacancy on the student advisory council 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. A vacancy on a student regional council shall be filled by a majority vote of the entire membership of said regional council. The terms of the elected members of the student advisory council and of the student regional council shall be not more than two years, but no member shall be prevented from running for election for two successive terms. Members of student regional councils shall serve without compensation except that they shall be reimbursed for necessary expenses incurred in travelling to and from meetings.

Each student regional council shall meet from time to time with the student advisory council to advise said council regarding business that it deems appropriate to be considered by said advisory council.

SECTION 2. There is hereby established an elections committee consisting of not less than fifteen nor more than thirty members, to be appointed by the commissioner of education, of whom not less than three fourths shall be students who are enrolled at a secondary school within

the commonwealth. Said committee shall determine the number of student regional councils and the number of student representatives from each such council as provided in section one E of chapter fifteen of the General Laws, as amended by section one of this act, and shall forthwith promulgate procedures for the election to said student regional councils of student representatives from the secondary schools of the commonwealth and for the election of representatives from said student regional councils to the student advisory council established under the provisions of said section one E, as so amended. Said election procedures need not be uniform for all schools and may be amended by said student advisory council from time to time.

Upon the fulfillment of its responsibilities under the provisions of this section, said elections committee thereupon shall be abolished.

Approved November 8, 1971.

Chap. 1010. AN ACT INCREASING THE AMOUNT OF STATE SCHOOL CONSTRUCTION GRANTS FOR PROJECTS OF CITIES, TOWNS, COUNTIES AND REGIONAL SCHOOL DISTRICTS AND INCLUDING INTEREST CHARGES IN THE COMPUTATION OF THE FINAL APPROVED COST OF SUCH PROJECTS.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 645 of the acts of 1948, as most recently amended by chapter 703 of the acts of 1957, is hereby further amended by inserting after the first sentence the following sentence: — Such cost shall include interest paid or payable by such city, town, regional school district or county on any bonds or notes issued to finance such project.

SECTION 2. Section 9 of said chapter 645 is hereby amended by striking out clause (*a*), as most recently amended by chapter 707 of the acts of 1968, and inserting in place thereof the following clause: —

(*a*) The total construction grant for any approved school project in any city or town shall be fifty per cent of the final approved cost of such project; provided that the total construction grant for any project in cities and towns designated depressed areas or which have substantial or persistent unemployment shall be sixty-five per cent of the final approved cost of such project. For the purpose of this section 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" 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 city or town for maximum state aid for new school construction for any buildings initiated thereafter shall be the October or 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 cities or towns request for such assistance.

SECTION 3. Clause (*b*) of said section 9 of said chapter 645, as appearing in chapter 793 of the acts of 1970, is hereby amended by striking out, in line 8, the word "forty" and inserting in place thereof the word: — fifty, — and by striking out, in line 21, the words "October-

November" and inserting in place thereof the words: — October or November.

SECTION 4. Said section 9 of said chapter 645 is hereby further amended by striking out clause (*c*), as appearing in section 3 of chapter 467 of the acts of 1963, and inserting in place thereof the following clause: —

(*c*) The total construction grant for any approved school project in any county shall be fifty per cent of the final approved cost of such project.

SECTION 5. Said section 9 of said chapter 645 is hereby further amended by striking out clause (*d*), as appearing in section 5 of chapter 703 of the acts of 1957, and inserting in place thereof the following clause: —

(*d*) The commission shall use the net average membership for the last school year and the last equalized valuation for the cities, towns and commonwealth, both next prior to the date of the award of the contract for such approved school project.

SECTION 6. This act shall apply only to projects approved by the board of education on or after January the first, nineteen hundred and seventy-one. *Approved November 9, 1971.*

Chap. 1011. AN ACT REMOVING CERTAIN LIMITATIONS ON COST-OF-LIVING INCREASES IN PENSIONS, RETIREMENT ALLOWANCES AND ANNUITIES PAYABLE TO CERTAIN RETIRED EMPLOYEES OF THE COMMONWEALTH AND ITS POLITICAL SUBDIVISIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for removing certain limitations on cost-of-living increases in pensions, retirement allowances and annuities payable to certain retired employees of the commonwealth and its political subdivisions, 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 102 of chapter 32 of the General Laws, as amended by section 2 of chapter 408 of the acts of 1967, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

In any case where such former employee, widow or other beneficiary is receiving a pension, retirement allowance, or annuity which is in excess of six thousand dollars, exclusive of additional annuity obtained by special purchase under paragraph (*g*) of subdivision (1) of section twenty-two of chapter thirty-two of the General Laws, or any similar law, the per centum of increase or decrease determined by the actuary as provided in this section shall be applied only to that portion of said pension, retirement allowance or annuity which is not in excess of six thousand dollars.

SECTION 2. Section thirteen E of chapter two hundred and sixty-five of the General Laws is hereby repealed. *Approved November 9, 1971.*

Chap. 1012. AN ACT PROVIDING FOR THE ESTABLISHMENT OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY POLICE RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. The paragraph defining "Employee" in section 1 of chapter 32 of the General Laws, as most recently amended by section 1 of chapter 597 of the acts of 1967, is hereby further amended by adding the following sentence: — "Employee", as applied to persons whose regular compensation is paid by the Massachusetts Bay Transportation Authority, shall mean any police officer of the police department of said Authority, established by chapter six hundred and sixty-four of the acts of nineteen hundred and sixty-eight.

SECTION 2. Said section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "Member", as amended by section 3 of said chapter 597, and inserting in place thereof the following paragraph: —

"Member", any employee included in the state employees' retirement system, in the teachers' retirement system or in any county, city, town, the Massachusetts Turnpike Authority contributory retirement system and the Massachusetts Bay Transportation Authority police retirement system established under the provisions of section one to twenty-eight, inclusive, or under corresponding provisions of earlier laws, and if the context so requires, any member of any contributory retirement system established under the provisions of any special law.

SECTION 3. Said section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "Political subdivision", as most recently amended by section 8 of chapter 751 of the acts of 1969, and inserting in place thereof the following paragraph: —

"Political subdivision", the metropolitan district commission or any county, hospital district, city, town, district or housing authority, established under the provisions of section five of chapter one hundred and twenty-one B, the Massachusetts Turnpike Authority, the Massachusetts Parking Authority, the Massachusetts Bay Transportation Authority or any other public unit in the commonwealth.

SECTION 4. Said section 1 of said chapter 32 is hereby further amended by striking out the paragraph defining "System", as amended by section 5 of chapter 597 of the acts of 1967, and inserting in place thereof the following paragraph: —

"System", the state employees' retirement system, the teachers' retirement system, the Massachusetts Turnpike Authority employees retirement system, the Massachusetts Bay Transportation Authority police retirement system, or any county, city, or town contributory retirement system, as the case may be, established under the provisions of sections one to twenty-eight, inclusive, or under corresponding provisions of earlier laws and subject thereto, in which any member is included, and if the context so requires, any contributory retirement system established for the employees of any governmental unit under the provisions of any special law.

SECTION 5. The fourth sentence of section 2 of said chapter 32, as appearing in section 6 of said chapter 597, is hereby amended by inserting after the word "system", in line 13, the words: —, an employee of the police department of the Massachusetts Bay Transporta-

tion Authority shall be included in the Massachusetts Bay Transportation Authority police retirement system.

SECTION 6. Section 20 of said chapter 32 is hereby amended by inserting after subdivision (4½), inserted by section 14 of said chapter 597, the following subdivision: —

(4¾) (*a*) The contributory retirement system established for the Massachusetts Bay Transportation Authority police under the provisions of sections one to twenty-eight, inclusive, shall be known as, and all of its business shall be transacted under the name of, the Massachusetts Bay Transportation Authority police retirement system.

(*b*) Said system shall be managed by a retirement board which shall have the general powers and duties set forth in subdivision (5). Said board shall consist of three members as follows: — The treasurer of the Authority who shall be a member ex officio, a second member who shall be elected by the members in service of such system from among their members, for a term not exceeding three years, as the chairman of the Authority shall determine, and a third member who shall be appointed for a term of three years by the Authority. Future elections of the second member shall be held under the supervision of such retirement board and the term of the second member shall be so arranged as not to expire in the year of expiration of the term of the third member. Each member of such retirement board shall continue to hold office until the expiration of his term and until the qualification of his successor. Upon the expiration of the term of office of an elected or appointed member or in case of a vacancy in either of said officers, his successor shall be elected or appointed as aforesaid for a three year term or for the unexpired part in thereof, as the case may be, except that in no event shall the term of the second member expire in the same year as the term of the third member.

(*c*) The members of the board shall serve without compensation, but they shall be reimbursed from the expense fund of the system for any expense or loss of salary or wages which they may incur through service on such board. Nothing in this paragraph shall prevent the treasurer or any other person who serves in the active administration of the system from receiving compensation; provided, that the compensation for such services shall be not less than two hundred nor more than fifteen hundred dollars per annum, and shall be payable from the expense fund of the system.

(*d*) The board by majority vote shall elect one of its members to serve as chairman until the election of his successor and shall appoint a secretary who may be, but need not be, one of its members. The board shall employ such clerical and other assistants as may be required to transact the business of the system.

(*e*) The resident counsel of the authority shall be the legal advisor of the board.

(*f*) The treasurer may be compensated for services rendered as custodian of the funds of the retirement system provided that the compensation for such services shall be not more than fifteen hundred dollars per annum and shall be payable from the expense fund of the system.

SECTION 7. Paragraph (*i*) of subdivision (5) of said section 20 of said chapter 32 is hereby amended by inserting after the sixth sentence, added by section 15 of said chapter 597, the following sentence: — The retirement board of the Massachusetts Bay Transportation Authority

police retirement system shall file a copy of its report with the authority for publication in the authority's annual report to the governor and to the general court.

SECTION 8. The last sentence of paragraph (*c*) of subdivision (1) of section 21 of said chapter 32, as amended by section 16 of said chapter 597, is hereby further amended by inserting after the word "Authority", in line 5, the words: — or the Massachusetts Bay Transportation Authority.

SECTION 9. Subdivision (2) of said section 21 of said chapter 32, as amended by section 17 of said chapter 597, is hereby further amended by adding the following sentence: — The Massachusetts Bay Transportation Authority shall reimburse the commonwealth for such proportion of such expenses attributable to its police retirement system as shall be determined just and proper by the commissioner of insurance, which sum shall be paid to the state treasurer upon notice from the commissioner.

SECTION 10. Subdivision (7) of section 22 of said chapter 32 is hereby amended by adding the following paragraph: —

(*f*) *Massachusetts Bay Transportation Authority Police Retirement System.* The retirement board of the Massachusetts Bay Transportation Authority police retirement system shall on or before October the fifteenth in each year, furnish the actuary with such information as he may require to enable him to determine the amount to be paid for the pension fund of such system by the authority for the fiscal year commencing on the next following January the first. The actuary shall, on or before December the fifteenth immediately preceding such fiscal year, determine such amount and specify in a written notice to said board the amount so required to be paid. The board shall, at least ten days before January the first next following the receipt of such notice from the actuary, certify to the authority the amounts necessary to be paid for such fiscal year for the three aforesaid funds of such system and the amounts so certified shall be included by appropriate terms in the authority's budget for such fiscal year and shall be paid by the authority to the treasurer-custodian of such system to be credited to the several funds thereof. Such amounts as the actuary deems necessary to cover the requirements of the retirement system for the period prior to the date when the first regular annual payment is due from the authority shall be paid into the several funds thereof by special payments of the authority.

SECTION 11. Paragraph (*a*) of subdivision (2) of section 23 of said chapter 32 is hereby amended by striking out the first sentence, as amended by section 19 of chapter 597 of the acts of 1967, and inserting in place thereof the following sentence: — The county, city or town treasurer, the secretary-treasurer of the Massachusetts Turnpike Authority and the treasurer of the Massachusetts Bay Transportation Authority shall be the treasurer-custodian of the system established under the provisions of sections one to twenty-eight, inclusive, or, under corresponding provisions of earlier laws, in any county, city or town, the Massachusetts Turnpike Authority or the Massachusetts Bay Transportation Authority, as the case may be, and shall have the custody of the funds of any such system.

SECTION 12. The first sentence of subdivision (1) of section 24 of said chapter 32, as amended by section 20 of said chapter 597, is hereby

further amended by inserting after the word "Authority", in line 9, the words: — or the Massachusetts Bay Transportation Authority.

SECTION 13. Subdivision (4) of section 25 of said chapter 32, as amended by section 21 of said chapter 597, is hereby further amended by adding after the word "Authority", in line 9, the words: — or the Massachusetts Bay Transportation Authority.

SECTION 14. Section 28 of said chapter 32 is hereby amended by adding after subdivision (6) under the caption *Acceptance by the Massachusetts Bay Transportation Authority* the following subdivision: —

(7) (*a*) The Massachusetts Bay Transportation Authority may provide retirement benefits for its police employees if said authority by a vote duly recorded shall accept sections one to twenty-eight, inclusive, as far as applicable. A duly attested copy of such vote shall be filed by the treasurer of the authority in the office of the commissioner of insurance within thirty days after such vote. The commissioner of insurance shall, within fifteen days after the receipt of such attested copy, issue a certificate to be sent to said treasurer to the effect that such sections shall become operative for said police employees of the authority on the first day of January or on the first day of July, whichever first occurs, next following the expiration of the three months after the date of such certificate.

(*b*) On and after the date when sections one to twenty-eight, inclusive, become operative for the Massachusetts Bay Transportation Authority police as set forth in paragraph (*a*) of this subdivision, the eligible police officers of the authority shall become members of the Massachusetts Bay Transportation Authority police retirement system; provided, however, that if any person was a police officer of the authority on June the first, nineteen hundred and sixty-nine, and is otherwise eligible except that he is not employed on the date when sections one to twenty-eight, inclusive, became operative for the Massachusetts Bay Transportation Authority police, such person or his surviving spouse shall be entitled to all the rights and benefits provided under said sections to which he or his surviving spouse would have been entitled had he become a member of the Massachusetts Bay Transportation Authority police retirement system on the date it becomes operative.

SECTION 15. The first sentence of section 73 of chapter 152 of the General Laws, as amended by section 23 of chapter 597 of the acts of 1967, is hereby further amended by inserting after the word "Authority", in line 5, the words: — and any police officer of the Massachusetts Bay Transportation Authority so entitled to compensation under said sections.

SECTION 16. Section 94 of chapter 32 of the General Laws, as appearing in chapter 610 of the acts of 1963, is hereby amended by inserting after the word "commission", in line 7, the words: —, or of the police force of the Massachusetts Bay Transportation Authority.

SECTION 17. The last paragraph of section 100 of said chapter 32, as appearing in chapter 268 of the acts of 1964, is hereby amended by inserting after the word "death", in line 5, the words: — or by the Massachusetts Bay Transportation Authority police retirement board.

SECTION 18. The definition of *Group 4* in paragraph (*g*) of subdivision (2) of section 3 of said chapter 32, as appearing in section 2 of chapter 650 of the acts of 1968, is hereby amended by inserting after the word

"*Group 1*", in line 2, the words: — , any police officer of the Massachusetts Bay Transportation Authority.

SECTION 19. This act shall take effect upon its acceptance by the Massachusetts Bay Transportation Authority after the coverage under the Social Security Act of the police officers of said Authority has been terminated, but not otherwise. *Approved November 9, 1971.*

Chap. 1013. AN ACT PROVIDING A CRIMINAL PENALTY FOR ALLOWING EXCESS FUEL TO BE DISCHARGED INTO THE ATMOSPHERE FROM AN AIRCRAFT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 142E the following section: —

Section 142F. Whoever, except in an emergency, allows excess fuel to be discharged into the atmosphere from an aircraft shall be punished by a fine of not less than two hundred and fifty dollars nor more than seven hundred and fifty dollars. As used in this section "excess fuel" shall mean that quantity of unused fuel which collects in "drain cans" from the engines of aircraft following the starting up or the shutting off of such engines, and "drain can" shall mean that receptacle located below or adjacent to an aircraft engine in which unused fuel collects or is collected when the engine is not in operation or just after the engine has been put into operation.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-three. *Approved November 9, 1971.*

Chap. 1014. AN ACT AUTHORIZING THE COMMISSIONER OF COMMERCE AND DEVELOPMENT TO APPOINT A SPECIAL REPRESENTATIVE IN THE BUREAU OF ECONOMIC DEVELOPMENT FOR WESTERN MASSACHUSETTS.

Be it enacted, etc., as follows:

The second paragraph of section 9 of chapter 23A of the General Laws, as appearing in section 1 of chapter 636 of the acts of 1964, is hereby amended by inserting after the word "trade", in line 4, the words: — a special representative in the bureau of economic development for western Massachusetts, — and by striking out, in line 8, the word "nine" and inserting in place thereof the word: — ten.

Approved November 9, 1971.

Chap. 1015. AN ACT AUTHORIZING THE COMMISSIONERS OF PLYMOUTH COUNTY TO RECONSTRUCT AND MAKE EMERGENCY REPAIRS TO A BRIDGE OVER THE NORTH RIVER BETWEEN THE TOWNS OF MARSHFIELD AND NORWELL AND RELATIVE TO THE DESIGNATION OF SAID BRIDGE AS A FIXED BRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The commissioners of Plymouth county are hereby authorized to reconstruct, without a draw, subject to the laws of the

United States, and make emergency repairs to the Union Street bridge over the North river between the towns of Marshfield and Norwell. Said county commissioners are hereby authorized to act on behalf of the towns of Marshfield and Norwell for the purpose of petitioning the United States Coast Guard to hold a public hearing relative to the issuance of a permit designating said bridge as a fixed bridge.

SECTION 2. The cost of said reconstruction or repair of said bridge shall be borne by the commonwealth through the substandard bridge program of the department of public works.

Approved November 9, 1971.

Chap. 1016. AN ACT AUTHORIZING THE TRANSFER OF CERTAIN PARK LAND FROM THE CITY OF MELROSE TO THE METROPOLITAN DISTRICT COMMISSION FOR THE CONSTRUCTION OF A SWIMMING POOL THEREON BY SAID COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The city of Melrose is hereby authorized to convey a certain parcel of land presently under the jurisdiction of the board of park commissioners of said city to the metropolitan district commission for the purpose of the construction thereon of a swimming pool, said parcel being that portion of park land on the easterly side of Tremont street in said city lying southerly and adjacent to Ell pond, bounded and described as follows: —

Westerly by Tremont street two hundred eighty (280) feet more or less; northerly by an open ditch in land now or formerly of the city of Melrose one hundred ten (110) feet more or less; northeasterly and northerly by the southerly shore of Ell pond two hundred thirty-five (235) feet more or less; easterly by land now or formerly of Fitch Home, Inc. one hundred thirty-seven (137) feet more or less; southerly by land now or formerly of Fitch Home, Inc. sixty (60) feet; and southerly by land now or formerly of James R. and Patricia Harrison and land now or formerly of Michael A. and Mary A. Saija one hundred forty-six and sixty-eight hundredths (146.68) feet to the point of beginning and containing fifty-four thousand four hundred (54,400) square feet more or less of land and shown on plan as the lot to be conveyed by the city of Melrose to the commonwealth of Massachusetts, Area 54,400 sq. ft., on a plan entitled "Commonwealth of Massachusetts, Metropolitan District Commission, Park Engineering Division, Lynn Fells Parkway, Melrose, Land to be conveyed by City of Melrose on Tremont Street in the vicinity of Lynn Fells Parkway* Dated: Oct. 6, 1971, Benjamin W. Fink, Director of Park Engineering," being plan accession number 47210–V.T., said plan to be recorded herewith.

SECTION 2. Upon such conveyance the metropolitan district commission is hereby authorized and directed to construct on the parcel of land described in section one a swimming pool. Said commission may expend for said purpose such sums as may be appropriated therefor.

Approved November 9, 1971.

Chap. 1017. AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH AUTHORITIES FOR THE PURPOSE OF PROVIDING FOR THE FINANCING OF SOLID WASTE DISPOSAL FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 40D of the General Laws is hereby amended by inserting after clause (*p*) the following clause: —

(*p*½) "Solid waste disposal facilities", facilities for the disposal of refuse, garbage and waste or any of the foregoing, by incineration or other means.

SECTION 2. Said chapter 40D is hereby further amended by adding after section 20 the following section: —

Section 21. (*a*) A municipality acting by and through an authority may finance solid waste disposal facilities in the same manner provided by this chapter for industrial development facilities, in which event all provisions of this chapter which are applicable to industrial development facilities to projects and industrial occupants shall apply to the solid waste disposal facilities and the lessees thereof insofar as such provisions are apt, except as otherwise hereinafter provided.

(*b*) A city or town, acting in the manner specified in section two, may by vote declare that an authority is needed therein for the financing of solid waste disposal facilities under this chapter but shall not be empowered to so finance said solid waste disposal facilities, except as an incident to industrial development facilities, unless such declaration is made. Such vote shall be made separately from a vote declaring that an authority is needed to finance industrial development facilities, except such as constitute or are incidental to said solid waste disposal facilities. Such declarations may be made successively but only one authority shall be organized under this chapter in any city or town except as otherwise provided with respect to consolidated authorities.

(*c*) A certificate of organization issued by the state secretary shall indicate whether the authority has solid waste disposal powers or industrial development powers or both. When a new power is added by city or town action under this chapter, an amended certificate of organization shall be issued accordingly. Certificates of organization so issued by the state secretary shall be conclusive evidence that the authority has solid waste disposal powers or industrial development powers, or both, as set forth therein.

(*d*) A vote to consolidate authorities taken prior to the adoption of this section shall not be deemed to include the function of financing solid waste disposal facilities. A vote taken thereafter to so consolidate may include said function of financing solid waste disposal facilities or industrial development facilities, or both. If said vote does not specify the function or functions, it shall be taken to refer only to the financing of industrial development facilities.

(*e*) Dissolution proceedings in the manner provided for in section two shall apply to authorities having functions relative to solid waste disposal facilities or to industrial development facilities, or both.

(*f*) The requirements of clauses (*e*), (*g*) and (*k*) of subsection (2) of section twelve shall not apply to solid waste disposal facilities projects. It shall be necessary, however, that the state industrial finance board find, after consultation with the departments of natural resources and public works, that a substantial public benefit will result from the

project and that the proposed facilities are consistent with state plans for the conservation of the natural resources of the commonwealth and with plans of the department of public works for the construction of such solid waste disposal facilities.

(*g*) All cities, towns and other public agencies and private parties are authorized from time to time to contract with operators of solid waste disposal facilities established or to be established under the provisions of this section for the disposal of refuse, garbage and waste or for the purchase or use of by-products or residue resulting from the operation of such facilities. Such contracts may be for such periods as agreed upon by the parties and, without limiting the generality of the foregoing, may include provisions for the delivery of minimum amounts of refuse, garbage and waste and payments for the use of the facilities to be based thereon, unit prices, which may be graduated, and adjustments thereof. Such contracts may include provisions for arbitration. In the case of a city or town, such contracts may be entered into by officers acting under the authority of the city council of a city or the town meeting in the case of a town, which authorization may be general. The obligations represented by the payments to be made in such a contract shall not be included in any determination of the borrowing capacity of such city or town under any limitation on its indebtedness. Such a contract shall not be subject to section four of chapter forty and shall not be precluded by the acceptance of section nine A of chapter ninety-two. To the extent of uncommitted capacity, any municipality shall be entitled to contract with an operator of solid waste disposal facilities established or to be established hereunder.

(*h*) The establishment and operation of solid waste disposal facilities hereunder shall be subject to applicable laws except as otherwise provided herein. Reasonable requirements may be imposed thereon by proceedings or regulations pursuant to section one hundred and fifty-A of chapter one hundred and eleven but the assignment of a site may not be rescinded, other than on appeal from the original assignment, pursuant to said section or otherwise. In the event that solid waste disposal facilities financed in whole or in part hereunder include or are to include facilities for the production of steam as a by-product, either the financing authority or a tenant corporation, whether domestic or foreign, shall have the powers granted by section twelve of chapter one hundred and fifty-eight but the production and sale of such steam and the foregoing grant of powers shall not cause the corporation to be otherwise subject to chapter one hundred and fifty-eight or excluded from chapter one hundred and fifty-six or one hundred and fifty-six B or cause the corporation to be deemed a heat or power company for the purposes of the corporation laws of the commonwealth.

Approved November 9, 1971.

Chap. 1018. AN ACT RELATIVE TO FILING DECISIONS OF BOARDS OF APPEALS WITH PLANNING BOARDS.

Be it enacted, etc., as follows:

Section 18 of chapter 40A of the General Laws is hereby amended by striking out the sixth sentence, as amended by chapter 271 of the acts of 1970, and inserting in place thereof the following two sentences: —

The board shall cause to be made a detailed record of its proceedings, showing the vote of each member upon each question, or, if absent or failing to vote, indicating such fact, and setting forth clearly the reason or reasons for its decisions, and of its other official actions, copies of all of which shall be filed within fourteen days in the office of the city or town clerk and in the office of the planning board and shall be public records. Notice of a decision of the board shall be mailed forthwith to parties in interest, as designated in section seventeen, and to each person present at the hearing who requests that notice be sent to him and states the address to which such notice is to be sent.

Approved November 9, 1971.

Chap. 1019. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO LEASE AIR RIGHTS TO THE CITY OF MEDFORD.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to lease to the city of Medford, for the construction of a pedestrian mall, air rights over a portion of the Revere Beach parkway not exceeding two hundred feet between the Malden river and Wellington circle in said city, including rights for support, access, utilities and light, for a term not exceeding ninety-nine years. The leasehold estate created by such lease may be subleased in whole or in part, assigned, pledged or mortgaged, subject to the approval of said commission which approval shall not be unreasonably withheld, 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, rules and regulations of the city of Medford and subject to the design being approved by said commission which approval shall not be unreasonably withheld. 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. No structure not approved by vote of said commission 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 commission to said city for a nominal rental.

Approved November 9, 1971.

Chap. 1020. AN ACT RELATING TO THE PROTECTION OF FLOOD PLAINS.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 40, as amended by section 2 of chapter 444 of the acts of 1968, and inserting in place thereof the following section: —

Section 40. A person shall not remove, fill or dredge any bank, flat, marsh, meadow or swamp bordering on any inland waters without filing written notice of his intention to so remove, fill or dredge, including such plans as may be necessary to describe such proposed activity, with the conservation commission or if none with the board of selectmen in a town or the mayor of a city, and with the state departments of public works and natural resources. Such notice shall be sent by registered mail at least thirty days prior to any such removing, filling or dredging. The conservation commission or if none the selectmen or mayor, as the case may be, shall hold a public hearing on said proposal within fourteen days of the receipt of said notice and shall notify by mail the person intending to do such removing, filling or dredging, and said state departments of the time and place of said hearing. The conservation commission or if none the selectmen or mayor may recommend such protective measures as may protect the public interest. The conservation commission or if none the selectmen or mayor, within seven days thereafter, shall transmit such recommendations to the commissioner of natural resources, but the failure to do so shall not delay the issuance of an order by the commissioner. The department of public works shall determine whether the proposed activity would violate any provisions of chapter ninety-one and shall take such action as may be necessary to enforce such provisions. If the area on which the proposed work is to be done is determined by the department of natural resources to be essential to public or private water supply, to the ground water supply or to proper flood control, the department shall by written order signed by the commissioner impose such conditions as may be necessary to protect the interests described herein, and the work shall be done in accordance therewith. The provisions of this section shall not apply to areas established by the water resources commission as flood plain zones. Land used for agricultural purposes shall be exempt from the provisions of this section. The provisions of this section shall not apply to any work done under the provisions of clause (36) of section five of chapter forty, chapter two hundred and fifty-two, or any special act. The commissioner may, by rule or regulation, exempt from this section such other use as he may deem not inconsistent with the purposes of this section. The superior court shall have jurisdiction in equity to restrain a continuing violation of this section. *Approved November 9, 1971.*

Chap. 1021. AN ACT ESTABLISHING A BOARD OF REGISTRATION OF PSYCHOLOGISTS AND REGULATING THE PRACTICE OF PSYCHOLOGY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by adding after section 75, under the caption BOARD OF REGISTRATION OF PSYCHOLOGISTS, the following four sections:—

Section 76. There shall be a board of registration of psychologists

which shall consist of five members to be appointed by the governor. Members of the board shall be residents of the commonwealth and citizens of the United States. A member of the board shall hold a doctoral degree in psychology, or in a closely related field with a major emphasis in psychology, from a recognized educational institution and shall have been actively engaged in the practice or teaching of psychology or in psychological research for the five years next preceding his appointment. At least three members of the board shall be licensed psychologists under the provisions of sections one hundred and eighteen to one hundred and twenty-seven, inclusive, of chapter one hundred and twelve.

Section 77. Upon the expiration of the term of a member, his successor shall be appointed for a term of five years. No member of the board who has served a full five-year term shall be reappointed to succeed himself.

Section 78. The governor shall have the power to remove from office any member of the board for cause; but no board member may be so removed without being informed in writing at least thirty days in advance of the reasons for his removal and of his right to a public or private hearing with counsel.

Section 79. The board shall, at its first meeting, and at each annual meeting thereafter, organize by electing from among its members a chairman, a vice-chairman and a secretary. Such officers shall serve until their successors are elected and qualified.

The board shall hold at least two regular meetings each year; but additional meetings may be held upon call of the chairman, or the secretary, or at the written request of any two members of the board. Three members of the board shall constitute a quorum.

The board shall examine and pass upon the qualifications of applicants for licenses to practice psychology in the commonwealth and shall issue licenses to qualified applicants, but no action shall be taken with respect to the granting of a license or its revocation or suspension without the concurrence of at least three members of the board. The board shall adopt a seal which shall be affixed to all licenses issued by the board.

The board shall from time to time adopt such rules and regulations and such amendments thereof and supplements thereto as it may deem necessary.

The members of the board shall serve without compensation but each member shall be reimbursed by actual expenses reasonably incurred in the performance of his duties as a member or on behalf of the board. The board shall be empowered to hire such assistants as it may deem necessary to carry on its activities.

SECTION 2. Chapter 112 of the General Laws is hereby amended by adding after section 117, under the caption REGISTRATION AND LICENSING OF PSYCHOLOGISTS, the following twelve sections:—

Section 118. As used in sections one hundred and eighteen to one hundred and thirty, inclusive, the following words shall have the following meanings unless the context clearly indicates a different meaning:—

"Psychologist", an individual who by training and experience meets the requirements for licensing by the board and is duly licensed to practice psychology in the commonwealth.

"The practice of psychology", rendering or offering to render professional service for any fee, monetary or otherwise, to individuals, groups of individuals, organizations or the public; which services involve the application of psychological principles, methods or procedures in the prediction, interpretation or modification of psychological processes or behavior.

Such professional services may include, but are not limited to, administration and interpretation of psychological tests and assessment procedures; diagnosis, prevention, treatment or amelioration of adjustment problems or mental and emotional disorders; counseling; psychotherapy; hypnosis; personnel selection; mediation of interpersonal and social conflicts; evaluation and development of educational programs; assessment of attitudes and opinion; improvement of marketing and advertising, and design and conduct of psychological research.

"Board", the board of registration of psychologists.

"Recognized educational institution", a degree-granting college or university recognized as such by the United States Office of Education or the commonwealth.

Section 119. Each person desiring to obtain a license as a psychologist shall make application therefor to the board upon such form and in such manner as the board shall prescribe and shall furnish evidence satisfactory to the board that he:

(*a*) Is of good moral character;

(*b*) Has received a doctoral degree in psychology, or in a closely related field with a major emphasis in psychology, from a recognized educational institution;

(*c*) Has engaged for the equivalent of at least two years full time, at least one year of which was subsequent to his receiving the doctoral degree, in psychological employment, teaching, research or professional practice under the supervision of or in collaboration with a licensed psychologist, or one clearly eligible for licensure in the opinion of the board;

(*d*) Conducts his professional activities in accordance with accepted standards such as the Ethical Standards of Psychologists of the American Psychological Association or the Ethical Standards of the American Personnel and Guidance Association.

Section 120. Upon satisfaction of requirements specified in section one hundred and nineteen, the applicant shall pass an examination administered by the board. Examinations shall be conducted at least once a year at a time and place to be designated by the board. Examinations shall be written, oral or both as the board deems advisable. An applicant shall be held to have passed an examination upon the affirmative vote of at least three members of the board. Any person who shall have failed an examination conducted by the board may not be admitted to a subsequent examination for a period of at least six months.

Section 121. Notwithstanding the provisions of section one hundred and twenty, the board may issue a license without examination to an applicant who presents evidence that he has been licensed or certified as a psychologist by a similar board of another jurisdiction whose standards, in the opinion of the board, are not lower than those required in the commonwealth; or that he holds a diploma from a nationally recognized board or agency approved by the board.

Section 122. On and after January the first, nineteen hundred and seventy-four, any person not licensed to practice psychology who holds himself out to be a psychologist or who uses the title "psychologist" or engages in the practice of psychology in a manner that implies or would reasonably be deemed to imply that he is so licensed shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than three months, or both.

Section 123. The penalties in section one hundred and twenty-four shall not apply to:—

(*a*) The salaried employment of individuals in recognized educational institutions, federal, state, county or local governmental institutions, nonprofit community agencies or research facilities while performing those duties for which they are employed by such institutions, agencies or facilities;

(*b*) The salaried employment of individuals certified as school psychologists by the department of education when functioning within the scope of their employment by a private or public school system;

(*c*) The salaried employment of individuals in corporations, partnerships, associations, or for persons, providing psychological services for remuneration while performing those duties for which they are employed by such organizations or persons, under the supervision of a licensed psychologist;

(*d*) Persons eligible for licensure under section one hundred and nineteen who are full time employees of a recognized educational institution or a nonprofit research facility who are solicited for consultation of a research nature;

(*e*) Persons eligible for licensure under section one hundred and nineteen who provide consultative services for a fee no more than one day a month;

(*f*) Students of psychology, psychological interns or persons preparing for the practice of psychology under qualified supervision in a recognized training institution or facility provided that they are designated by such titles as "psychological intern", "psychological trainee" or others clearly indicating such training status.

Section 124. The board may grant a temporary license for a period not to exceed one year to a psychologist with legal residence outside the commonwealth to practice within the commonwealth provided he registers with the board and practices in consultation with, or under the supervision of, a licensed psychologist or possesses qualifications acceptable to the board.

Section 125. Nothing in sections one hundred and eighteen to one hundred and twenty-nine, inclusive, shall be construed to prevent qualified members of other professions or occupations such as physicians, teachers, members of the clergy, authorized Christian

Science practitioners, attorneys-at-law, social workers, guidance counselors, clinical counselors, adjustment counselors, speech pathologists, audiologists or rehabilitation counselors from doing work of a psychological nature consistent with the accepted standards of their respective professions, provided, however, that they do not hold themselves out to the public by any title or description stating or implying that they are psychologists or are licensed to practice psychology.

Section 126. The following fees shall be assessed and collected by the board: (*a*) Application fee, fifty dollars, (*b*) Initial license fee, twenty-five dollars, (*c*) Temporary license fee, ten dollars, (*d*) Biennial renewal fee, twenty-five dollars.

Section 127. Licenses shall be valid for two years and shall be renewed biennially. On or before April the fifteenth every two years the secretary of the board shall forward to each licensed psychologist an application form for renewal. Upon the receipt of the completed form and the renewal fee on or before June the first, the secretary shall renew the license for two years commencing July the first. Any application for renewal of a license which has expired shall require the payment of a new application fee.

Section 128. The board may revoke any license, or may suspend the same for a definite period not to exceed two years, if the holder has been convicted of a felony involving moral turpitude in connection with the practice of psychology, or has been found by the board to have employed fraud or deceit in obtaining his license or to have acted improperly, unethically or with gross negligence in the conduct of his profession.

Notice in writing of a contemplated revocation or suspension of a license, of the cause therefor in sufficient particularity, and of the date of hearing thereon, shall be sent by registered or certified mail to the licensee at his last known address at least fifteen days before the date of such hearing. The psychologist against whom a charge is filed shall have a right to appear before the board in person or by counsel, or both, may produce witnesses and evidence in his behalf, and may question witnesses. No license shall be revoked or suspended without such hearing, but the nonappearance of the licensee, after notice, shall not prevent such hearing. All matters upon which the decision is based shall be introduced in evidence at the proceeding. The licensee shall be notified in writing of the board's decision. The board may make such rules and regulations as it deems proper for the filing of charges and the conduct of hearings.

After issuing an order or revocation or suspension the board may also file a petition in equity in the superior court in a county in which the respondent resides or transacts business, or in Suffolk county, to ensure appropriate injunctive relief to expedite and secure the enforcement of its order, pending the final determination.

Section 129. After three years from the date of revocation, an application for reinstatement may be made to the board, which may, upon the affirmative vote of at least three of its members, grant such reinstatement.

SECTION 3. Of the initial five members of the board of registration of psychologists established by section seventy-six of chapter thirteen of the General Laws, inserted by section one of this act, one

shall be appointed for a term of one year, one for a term of two years, one for a term of three years, one for a term of four years and one for a term of five years. He shall also designate one of said members to act as chairman for the purpose of calling a meeting and organizing said board. Such members shall be deemed to be and shall become licensed psychologists immediately upon their appointment and qualification as members of said board.

SECTION 4. Nothing in this act shall be construed to prevent school psychologists certified by the department of education from practicing and functioning within the scope of their employment in either the public or private school setting or performing as certified school psychologists at any time in either private practice or the public sector provided they use the title "Certified School Psychologists".

SECTION 5. Notwithstanding the provisions of clause (b) of section one hundred and nineteen and of section one hundred and twenty of chapter one hundred and twelve of the General Laws, if application is made on or before December the thirty-first, nineteen hundred and seventy-three, to the board of registration of psychologists:—

(a) An applicant who holds a doctoral degree in psychology or in a closely related field with major emphasis in psychology, from a recognized educational institution, and who has had two years full time experience which is of reasonable, professional psychological standards, at least one year of which was subsequent to his receiving the doctoral degree shall be licensed without examination.

(b) An applicant who has a masters degree or equivalent graduate study in psychology and who has had over seven years experience which is of reasonable, professional psychological standards shall be licensed without examination.

(c) An applicant who has two years graduate work, or equivalent, in psychology and who has had at least five years experience which is of reasonable, professional psychological standards shall be licensed without examination.

(d) An applicant who has three years graduate work in psychology and four years experience which is of reasonable, professional psychological standards shall be licensed without examination.

(e) An applicant who deems himself qualified to be a psychologist and who has had at least five years experience which is of reasonable, professional psychological standards may, at the discretion of the board, be admitted to an examination and licensed if he passes.

Approved November 9, 1971.

Chap. 1022. AN ACT PROHIBITING A FOREIGN DISTILLER FROM HOLDING A WHOLESALER'S LICENSE UNDER THE ALCOHOLIC BEVERAGES CONTROL LAWS.

Be it enacted, etc., as follows:

SECTION 1. Section 18B of chapter 138 of the General Laws is hereby amended by adding the following three paragraphs:—

No person who holds a certificate under this section shall hold or be granted a license under section eighteen. A person shall be deemed

to hold a certificate under this section and a license under section eighteen if such person or any member of his immediate family holds such a certificate and license. As used in this section the words "immediate family" shall include the certificate holder and his spouse and their parents, children, brothers and sisters.

Violation of the provisions of this section shall be cause for the revocation of all certificates and licenses held by the certificate holder and his immediate family.

In the case of a corporate certificate holder or licensee any person or his immediate family who owns more than ten per cent of the stock of such corporation shall be deemed to be the certificate holder or licensee under this section.

SECTION 2. Nothing contained in section eighteen B of chapter one hundred and thirty-eight of the General Laws, as amended by section one of this act, shall prohibit a certificate holder under said section eighteen B from continuing to hold a license under section eighteen of said chapter one hundred and thirty-eight, provided that such license was issued prior to January the first, nineteen hundred and sixty-six and said licensee had paid alcoholic beverage excise taxes under chapter sixty-three A of the General Laws for at least thirty-six consecutive months prior to January the first, nineteen hundred and sixty-six. *Approved November 9, 1971.*

Chap. 1023. AN ACT CHANGING THE PURPOSES OF A CERTAIN BOND ISSUE RELATIVE TO EXPENDITURES BY THE DEPARTMENT OF PUBLIC WORKS FOR THE SOLID WASTE DISPOSAL NEEDS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 834 of the acts of 1969 is hereby amended by striking out, in lines 1 to 4, inclusive, the words "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" and inserting in place thereof the words:—expenditures authorized in section two A,—and by striking out, in line 15, the word "amount" and inserting in place thereof the word:—amounts.

SECTION 2. Said chapter 834 is hereby further amended by inserting after section 2 the following section:—

Section 2A. The department of public works is hereby authorized and directed to expend a sum not exceeding ten million dollars for the following purposes:—(1) the investigation and study of the solid waste disposal needs of the commonwealth and the development of programs and plans related thereto, as authorized by section twenty-one of chapter sixteen of the General Laws; (2) the acquisition of such land, structures, facilities and easements and the planning, design, construction and improvement of solid waste disposal facilities thereon, including the cost of machinery and equipment, as authorized by section nineteen of said chapter sixteen; and (3) expenses incidental thereto, including but not limited to expenses for consultants and engineering services, including technical and expert services.

No expenditures shall be made under this section for consultant services, so-called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services—Nonemployees" 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 of approved rates with the comptroller and with the house and senate committees on ways and means. Before engaging such consultant services under 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.

Approved November 9, 1971.

Chap. 1024. AN ACT RELATIVE TO THE FLUORIDATION OF THE WATER SUPPLY OF CITIES, TOWNS AND WATER DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 8C of chapter 111 of the General Laws, as appearing in section 1 of chapter 548 of the acts of 1968, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—No such order shall be effective until ninety days after it has been published in a newspaper having a general circulation in such city or town or until favorable vote has been taken in accordance with the provisions of this section, whichever occurs later.

SECTION 2. Said section 8C of said chapter 111 is hereby further amended by striking out the third paragraph, as so appearing, and inserting in place thereof the following paragraph:—

In any city, town or district where the board of health has ordered the upward adjustment of the fluoride content of the water supply under the provisions of this section, upon petition of ten per cent of the registered voters of said city, town or district, filed in the office of the city or town clerk, as the case may be, within ninety days of the publication of such order, the following question shall be placed upon the official ballot to be used at the next regular city election or for the election of town officers at the next annual town meeting or at a biennial state election, whichever occurs first, but not earlier than sixty days following the date of filing the petition with the city or town clerk:—"Shall the fluoridation of the public water supply for domestic use in (this city) (this town) be continued?", or in such district the following question shall be placed before the next annual meeting of the inhabitants of the district:—"Shall the fluoridation of the public water supply for domestic use in this district be continued?" If the majority of votes in answer to said question is in the negative the fluoridation of the water supply of such city, town or district shall be discontinued, and the question of fluoridation of such

water supply shall not be submitted again to the voters for a period of at least two years from the date of such vote.

Approved November 9, 1971.

Chap. 1025. AN ACT REGULATING MULTI-LEVEL DISTRIBUTION COMPANIES.

Be it enacted, etc., as follows:

Chapter 93 of the General Laws is hereby amended by adding after section 68 the following section:—

Section 69. (*a*) As used in this section the term "multi-level distribution company" shall mean any person, firm, corporation or other business entity which distributes, for a valuable consideration, goods or services through independent agents, contractors or distributors, at different levels, wherein participants in the marketing program may recruit other participants, and wherein commissions, cross-commissions, bonuses, refunds, discounts, dividends or other considerations in the marketing program are or may be paid as a result of the sale of such goods and services or the recruitment, actions or performances of additional participants.

(*b*) Every multi-level distribution company shall provide in its contract of participation that such contract may be cancelled for any reason at any time by a participant upon notification in writing to the company of his election to cancel. If the participant has purchased products while the contract of participation was in effect, all unencumbered products in a resalable condition then in the possession of the participant shall be repurchased. The repurchase shall be at a price of not less than ninety per cent of the original net cost to the participant returning such goods, taking into account any sales made by or through such participant prior to notification to the company of the election to cancel.

(*c*) No multi-level distribution company, nor any participant, shall require participants in its marketing program to purchase products or services or pay any other consideration in order to participate in the marketing program unless such products or services are in reasonable quantities and unless it agrees: (1) to repurchase all or part of any products which are unencumbered and in a resalable condition at a price of not less than ninety per cent of the original net cost to the participant; (2) to repay not less than ninety per cent of the original net cost of any services purchased by the participant; or (3) to refund not less than ninety per cent of any other consideration paid by the participant in order to participate in the marketing program.

(*d*) No multi-level distribution company or participant in its marketing program shall: (1) operate or, directly or indirectly, participate in the operation of any multi-level marketing program wherein the financial gains to the participants are primarily dependent upon the continued, successive recruitment of other participants and where retail sales are not required as a condition precedent to realization of such financial gains; (2) offer to pay, pay or authorize the payment of any finder's fee, bonus, refund, override, commission, cross-commission, dividend or other consideration to any participants in a multi-

level marketing program solely for the solicitation or recruitment of other participants therein; (3) offer to pay, pay or authorize the payment of any finder's fee, bonus, refund, override, commission, cross-commission, dividend or other consideration to any participants in a multi-level marketing program in connection with the sale of any product or service unless such participant performs a bona fide and essential supervisory, distributive, selling or soliciting function in the sale or delivery of such product or services to the ultimate consumer; or (4) offer to pay, pay or authorize the payment of any finder's fee, bonus, refund, override, commission, cross-commission, dividend or other consideration to any participant where payment thereof is or would be dependent on the element of chance dominating over the skill or judgement of such participant, or where no amount of judgement or skill exercised by the participant has any appreciable effect upon any finder's fee, bonus, refund, override, commission, cross-commission, dividend or other consideration which the participant may receive, or where the participant is without that degree of control over the operation of such plan as to enable him substantially to affect the amount of finder's fee, bonus, refund, override, commission, cross-commission, dividend or other consideration which he may receive or be entitled to receive.

(*e*) Multi-level distribution companies shall not represent, directly or indirectly, that participants in a multi-level marketing program will earn or receive any stated gross or net amount, or represent in any manner, the past earnings of participants; provided, however, that a written or verbal description of the manner in which the marketing plan operates shall not, standing alone, constitute a representation of earnings, past or future. Multi-level distribution companies shall not represent, directly or indirectly, that additional distributors or sales personnel are easy to secure or retain, or that all or substantially all participants will succeed.

(*f*) Each multi-level distribution company numbering among its participants any resident of the commonwealth shall annually file with the attorney general a statement giving notice of this fact and designating the state secretary its agent for service of process for any alleged violation of this section.

(*g*) The attorney general may bring an action in the name of the commonwealth to restrain any violation of this chapter. Any person who violates the terms of an injunction or other order of a court of competent jurisdiction issued pursuant to the provisions of this chapter shall forfeit and pay to the commonwealth a civil penalty of not more than ten thousand dollars for each violation upon petition of the attorney general to the court issuing such injunction or order.

Approved November 9, 1971.

Chap. 1026. AN ACT TRANSFERRING THE MANAGEMENT AND CONTROL OF SCHOOL BUILDINGS OF THE CITY OF SOMERVILLE TO THE SCHOOL COMMITTEE OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Section 28 of chapter 240 of the acts of 1899 is hereby amended by striking out the first sentence and inserting in place

thereof the following sentence:—The management and control of the public schools including school buildings shall be vested in a school committee, which shall exercise the powers conferred and discharge the duties imposed by law upon school committees.

SECTION 2. Section 2 of chapter 650 of the acts of 1953 is hereby amended by adding after the word "buildings", in line 12, the words:—except school buildings.

SECTION 2A. The employees of the division of buildings in the department of public works of the city of Somerville, who are assigned to the custodial service of the school buildings and who, immediately prior to the effective date of this act, held positions classified under chapter thirty-one of the General Laws are hereby transferred to the school committee; 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, and without reduction in his compensation and salary grade, notwithstanding any change in his title or duties made as a result of such transfer.

SECTION 3. This act shall take effect upon its acceptance by the city of Somerville. *Approved November 9, 1971.*

Chap. 1027. AN ACT ENABLING THE CITY OF NEW BEDFORD TO CONTROL RENTS.

Be it enacted, etc., as follows:

SECTION 1. *DECLARATION OF EMERGENCY.* The general court finds and declares that a serious public emergency exists in the city of New Bedford with respect to the housing of a substantial number of the low and moderate income residents of said city, which emergency has been created by housing demolition, an expanding student population, a substantial elderly population, deterioration of the existing housing stock and the national and area economic conditions which have deterred new construction of housing accommodations and placed such new housing above the means of low and moderate income residents. The general court finds that because of the substantial and increasing shortage of rental housing accommodations abnormally high rents have resulted, and that unless the residential rents of persons of low and moderate income become subject to review and control on a case basis such emergency and the further inflationary pressures resulting therefrom will produce serious threats to the public health, safety and general welfare of the residents of New Bedford; that such emergency should be met by the commonwealth immediately with due regard for the rights and responsibility of the city of New Bedford.

SECTION 2. *DEFINITIONS.* The following words or phrases as used in this act shall have the following meanings:

(a) "Rental units", any building, structure, or part thereof, or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, including houses, apartments, rooming or boardinghouse units, and other properties used for living or dwelling purposes, together with all services connected with the use or occupancy of such property.

(b) "Controlled rental units", all rental units except:

(1) rental units in hotels, motels, inns, tourist homes and rooming or boardinghouses which are rented primarily to transient guests for a period of less than fourteen consecutive days;

(2) rental units the construction of which was completed on or after January one, nineteen hundred and seventy-one;

(3) rental units which a governmental unit, agency, or authority either:

(i) owns or operates; or

(ii) regulates the rents, other than units regulated (a) under the provisions of this act, or (b) under the provisions of any other general or special law authorizing municipal control of rental levels for all or certain rental units within a municipality; or

(iii) finances or subsidizes, if the imposition or rent control would result in the cancellation or withdrawal, by law, of such financing or subsidy;

(4) rental units in cooperatives;

(5) rental units in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes; or nursing home or rest home or charitable home for the aged, not organized or operated for profit;

(6) the rental unit or units in an owner-occupied two-family or three-family house;

(c) "Rent", the consideration, including any bonus, benefits, or gratuity demanded or received for or in connection with the use or occupancy of rental units or the transfer of a lease of such rental units.

(d) "Services", repairs, replacement, maintenance, painting, providing light, heat, hot and cold water, elevator service, window shades and screens, storage, kitchen, bath and laundry facilities and privileges, janitor services, refuse removal, furnishings, and any other benefit, privilege or facility connected with the use or occupancy of any rental unit. Services to a rental unit shall include a proportionate part of services provided to common facilities of the building in which the rental unit is contained.

SECTION 3. *HOUSING REVIEW BOARD.* There is hereby established in the city of New Bedford the New Bedford Housing Review Board, hereinafter referred to as the board, to review, act upon and to regulate upon petition, on a case basis, the rent of controlled rental units. The board shall consist of seven members, residents of the city of New Bedford, to be appointed by the mayor, subject to confirmation by the city council. Members shall serve without compensation for a term of one year but shall be reimbursed by said city for necessary expenses incurred in the performance of their duties. To provide for a diversification of housing interests, appointment to the board shall be made in the number and from persons representative of the following: (1) two landlords, (2) two tenants and (3) three citizens of New Bedford who shall be representative of the public at large and none of whom shall be a landlord or a tenant. In serving in such capacity no member shall act upon any case in which he may have a material interest. In such event, such member shall absent himself from consideration of the case in favor of an alternate mem-

ber in like capacity. A quorum shall consist of four members and the affirmative vote of four members shall be necessary to take action. The board shall elect its chairman.

SECTION 4. *POWERS.* The board may make such studies and investigations, conduct such hearings, and obtain such information as is deemed necessary in promulgating any regulation, rule or order under this act, or in administering and enforcing this act and regulations and orders promulgated hereunder. For the foregoing purposes, a person may be summoned to attend and testify and to produce books and papers in like manner as he may be summoned to attend as a witness before a court. Any person who rents or offers for rent or acts as broker or agent for the rental of any controlled rental unit may be required to furnish under oath any information required by the board and to produce records and other documents and make reports. Such persons shall have the right to be represented by counsel, and a transcript shall be taken of all testimony and such person shall have the right to examine said transcript at reasonable times and places. Section ten of chapter two hundred and thirty-three of the General Laws shall apply, and for the purposes of this act a justice of the district court shall have the same power as a justice of the supreme judicial or superior court to implement the provisions of said section. The board shall also have the power to issue orders and promulgate regulations to effectuate the purposes of this act.

SECTION 5. *RENT ADJUSTMENT.* (a) The board shall make such individual adjustments, either upward or downward, of the rent for any controlled rental unit or any class of controlled rental units as may be necessary to assure that rents for controlled rental units are established at levels which yield to landlords a fair net operating income for such units. For the purposes of this section, the word "class" shall include all the controlled rental units owned by a common owner or landlord within a particular building or group of buildings having similar size, age, construction, rent, geographic area or other common characteristics.

(b) The following factors, among other relevant factors, which the board by regulation may define, shall be considered in determining whether a controlled rental unit yields a fair net operating income:

(1) increases or decreases in property taxes;

(2) unavoidable increases or any decreases in operating and maintenance expenses;

(3) capital improvement of the housing unit as distinguished from ordinary repair, replacement and maintenance;

(4) increases or decreases in living space, services, furniture, furnishings or equipment;

(5) substantial deterioration of the housing units other than as a result of ordinary wear and tear; and

(6) failure to perform ordinary repair, replacement and maintenance.

(c) For the purpose of adjusting rents under the provisions of this section, the board may promulgate a schedule of standard rental increases or decreases for improvement or deterioration in specific services and facilities.

(d) The board may refuse to grant a rent increase under this section, if it determines that the affected rental unit does not comply with the state sanitary code and any applicable municipal codes, ordinances or by-laws, and if it determines that such lack of compliance is due to the failure of the landlord to provide normal and adequate repair and maintenance. The board may refuse to grant a rent decrease under this section, if it determines that a tenant is in arrears in payment of rent unless such arrearage is due to a withholding of rent under the provisions of section eight A of chapter two hundred and thirty-nine of the General Laws.

SECTION 6. *RENT ADJUSTMENT HEARINGS.* (a) The board shall consider an adjustment of rent for an individual controlled rental unit upon receipt of a petition for adjustment filed by the landlord or tenant of such unit. The board shall notify the landlord, if the petition was filed by the tenant, or the tenant, if the petition was filed by the landlord, of the receipt of such petition and of the right of either party to request a hearing. If a hearing is requested, it shall be held within thirty days from the date of request, and a decision shall be rendered thereon within fifteen days from the hearing. If a hearing is requested by either party, the hearing shall be conducted before at least one member representing each of the three groups of the board prior to the decision by the board to grant or refuse a rental adjustment. Notice of the time and place of the hearing shall be furnished to the landlord and tenant. The board may consolidate petitions relating to controlled rental units in the same building, and all such petitions may be considered in a simple hearing.

(b) Once the board establishes the rent level for a controlled unit or class of controlled rental units, the rent shall not thereafter be raised by the landlord for six months, unless the landlord files a new petition and a new hearing is held by the board.

(c) Notwithstanding any other provision of this section, the board may, without holding a hearing, refuse to adjust a rent level for an individual rental unit if a hearing has been held with regard to the rental level of such unit within six months.

(d) Any change in the rent made by the board shall apply retroactively from the time of filing the petition.

(e) Hearings required by paragraph (a) shall be conducted in accordance with the provisions of section eleven of chapter thirty A of the General Laws except that requirements (7) and (8) of said section eleven shall not apply to such hearings.

SECTION 7. *SUMMARY PROCESS ACTIONS: DEFENSE.* It shall be a defense to an action for summary process that such action was in reprisal for the acts of the tenant for filing a petition under this act. The commencement of such action against a tenant within six months after the filing of such petition by said tenant shall create a rebuttable presumption that such action is a reprisal against the tenant for filing such petition.

SECTION 8. *JUDICIAL REVIEW.* (a) Any person who is aggrieved by any action, regulation or order of the board may file a complaint against the board in the third district court of Bristol, and whereupon an order of notice shall be issued by such court and served

on the board. Said district court shall have exclusive original jurisdiction over such proceedings and shall be authorized to take such action with respect thereto as provided in the case of the superior court under the provision of chapter two hundred and thirty-one A of the General Laws, except that section three of said chapter two hundred and thirty-one A shall not apply. All orders, judgments and decrees of such district court may be appealed as is provided in the case of civil action in said district court.

(b) Said district court shall have exclusive original jurisdiction over actions arising out of the provisions of section eleven.

SECTION 9. *CIVIL REMEDIES.* (a) Any person who demands, accepts, receives or retains any payment of rent in excess of the rent established by the board at a hearing, in violation of the provisions of this act or any regulation or order hereunder promulgated, shall be liable as hereinafter provided to the person from whom such payment is demanded, accepted, received or retained, or to the municipality for reasonable attorney's fees and costs as determined by the court, plus liquidated damages in the amount of one hundred dollars, or not more than three times the amount by which the payment or payments demanded, accepted, received or retained exceed the maximum rent which could be lawfully demanded, accepted, received or retained, whichever is the greater; provided that if the defendant proves that the violation was neither willful nor the result of failure to take practicable precautions against the occurrence of the violation, the amount of such liquidated damages shall be the amount of the overcharge or overcharges.

(b) If the person from whom such payment is demanded, accepted, received or retained in violation of the provisions of this act or any rule or regulation hereunder promulgated fails to bring an action under this section within six months from the date of the occurrence of the violation, the board shall either settle the claim arising out of the violation or bring such action. Settlement by the board shall thereafter bar any other person from bringing action for the violation or violations with regard to which a settlement has been reached. If the board settles said claim, it shall be entitled to retain the costs it incurred in the settlement thereof, and the person against whom the violation was committed shall be entitled to the remainder. If the board brings action under the provisions of this section, it shall be entitled to receive attorney's fees and costs under the provisions of paragraph (a) and the person against whom the violation was committed shall be awarded liquidated damages under said paragraph (a).

(c) A judgment for damages or on the merits in any action under this section shall be a bar to any recovery under this section in any other action against the same defendant on account of any violation with respect to the same person prior to the institution of the action in which such judgment was rendered. Action to recover liquidated damages under the provisions of this section shall not be brought later than one year after the date of the violation. A single action for damages under the provisions of this section may include all violations of the provisions of this section committed by the same defendant against the same person.

SECTION 10. *TERMINATION.* This act and all powers delegated herein shall terminate on April the first, nineteen hundred and seventy-five; provided that the provisions of this act shall be treated as still remaining in force for the purpose of sustaining any proper suit, action or prosecution with respect to any right, liability or offense arising under the provisions of this act.

SECTION 11. *SEVERABILITY.* If any provisions of this act or the application of such provision to any person or circumstances shall be held invalid, the validity of the remainder of this act and the applicability of such provision to other persons or circumstances shall not be affected thereby.

SECTION 12. *ACCEPTANCE OF ACT.* This act shall take effect upon its acceptance by the city of New Bedford.

Approved November 9, 1971.

Chap. 1028. AN ACT GRANTING THE RIGHT OF EMINENT DOMAIN TO THE CITY OF FITCHBURG RELATIVE TO THE CONSTRUCTION OF WASTEWATER TREATMENT FACILITIES.

Be it enacted, etc., as follows:

Chapter 503 of the acts of 1969 is hereby amended by striking out section 5 and inserting in place thereof the following section:—

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, purchase or eminent domain any necessary land or easements located in the city of Leominster in the vicinity of Forest and Hamilton streets, and also within the limits of the city of Fitchburg; and the city of Fitchburg may thereafter construct and maintain thereon such systems or facilities as may be required.

Approved November 9, 1971.

Chap. 1029. AN ACT CONFIRMING TITLE TO CERTAIN LAND ACQUIRED BY EMINENT DOMAIN BY AGENCIES OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of section two of chapter seventy-nine of the General Laws, the acts and proceedings of any department, board, commission, institution, officer or other agency within the executive branch of the government of the commonwealth to which funds have at any time been made available by the general court for the acquisition of land, or land with buildings thereon, by eminent domain under said chapter seventy-nine, in purporting to take such land or land with buildings thereon by eminent domain under said chapter, and all acts in pursuance thereof, which were invalid solely by reason of the absence of any provision of law designating such agency, or some officer or board of officers thereof, as the board of officers having authority to take the same by eminent domain for the purposes of section one of said chapter seventy-nine, are hereby validated and confirmed; provided, that nothing in this act shall be construed to impair or affect the rights of owners of such

land or land with buildings thereon who contested the validity of purported takings thereof in judicial proceedings commenced prior to June the fifteenth, nineteen hundred and seventy-one.

SECTION 2. Notwithstanding any provision of section sixteen of said chapter seventy-nine, a petition for the assessment of damages under section fourteen of said chapter may be filed, or a proceeding otherwise to enforce any constitutional right which exists as of the effective date of this act may be commenced, by any person aggrieved by this act within two years after said effective date; provided, that nothing in this act shall be construed to extend the period of any applicable statute of limitations other than said section sixteen, or to authorize the bringing of any proceeding to enforce any right which has been or may be barred by lapse of time, estoppel, res judicata or for any other reason. *Approved November 9, 1971.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, November 10, 1971

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 1029 of the Acts of 1971, entitled "AN ACT CONFIRMING TITLE TO CERTAIN LAND ACQUIRED BY EMINENT DOMAIN BY AGENCIES OF THE COMMONWEALTH." and the enactment of which received my approval on November 9, 1971, 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:

So that title to lands acquired by eminent domain by agencies of the Commonwealth may be immediately cleared.

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

OFFICE OF THE SECRETARY, BOSTON, November 10, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and 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 one thousand and twenty-nine of the acts of nineteen hundred and seventy-one.

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

Chap. 1030. AN ACT PROVIDING FOR PAYMENT OF PREVAILING WAGES AND FOR PAYMENT PROTECTION IN THE CONSTRUCTION OF CERTAIN PROJECTS FINANCED BY LOANS MADE BY THE MASSACHUSETTS HOUSING FINANCE AGENCY.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 5 of chapter 708 of the acts of 1966, as amended by section 3 of chapter 855 of the acts of 1970, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:—On all construction loans for the construction of eleven or more dwelling units the MHFA shall require (1) the payment of prevailing wages as determined by the commissioner of labor and industries as provided in sections twenty-six to twenty-seven D of chapter one hundred and forty-nine of the General Laws, and said commissioner shall enforce the provisions of said sections, and (2) a bond furnished by the sponsor or an equivalent escrow arrangement with the sponsor and supervised by the MHFA to assure payment out of the construction loan funds for all labor and materials for which claimants would have been able to claim a mechanic's lien if the claimants had complied with the provisions of chapter two hundred and fifty-four.

Approved November 9, 1971.

Chap. 1031. AN ACT REMOVING THE LIMITATION ON THE NUMBER OF PERSONS WHO MAY BE ELECTED AS TRUSTEES OF BOSTON COLLEGE.

Be it enacted, etc., as follows:

Section 1 of chapter 123 of the acts of 1863 is hereby amended by striking out, in lines 18 to 20, inclusive, the words ": *provided, nevertheless,* that the number of members shall never be greater than ten".

Approved November 9, 1971.

Chap. 1032. AN ACT FURTHER REGULATING THE CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 7A of chapter 90 of the General Laws, as most recently amended by chapter 136 of the acts of 1971, is hereby further amended by inserting after the word "blocks", in line 10, the words:—, pollution control systems or devices, rules and regulations providing for the periodic inspection of all motor vehicles and for the purpose of determining whether they are in compliance with motor vehicle air pollution control regulations which are adopted under the provisions of chapter one hundred and eleven and which are consistent with applicable federal laws.

SECTION 2. Section 16 of said chapter 90 is hereby amended by striking out the fifth sentence, as amended by chapter 11 of the acts of 1968, and inserting in place thereof the following sentence:—No person operating a motor vehicle shall sound a bell, horn or other device, nor in any manner operate such motor vehicle so as to make

a harsh, objectionable or unreasonable noise, nor permit to escape from such vehicle smoke or pollutants in such amounts or at such levels as may violate motor vehicle air pollution control regulations adopted under the provisions of chapter one hundred and eleven.

Approved November 9, 1971.

Chap. 1033. AN ACT DESIGNATING CERTAIN PERSONS WHO OPERATE MOTOR VEHICLES ON THE WAYS OF THE COMMONWEALTH AS HABITUAL TRAFFIC OFFENDERS AND PROVIDING FOR THE REVOCATION OR SUSPENSION OF LICENSES OR RIGHTS TO OPERATE MOTOR VEHICLES OF SUCH PERSONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide maximum safety for the traveling public by authorizing the registrar of motor vehicles to suspend or revoke the license or right to operate motor vehicles of certain persons who are designated as habitual traffic offenders on and after January the first, nineteen hundred and seventy-two, 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. Chapter 90 of the General Laws is hereby amended by inserting after section 22E the following section:—

Section 22F. A person shall be deemed an habitual traffic offender when records maintained by the registrar show that such person has accumulated the following convictions within a ten-year period; provided, however, that when a person who has no prior record of an automobile law violation, as defined in section one of chapter ninety C, is convicted of more than one of the violations referred to in this section, if such offenses all occurred within a six-hour period, such convictions shall for the purposes of this section be treated as a single conviction:—(1) three or more convictions, singularly or in combination, of operating a motor vehicle while under the influence of intoxicating liquor or narcotic drugs in violation of paragraph (*a*) of subdivision (1) of section twenty-four; operating a motor vehicle recklessly or negligently so that the lives and safety of the public might be endangered; making a false statement in an application for a learner's permit or motor vehicle operator's license or in an application for registration of a motor vehicle; going away without making known his name, residence and the registration number of his vehicle after knowingly colliding with or otherwise causing injury to any person, other vehicle or property, all in violation of paragraph (*a*) of subdivision (2) of section twenty-four; operating a motor vehicle after suspension or revocation of the person's motor vehicle operator's license or his right to operate motor vehicles in violation of section twenty-three; operating a motor vehicle without a license in violation of section ten; or the commission of any felony in the commission of which a motor vehicle is used; or twelve or more convictions of offenses which are required by any provision of law to be reported to the registrar and for which the registrar is authorized or required to suspend or revoke the person's license or right to operate motor

vehicles for a period of thirty days or more, including convictions of the offenses listed above.

When the records of the registrar on any person contain reports of such convictions as will constitute such person an habitual traffic offender, the registrar shall give notice to such person that a hearing will be held to show cause why such person should not be designated as an habitual traffic offender. Such notice shall be sent not less than twenty-one days prior to the date for such hearing, shall contain a list of the person's convictions and shall otherwise be in such form as the registrar shall prescribe. If the person named in such notice is a nonresident, such notice shall be sent to his last known address of which the registrar has a record; or, if none, to the motor vehicle department of any state in which such person resides or which has issued a motor vehicle operator's license or permit to such person. If such person denies he was convicted of any offense necessary for a determination that he is an habitual offender, and if the registrar cannot, on the evidence available to him, make such determination, the registrar may refer the decision of such issue to the court in which such conviction was made. Said court shall forthwith conduct a hearing to determine such issue and send a certified copy of its final order determining such issue to the registrar.

If the registrar finds that such person is not the same person named in the records of conviction or that he is otherwise not an habitual offender under this section, no action shall be taken; but if the registrar finds that such person is the same person named in the record of conviction and that such person is an habitual offender, the registrar shall immediately revoke such person's license or right to operate. The registrar, after having revoked the license or right to operate of any person under this section, shall not issue a new license or reinstate the right to operate to such person for a period of four years from the date of revocation, nor until such person has satisfactorily completed a driver improvement course approved by the registrar and has passed such examination as to his competence to operate motor vehicles as the registrar may require; provided, however, that such person may, after the expiration of one year, apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license on a limited basis on the sole grounds of hardship, and the registrar may, in his discretion, issue such a license under such terms and conditions as he deems appropriate and necessary. An appeal to the superior court may be had, in accordance with the provisions of chapter thirty A, from any order of the registrar of motor vehicles made under the provisions of this section.

SECTION 2. The first paragraph of section 23 of said chapter 90 is hereby amended by adding the following sentence:—Any person convicted of operating a motor vehicle after his license to operate has been revoked by reason of his having been found to be an habitual traffic offender, as provided in section twenty-two F, or after notice of such revocation of his right to operate a motor vehicle without a license has been issued by the registrar and received by such person or by his agent or employer and prior to the restoration of such license or right to operate or the issuance to him of a new license to operate

shall be punished by a fine of not less than two hundred dollars nor more than one thousand dollars or by imprisonment for not more than two years, or both.

SECTION 3. Nothing in this act shall be construed as amending, modifying or repealing any existing law of the commonwealth or any existing ordinance of any political subdivision thereof relating to the operation of motor vehicles, the licensing of persons to operate motor vehicles or providing penalties for the violation thereof; nor shall it be construed so as to preclude the exercise of the regulatory powers of any division, agency, department or political subdivision of the commonwealth having the statutory authority to regulate such operation and licensing.

SECTION 4. This act shall take effect on January the first, nineteen hundred and seventy-two and shall apply only to offenses occurring on or after said effective date. *Approved November 10, 1971.*

Chap. 1034. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO APPROPRIATE MONEY FOR AND PAY CERTAIN SALARY INCREASES GRANTED TO CUSTODIANS OF THE SCHOOL DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the town of Weymouth may appropriate money for and pay to the custodians of the school department of said town the amount of money to which they were entitled for the period from September the first to December the thirty-first, nineteen hundred and seventy under a salary increase granted to them which was retroactive to said September the first.

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

Approved November 10, 1971.

Chap. 1035. AN ACT FURTHER DEFINING THE SOUTHWESTERN MARINE BOUNDARY OF THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to establish on January the first, nineteen hundred and seventy-two a definite ocean lateral boundary between the state of Rhode Island and 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 3 of chapter 1 of the General Laws, as most recently amended by section 1 of chapter 810 of the acts of 1970, is hereby further amended by adding the following paragraph: —

The marine boundary of the commonwealth in the area of Rhode Island Sound south and west of the towns of Westport, Gosnold and Gay Head shall be and hereby is fixed as follows: from a coastal baseline beginning at the westernmost point of land, at mean low tide, in the town of Gay Head and running westerly to the easternmost point on the contour representing sixty feet of ocean depth above the formation

identified as Brown's Ledge on Chart No. 1210 or its subsequent replacement published by the United States Coast and Geodetic Survey or by its successor, extending from said baseline to the outer limits of the territorial sea of the United States. In the event that a court of competent jurisdiction decrees that the coastal baseline shall run otherwise than herein described, the territorial limits of the commonwealth in Rhode Island Sound shall be measured from such other baseline. The ocean boundary with the state of Rhode Island shall be a line running from the most southerly point of the land boundary between the commonwealth and Rhode Island through the above-mentioned point on Brown's Ledge to the furthest limits of the territorial sea of the United States. The marine boundaries of the commonwealth in the area of Nantucket Sound shall be drawn to include the entire area of Nantucket Sound as territorial waters of the commonwealth.

SECTION 2. This act shall take effect on January the first, nineteen hundred and seventy-two. The department of public works is hereby directed to incorporate the marine boundaries of the commonwealth herein described into the report, plans and maps prepared pursuant to chapter eight hundred and ten of the acts of nineteen hundred and seventy, which plans and maps shall be filed with the state secretary no later than January the first, nineteen hundred and seventy-two.

Approved November 10, 1971.

Chap. 1036. AN ACT MAKING CERTAIN CHANGES IN THE HEALTH AND EDUCATIONAL FACILITIES AUTHORITY ACT, RELATIVE TO THE POWERS AND DUTIES OF THE AUTHORITY, AND CHANGING THE NAME OF SAID AUTHORITY TO THE MASSACHUSETTS HEALTH AND EDUCATIONAL FACILITIES AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 4 of chapter 614 of the acts of 1968, as amended by section 6 of chapter 454 of the acts of 1969, is hereby further amended by inserting before the word "*Health*", in line 2, the word: — *Massachusetts.*

SECTION 2. Said section 4 of said chapter 614 is hereby further amended by striking out paragraph (*e*) and inserting in place thereof the following paragraph: —

(*e*) Before the issuance of any revenue bonds under the provisions of this act, the chairman, vice chairman, executive director and assistant executive director and any other member of the authority authorized by resolution of the authority to handle funds or sign checks of the authority shall execute a surety bond in the penal sum of fifty thousand dollars, or in lieu thereof the chairman shall obtain a blanket position bond covering the executive director and every member and other employee of the authority in the penal sum of fifty thousand dollars. Each such bond shall be conditioned upon the faithful performance of the duties of the principal or the members, executive director and other employees, as the case may be, shall be executed by a surety company authorized to transact business in the commonwealth as surety, shall be approved by the attorney general and shall be filed in the office of the state secretary. The cost of each such bond shall be paid by the authority.

SECTION 3. Section 8 of said chapter 614, as amended by section 10 of chapter 454 of the acts of 1969, is hereby further amended by striking out, in lines 14 and 15, the words ", free and clear of all liens and encumbrances".

SECTION 4. Section 9 of said chapter 614 is hereby amended by inserting after the fourth sentence the following sentence: — Such resolution or resolutions may delegate to the executive director, assistant executive director, or any member of the authority or any combination of them, the power to determine any of the details of the notes and to award such notes to a purchaser or purchasers.

SECTION 5. Paragraph (*c*) of section 10 of said chapter 614, as amended by section 11 of chapter 454 of the acts of 1969, is hereby further amended by inserting after the second sentence the following sentence: — Such resolution or resolutions may delegate to the executive director, assistant executive director or any member of the authority or any combination of them, the power to determine any of the matters set forth in this section and the power to award the bonds to a purchaser or purchasers at public sale or to negotiate a sale to a purchaser or purchasers provided in the latter case that the bonds are to be reoffered to the public.

SECTION 6. Section 20 of said chapter 614 is hereby amended by adding the following two paragraphs: —

Notwithstanding any provision of chapter one hundred and six of the General Laws or of any other provision of law, the authority by the filing of financing statements, as provided in said chapter one hundred and six, may perfect security interests in revenues and receipts of participating hospitals and participating institutions for higher education, whether in the form of proceeds of accounts receivable or contract rights or otherwise, and in any rights to receive such revenues and receipts, and such perfected security interests shall take priority over any subsequently perfected security interests in such revenues, receipts or rights or in the accounts receivable, goods, contract rights, or other rights or personal property giving rise to such revenues, receipts or rights provided that the financing statements filed by the authority contain a reference to this section.

In calculating the value of real and personal property for the purpose of any general or special law limiting the amount of real and personal property which may be owned or held by an institution for higher education or a hospital, there shall be excluded from such calculation any real or personal property which forms or has formed any part of the cost of a project financed or refinanced in whole or in part by the authority. *Approved November 10, 1971.*

Chap. 1037. AN ACT PROVIDING FOR THE COMPENSATION OF THE MEMBERS OF THE MASSACHUSETTS PARKING AUTHORITY.

Be it enacted, etc., as follows:

Section 3 of chapter 606 of the acts of 1958 is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The Authority shall consist of three members, two of whom, hereinafter referred to as the governer's appointees, shall be appointed by the

governor and the third member shall be such person as the mayor of the city shall from time to time designate. The chairman of the Authority designated by the governor, as hereinafter provided, shall receive a salary of seven thousand five hundred dollars and each of the members shall receive five thousand dollars. Said sums referred to heretofore shall be payable solely from revenues received by the Authority.

Approved November 10, 1971.

Chap. 1038. AN ACT RELATIVE TO THE ISSUANCE AND PAYMENT OF BONDS AND NOTES OF THE WOODS HOLE, MARTHA'S VINEYARD AND NANTUCKET STEAMSHIP AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. The provisions of chapter three hundred and seventeen of the acts of nineteen hundred and sixty-eight are hereby validated and confirmed.

SECTION 2. Section 9 of chapter 701 of the acts of 1960 is hereby amended by adding the following paragraph: —

If at any time any principal or interest is due or about to become due on any bond or note issued or assumed by the Authority, and funds to pay the same are not available, the Authority shall certify to the state treasurer the amount required to meet such obligations, and the commonwealth shall thereupon pay over to the Authority the amount so certified. If the commonwealth shall not make such payment within a reasonable time, the Authority or any holder of an unpaid bond or note issued or assumed by the Authority, acting in the name of and on behalf of the Authority, shall have the right to require the commonwealth to pay the Authority the amount remaining unpaid, which right shall be enforceable as a claim against the commonwealth. The Authority or any such holder of an unpaid bond or note may file a petition in the superior court of Suffolk county to enforce such claim or intervene in any such proceeding already commenced, and the provisions of chapter two hundred and fifty-eight of the General Laws shall apply to such petition insofar as it relates to the enforcement of a claim against the commonwealth. Any such holder who shall have filed such a petition may apply for an order of said court requiring the Authority to apply funds received by the Authority on its claim against the commonwealth to the payment of the petitioner's unpaid bond or note, and said court, if it finds such amount to be due, shall issue such an order.

Approved November 10, 1971.

Chap. 1039. AN ACT PERMITTING CERTAIN ABUTTING PROPERTY OWNERS TO ENTER ON LANDS OF OTHERS FOR CERTAIN PURPOSES WITHOUT BEING HELD OR DEEMED TO BE GUILTY OF TRESPASS.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by inserting after section 120A the following section: —

Section 120B. Whoever being the owner of land abutting that of another, the building or buildings on which are so close to the land of

such other person as to require an entry on said abutting land for the purpose of maintaining or repairing said building or buildings in order to prevent waste, shall not be deemed guilty of trespass or liable civilly for damages, provided that such entry is made expeditiously and in the exercise of due care and that no damage is caused by such entry to the land or buildings of said abutting owner. Before such entry said owner shall notify the chief or other officer in charge of the police department of the city or town in which the land is located that he has requested permission to enter on adjoining land from the owner or occupants thereof for the purpose of maintaining or repairing a building or buildings and that such permission has been refused and that he intends to enter under the provisions of this section. Before entering on said land, said owner shall post bond with the chief of police in the amount of one thousand dollars to protect the adjoining land owner from damage caused by said entry. No person so entering on land of another shall store material or tools thereon for more than eight hours in any one day nor shall he continue to enter thereon for more than thirty days in the aggregate in any calendar year. After said entry, said owner shall in all respects restore said adjoining land to the condition in which it was prior to said entry. *Approved November 10, 1971.*

Chap. 1040. AN ACT TO PERMIT THE PAYMENT OF PREVIOUSLY GRANTED WAGE AND SALARY INCREASES TO CERTAIN MUNICIPAL EMPLOYEES UPON THE REMOVAL OF FEDERAL RESTRICTIONS ON WAGE AND SALARY INCREASES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the restrictions in sections thirteen and thirty-four of chapter forty-four of the General Laws relating to the incurring of liabilities for regular employees during the interval between December the thirty-first of the current year and the time of making the annual appropriations for the year nineteen hundred and seventy-two, liabilities may be incurred in any one month during such interval for regular employees in an amount not to exceed the expenditures for such regular employees during the month of December of the current year.

SECTION 2. Notwithstanding the provisions of section thirty-three A of said chapter forty-four, any increase in salary rate made by ordinance, vote or appointment prior to October the first of the current year which was ineffective because of Executive Order No. 11615, issued by the President of the United States on August the fifteenth, nineteen hundred and seventy-one, shall not be deemed to be invalid because payments had not been made thereunder during the last three months of the current year.

SECTION 3. Sections one and two shall be effective only to the extent that any action taken thereunder is consistent with the laws of the United States and with its rules, regulations and orders issued pursuant thereto. *Approved November 10, 1971.*

EMERGENCY LETTER — November 17, 1971 at 12:20 P.M.

Chap. 1041. AN ACT RELATIVE TO THE REIMBURSEMENT BY THE METROPOLITAN DISTRICT COMMISSION OF CERTAIN OWNERS OF RECORD OF CERTAIN REAL ESTATE IN THE TOWN OF WINTHROP FOR DAMAGES SUSTAINED BY THE DUMPING OF SEWAGE IN WINTHROP HARBOR.

Be it enacted, etc., as follows:

SECTION 1. Chapter 576 of the acts of 1969 is hereby amended by striking out, in line 11, the number and words "25 Washington Avenue" and inserting in place thereof the number and words: — 35 Washington Avenue, — by striking out, in line 15, the number and words "150 Washington Avenue . . . 400", — by striking out, in line 48, the number and words "33 Lewis Terrace" and inserting in place thereof the number and words: — 33 Lewis Avenue, — by striking out, in line 49, the number and words "32 Elmwood Court" and inserting in place thereof the number and words: — 32 Elmwood Avenue, — and by adding the following: —

17 Lewis Avenue	$300.00
291 River Road	200.00
811 Shirley Street	250.00
36 Grandview Avenue	100.00
122 Washington Avenue	200.00
130 Washington Avenue	250.00
75 Terrace Avenue	250.00

SECTION 2. 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 September the sixth, nineteen hundred and sixty-seven, were the owners of record of the following real estate in the town of Winthrop, in the amount shown herein, for damage to said real estate by reason of the dumping of sewage into Winthrop Harbor:

150 Washington Avenue	$400.00.

Approved November 10, 1971.

Chap. 1042. AN ACT PROVIDING TENURE OF OFFICE FOR THE INCUMBENT OF THE POSITION OF DOG OFFICER OF THE CITY OF QUINCY.

Be it enacted, etc., as follows:

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

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

Approved November 10, 1971.

Chap. 1043. AN ACT PROVIDING FOR THE DESIGNATION BY THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY OF THE PLAZA IN THE QUINCY SQUARE SECTION OF THE CITY OF QUINCY AS THE CAPTAIN WILLIAM F. MCINTYRE PLAZA.

Be it enacted, etc., as follows:

The Massachusetts Bay Transportation Authority is hereby authorized and directed to designate the plaza to be constructed adjacent to city hall in the Quincy Square section of the city of Quincy as the Captain William F. McIntyre Plaza, in memory of William F. McIntyre, an outstanding police captain of the police department of said city. A suitable marker bearing said designation shall be erected thereat by said Authority. *Approved November 10, 1971.*

Chap. 1044. AN ACT PROVIDING THAT THE OPERATION, MAINTENANCE AND SECURITY OF THE CHARLES F. HURLEY EMPLOYMENT SECURITY BUILDING AND ADJACENT PREMISES SHALL BE THE RESPONSIBILITY OF THE STATE SUPERINTENDENT OF BUILDINGS AND FURTHER DEFINING THE TERMS TO BE INCLUDED IN THE LEASE OF SAID BUILDING AND PREMISES.

Be it enacted, etc., as follows:

The third paragraph of section 6 of chapter 635 of the acts of 1960, as appearing in section 2 of chapter 685 of the acts of 1962, is hereby amended by striking out the ninth, tenth and eleventh sentences and inserting in place thereof the following four sentences: — Said lease shall provide also that the division of employment security shall assume full responsibility for the costs of operation as well as maintenance and repair of said building including land appurtenant thereto during the term of the lease and that the state superintendent of buildings shall assume full responsibility for the operation, maintenance and security of said building and adjacent premises and shall direct the making of all necessary repairs and improvements thereto. In addition thereto, said lease shall include an option from time to time to renew said lease on terms which will reflect only the costs of operation, maintenance and repair of the building during the period of the term of extension, plus an apportioned share of the payment in lieu of taxes to the city of Boston, as provided in section eight of this act. No such renewal of said lease shall include any charge based on the principal and interest of the bonds issued as provided in section seven. Said lease shall also contain such further provisions as are required by any federal rule or regulation governing the rental or lease of property established by the United States Department of Labor, or by the United States Manpower Administration, as a condition to the use of federal funds for the payment of the rental to be charged for the use of said building and land appurtenant thereto or for the payment of the cost of operation, maintenance and repair thereof, provided, however, that the term equity as used in Employment Security Manual, Part IV, Section 2520J, is understood and accepted by the commonwealth as not conferring any right or title of ownership in said premises upon the division of employment security or upon the federal government.

Approved November 10, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, November 10, 1971

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 1044 of the Acts of 1971, entitled "AN ACT PROVIDING THAT THE OPERATION, MAINTENANCE AND SECURITY OF THE CHARLES F. HURLEY EMPLOYMENT SECURITY BUILDING AND ADJACENT PREMISES SHALL BE THE RESPONSIBILITY OF THE STATE SUPERINTENDENT OF BUILDINGS AND FURTHER DEFINING THE TERMS TO BE INCLUDED IN THE LEASE OF SAID BUILDINGS AND PREMISES." and the enactment of which received my approval on November 10, 1971, 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 immediate implementation of the provisions of this act in order to comply with Federal regulations and thereby provide for the immediate receipt of Federal funds.

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

OFFICE OF THE SECRETARY, BOSTON, November 11, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at eleven o'clock and 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 thousand and forty-four of the acts of nineteen hundred and seventy-one.

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

Chap. 1045. AN ACT AUTHORIZING THE CITY OF MALDEN TO GRANT CERTAIN SALARY INCREASES RETROACTIVE TO JULY THE FIRST, NINETEEN HUNDRED AND SEVENTY-ONE.

Be it enacted, etc., as follows:

Notwithstanding the provision of section thirty-three A of chapter forty-four of the General Laws or of any other law, the city of Malden is hereby authorized to enact an ordinance increasing the salaries or compensation of its employees retroactive to July the first, nineteen hundred and seventy-one, subject, however, to the rules and regulations of the Office of Emergency Preparedness established under authority of Presidential Order 11615. *Approved November 10, 1971.*

Chap. 1046. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION INDOOR SWIMMING POOL AND SKATING RINK BEING CONSTRUCTED IN THE TOWN OF WEYMOUTH AS THE WILLIAM A. CONNELL, SR. RECREATION CENTER.

Be it enacted, etc., as follows:

The indoor swimming pool and skating rink being constructed in the town of Weymouth by the metropolitan district commission shall, upon its completion, be designated and known as the William A. Connell, Sr. Recreation Center, in memory of William A. Connell, Sr., a former chairman of the board of selectmen of the town of Weymouth and veteran of World War I. A suitable marker bearing said designation shall be attached thereto by said commission.

Approved November 10, 1971.

Chap. 1047. 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 seventy-one.

BARNSTABLE COUNTY.

Item		Subtotal	Total
14.	For district courts First District Court of Barnstable		$2,860 00
	1. Personal services	$2,860 00	
28a.	For reserve for salary increases		130,000 00
28b.	For reserve for upgrading of certain nursing positions . .		6,500 00
28c.	For reserve for salary increases to clerks and assistant clerks of district courts		3,500 00
31.	For police radio system		900 00
	Total amount of appropriations		$143,760 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 one hundred and sixty-four of the acts of the current year, the sum of		$143,760 00

BERKSHIRE COUNTY.

8.	For registry of deeds Middle District		$270 62
	1. Personal services	$270 62	

Item		Subtotal	Total
28a.	For reserve for salary increases		$52,600 00
28c.	For reserve for salary increases to clerks and assistant clerks of district courts		2,100 00
	Total amount of appropriations		$54,970 62
	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, in addition to the tax previously authorized by chapter five hundred and fourteen of the acts of the current year, the sum of		$54,970 62
	BRISTOL COUNTY.		
5.	For clerk of courts		$995 00
	5. Equipment	$995 00	
8.	For registry of deeds Southern District		1,814 40
	1. Personal services	1,219 40	
	5. Equipment	595 00	
26.	For miscellaneous and contingent expenses		100,000 00
27.	For unpaid bills of previous year		7,844 02
28a.	For reserve for salary increases		137,500 00
28c.	For reserve for salary increases to clerks and assistant clerks of district courts		3,200 00
	Total amount of appropriations		$251,353 42
	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 four hundred and sixty-eight of the acts of the current year, the sum of		$251,353 42
	DUKES COUNTY.		
28a.	For reserve for salary increases		$11,500 00
28c.	For reserve for salary increases to clerks and assistant clerks of district courts		110 00
	Total amount of appropriations		$11,610 00
	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, in addition to the tax previously authorized by chapter two hundred and forty-nine of the current year, the sum of		$11,610 00
	ESSEX COUNTY.		
8.	For registry of deeds Southern District		$400 00
	1. Personal services	$400 00	

Item		Subtotal	Total
14.	For district courts		
	District Court of Lawrence		$1,847 30
	1. Personal services	$1,847 30	
	District Court of Southern Essex		27,727 00
	1. Personal services	2,152 00	
	5. Equipment	25,575 00	
16.	For jail and house of correction — Salem		2,000 00
	1. Personal services	2,000 00	
17.	For training school		3,500 00
	1. Personal services	500 00	
	3. Supplies and materials	3,000 00	
18.	For court houses and registry buildings		2,700 00
	3. Supplies and materials	2,700 00	
20.	For agricultural school or county aid to agriculture		1,800 00
	5. Equipment	1,800 00	
28a.	For reserve for salary increases		265,000 00
28c.	For reserve for salary increases to clerks and assistant clerks of district courts		10,000 00
	Total amount of appropriations		$314,974 30
	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 four hundred and sixty-seven of the acts of the current year, the sum of		$314,974 30

FRANKLIN COUNTY.

8.	For registry of deeds		$1,000 00
	5. Equipment	$1,000 00	
16.	For jail and house of correction		4,500 00
	2. Contractual services	4,500 00	
28a.	For reserve for salary increases		29,000 00
28c.	For reserve for salary increases to clerks and assistant clerks of district courts		1,500 00
35.	For county planning and economic development		135 00
	Total amount of appropriations		$36,135 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 two hundred and twenty-eight of the acts of the current year, the sum of		$36,135 00

HAMPDEN COUNTY.

Item		Subtotal	Total
8a.	For registry of probate		$2,617 00
	5. Equipment	$2,617 00	
10.	For highways, including state highways, bridges and land damages		7,500 00
	6. All other	7,500 00	
12.	For criminal costs in superior court		3,203 20
	1. Personal services	3,203 20	
14.	For district courts		
	District Court of Chicopee		900 00
	5. Equipment	900 00	
	District Court of Holyoke		2,606 90
	1. Personal services	1,706 90	
	5. Equipment	900 00	
	District Court of Springfield		1,500 00
	2. Contractual services	1,500 00	
	District Court of Western Hampden		1,400 00
	1. Personal services	1,400 00	
16.	For jail and house of correction		6,983 78
	1. Personal services	1,983 78	
	2. Contractual services	5,000 00	
27.	For unpaid bills of previous year		2,919 11
28.	For reserve fund		20,000 00
28a.	For reserve for salary increases		170,000 00
28c.	For reserve for salary increases to clerks and assistant clerks of district courts		7,000 00
	Total amount of appropriations		$226,629 99
	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 four hundred and sixty-nine of the acts of the current year, the sum of		$226,629 99

HAMPSHIRE COUNTY.

13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		$2,500 00
	2. Contractual services	$2,500 00	
16.	For jail and house of correction		19,000 00
	2. Contractual services	4,000 00	
	6. All others	15,000 00	
24.	For noncontributory pensions		10,399 20
28a.	For reserve for salary increases		39,000 00
28c.	For reserve for salary increases to clerks and assistant clerks of district courts		3,300 00
	Total amount of appropriations		$74,199 20

Item		Subtotal	Total
	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 four hundred and eighty-eight of the acts of the current year the sum of		$74,199 20
	MIDDLESEX COUNTY.		
5.	For clerk of courts		$8,400 00
	2. Contractual services	$7,000 00	
	5. Equipment	1,400 00	
6.	For county treasurer		6,776 00
	5. Equipment	6,776 00	
8.	For registry of deeds		
	Northern District		990 94
	1. Personal services	990 94	
	Southern District		15,611 50
	1. Personal services	11,611 50	
	2. Contractual services	4,000 00	
8a.	For registry of probate		1,220 00
	5. Equipment	1,220 00	
10.	For highways, including state highways, bridges, and land damages		50,000 00
	6. All other	50,000 00	
12.	For criminal costs in superior court		398,208 00
	1. Personal services	7,208 00	
	2. Contractual services	391,000 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		71,887 00
	1. Personal services	11,100 00	
	2. Contractual services	57,938 00	
	5. Equipment	2,849 00	
14.	For district courts		
	District Court of Lowell		16,342 80
	1. Personal services	1,927 31	
	2. Contractual services	13,715 49	
	3. Supplies and materials	700 00	
	District Court of Somerville		15,664 00
	1. Personal services	15,064 00	
	4. Current charges and obligations . .	600 00	
	District Court of Newton		3,070 67
	1. Personal services	3,070 67	
	First District Court of Eastern Middlesex .		3,694 60
	1. Personal services	3,694 60	
	Third District Court of Eastern Middlesex .		2,300 00
	1. Personal services	2,300 00	
	Fourth District Court of Eastern Middlesex .		1,227 50
	1. Personal services	1,227 50	
	First District Court of Northern Middlesex .		8,205 69
	1. Personal services	7,855 69	
	3. Supplies and materials	350 00	

Item		Subtotal	Total
	First District Court of Southern Middlesex		$30,581 84
	1. Personal services	$22,371 84	
	2. Contractual services	3,000 00	
	3. Supplies and materials	1,700 00	
	4. Current charges and obligations	1,250 00	
	5. Equipment	2,260 00	
	District Court of Central Middlesex		4,701 15
	1. Personal services	4,701 15	
	District Court — Juvenile Division		4,000 00
	2. Contractual services	4,000 00	
16.	For jail and house of correction — Billerica		7,130 00
	2. Contractual services	5,130 00	
	3. Supplies and materials	2,000 00	
17.	For training school		12,000 00
	2. Contractual services	10,000 00	
	4. Current charges and obligations	2,000 00	
18.	For court houses and registry buildings		28,855 10
	1. Personal services	1,855 10	
	2. Contractual services	23,500 00	
	3. Supplies and materials	3,500 00	
24.	For noncontributory pensions		30,350 00
25.	For contributory retirement system and supervisory expenses		10,000 00
27.	For unpaid bills of previous years		2,874 54
28a.	For reserve for salary increases		690,000 00
28c.	For reserve for salary increases for clerks and assistant clerks of the district courts		21,000 00
39.	For group insurance		11,257 28
	Total amount of appropriations		$1,456,348 61
	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 six hundred and thirty-six of the acts of the current year, the sum of		$1,456,348 61
	NORFOLK COUNTY.		
12.	For criminal costs in superior court		$2,108 00
	1. Personal services	$2,108 00	
14.	For district courts		
	District Court of East Norfolk		183 30
	1. Personal services	183 30	
	District Court of Western Norfolk		421 20
	1. Personal services	421 20	
20.	For agricultural school or county aid to agriculture		2,500 00
	1. Personal services	2,500 00	
28a.	For reserve for salary increases		190,000 00
28c.	For reserve for salary increases for clerks and assistant clerks of district courts		8,000 00
	Total amount of appropriations		$203,212 50

Item		Subtotal	Total
	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 four hundred and eighty-seven of the acts of the current year, the sum of		$203,212 50
	PLYMOUTH COUNTY.		
28a.	For reserve for salary increases		$120,000 00
28c.	For reserve for salary increases for clerks and assistant clerks of district courts		11,000 00
	Total amount of appropriations		$131,000 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 four hundred and fifteen of the acts of the current year, the sum of		$131,000 00
	WORCESTER COUNTY.		
14.	For district courts		
	First District Court of Eastern Worcester		$2,860 00
	1. Personal services	$2,860 00	
	First District Court of Southern Worcester		1,219 40
	1. Personal services	1,219 40	
	Third District Court of Southern Worcester		170 00
	1. Personal services	170 00	
	District Court — Southern Juvenile District		2,152 00
	1. Personal services	2,152 00	
	District Court of Fitchburg		2,270 20
	1. Personal services	2,270 20	
	District Court of Leominster		1,219 40
	1. Personal services	1,219 40	
	District Court — Worcester Juvenile Court		4,304 00
	1. Personal services	4,304 00	
16.	For jail and house of correction		8,000 00
	2. Contractual services	8,000 00	
28a.	For reserve for salary increases		226,000 00
28c.	For reserve for salary increases for clerks and assistant clerks of district courts		14,000 00
	Total amount of appropriations		$262,195 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 nine hundred and thirty-eight of the acts of the current year, the sum of		$262,195 00

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

Approved November 11, 1971.

Chap. 1048. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW RELATIVE TO THE GROUP INSURANCE LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to make a corrective change in the group insurance law in order that such change shall take effect as of the effective date of chapter nine hundred and forty-six of the acts of nineteen hundred and seventy-one, 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 10 of chapter 32A of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 3 of chapter 946 of the acts of 1971, and inserting in place thereof the following paragraph: —

The commission shall require that, upon retirement of an employee, the policy or policies of insurance as set forth in section six, except the optional group life insurance referred to therein, shall provide that the two thousand dollars of group life insurance, the two thousand dollars of group accidental death and dismemberment insurance and the group general or blanket insurance providing hospital, surgical, medical and other health insurance, as provided under sections five and ten C, as may be applicable, shall be continued, provided said retiree makes application to the commission on a form prescribed by the rules and regulations of the commission. The retired employee shall pay fifty per cent of the average group premium as determined by the commission for such group life and accidental death and dismemberment insurance and fifty per cent of the average group premium as determined by the commission for the hospital, surgical, medical and other health insurance for such retired employee or for such retired employee and his dependents and the commonwealth shall contribute the remaining fifty per cent of such premium costs, except that for insurance for services of a health care organization, as provided under section fourteen, the retired employee shall pay the remainder of the total monthly premium cost after deducting the amount contributed by the commonwealth. The commonwealth shall contribute the remaining fifty per cent of the average group premium costs of group life insurance and group or blanket health insurance, as provided under sections five and ten C. The contribution by the commonwealth for services of a health care organization shall be equal to and shall not exceed the contribution of the commonwealth for group or blanket health insurance as provided under section five or section ten C.

SECTION 2. This act shall take effect on January the twenty-fourth, nineteen hundred and seventy-two. *Approved November 11, 1971.*

Chap. 1049. AN ACT PROVIDING THAT A CERTAIN LICENSE ISSUED TO MAINTAIN AN EXISTING CONCRETE WALL AND FILL IN THE MERRIMACK RIVER IN THE CITY OF LAWRENCE BE IRREVOCABLE.

Be it enacted, etc., as follows:

License numbered 5676 granted by the department of public works on January the twenty-seventh, nineteen hundred and seventy-one to

maintain an existing concrete wall and fill in the Merrimack river in the city of Lawrence 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 damage recoverable by reason of such taking shall not exceed the cost of acquisition of such land by the owner from whom the taking is made together with the cost to such owner of any buildings or improvements thereon, with interest at six per cent annually from the date any such cost was incurred. *Approved November 11, 1971.*

Chap. 1050. AN ACT PROVIDING FOR REIMBURSEMENT TO THE TOWN OF ROYALSTON FOR EXPENSES INCURRED AS A RESULT OF THE TORNADO WHICH SWEPT THROUGH SAID TOWN ON AUGUST THE SEVENTEENTH, NINETEEN HUNDRED AND SEVENTY.

Be it enacted, etc., as follows:

SECTION 1. The commonwealth shall, subject to the approval of the board established by section two of chapter six hundred and eighty-four of the acts of nineteen hundred and sixty-eight, reimburse the town of Royalston a sum not exceeding five thousand eight hundred and sixteen dollars and twenty-eight cents on account of expenses incurred in clearing the public highways and public lands of fallen trees and other debris resulting from damage caused by a tornado which swept through said town on August the seventeenth, nineteen hundred and seventy.

SECTION 2. Any unexpended funds made available by section seven of said chapter six hundred and eighty-four of the acts of nineteen hundred and sixty-eight may be used to meet the expenditures necessary to carry out the provisions of this act. *Approved November 11, 1971.*

Chap. 1051. AN ACT RELATIVE TO VETERANS' PREFERENCE IN CIVIL SERVICE APPOINTMENTS.

Be it enacted, etc., as follows:

SECTION 1. The last sentence of section 23 of chapter 31 of the General Laws, as appearing in section 5 of chapter 627 of the acts of 1954, is hereby amended by striking out, in line 2, the words "appointed and employed" and inserting in place thereof the words: — retained in employment.

SECTION 2. The first paragraph of section 23A of said chapter 31 is hereby amended by striking out, in lines 5 to 8, inclusive, as appearing in section 1 of chapter 430 of the acts of 1956, the words ", and who presents a certificate of any physician, approved by the director, that his disability is not such as to prevent the efficient performance of the duties of the position to which he is eligible;", — and by adding the following two sentences: — The director may require any such veteran to present a certificate of a physician, approved by the director, that

his disability is not such as to incapacitate him from the performance of the duties of the position to which he is eligible. The cost of a physical examination of such veteran for the purposes of obtaining said certificate shall be borne by the commonwealth.

SECTION 3. The provisions of this act shall not apply to any civil service list in existence on the effective date of this act.

Approved November 11, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, November 15, 1971

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 1051 of the Acts of 1971, entitled "AN ACT RELATIVE TO VETERANS' PREFERENCE IN CIVIL SERVICE APPOINTMENTS." and the enactment of which received my approval on November 11, 1971, 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 order that its provisions may be immediately applied to Civil Service lists established on and after this date.

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

OFFICE OF THE SECRETARY, BOSTON, November 15, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and fifty-one 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 thousand and fifty-one of the acts of nineteen hundred and seventy-one.

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

Chap. 1052. AN ACT INCREASING THE MEMBERSHIP OF THE GROUP INSURANCE COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 32A of the General Laws, as most recently amended by section 2 of chapter 193 of the acts of 1962, is hereby further amended by striking out the first two sentences and inserting in place thereof the following two sentences: — There shall be established within the executive office of administration and finance, but not under its jurisdiction, a special unpaid commission, to be known as the group insurance commission, consisting of the commissioner of

administration, the commissioner of insurance and five members to be appointed by the governor, at least two of whom shall be full time state employees, one of whom shall be a member of the Massachusetts Public Employees Council, #41 AFSCME, AFL-CIO, and the other a member of the Massachusetts State Employees Association. Not more than three appointive members of the commission shall be members of the same political party.

SECTION 2. In making the initial appointments of the two additional members of the group insurance commission authorized by section three of chapter thirty-two A of the General Laws, as amended by section one of this act, the governor shall appoint one for a term of three years and one for a term of two years.

Approved November 11, 1971.

Chap. 1053. AN ACT ESTABLISHING THE CHRISTIAN A. HERTER MEMORIAL SCHOLARSHIPS.

Be it enacted, etc., as follows:

The twentieth paragraph of section 1D of chapter 15 of the General Laws, as amended by section 1 of chapter 789 of the acts of 1967, is hereby further amended by inserting before the last sentence the following two sentences: — The board is authorized to guarantee the payment of such full or partial scholarships to twenty-five students annually of extraordinary need and ability selected in the tenth or eleventh grades by persons or agencies of the board's designation under such regulations as the board shall deem necessary. Said scholarships, to be known as the Christian A. Herter Memorial Scholarships, shall be guaranteed to the student at the time of his selection, provided he satisfactorily completes high school and is enrolled in and pursuing a program of higher education in any approved public or private college, normal school, scientific or technical institution, or any other approved institution furnishing a program of higher education, and shall be payable from general scholarship funds at the time of his matriculation.

Approved November 11, 1971.

Chap. 1054. AN ACT PROVIDING FOR REIMBURSEMENT TO THE TOWN OF AGAWAM FOR EXPENSES INCURRED AS A RESULT OF THE TORNADO WHICH SWEPT THROUGH SAID TOWN ON OCTOBER THE THIRD, NINETEEN HUNDRED AND SEVENTY.

Be it enacted, etc., as follows:

SECTION 1. The commonwealth shall, subject to the approval of the board established by section two of chapter six hundred and eighty-four of the acts of nineteen hundred and sixty-eight, reimburse the town of Agawam a sum not exceeding four thousand one hundred dollars on account of expenses incurred in repairing damage caused by a tornado which swept through said town on October the third, nineteen hundred and seventy.

SECTION 2. Any unexpended funds made available by section seven of said chapter six hundred and eighty-four of the acts of nineteen hundred and sixty-eight may be used to meet the expenditures necessary to carry out the provisions of this act. *Approved November 11, 1971.*

Chap. 1055. AN ACT RELATIVE TO THE CONFINEMENT OF PRISONERS SENTENCED TO THE PUNISHMENT OF DEATH AT THE STATE PRISON OR THE REFORMATORY FOR WOMEN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 279 of the General Laws is hereby amended by striking out section 44, as most recently amended by section 41 of chapter 777 of the acts of 1957, and inserting in place thereof the following section: —

Section 44. The sheriff of the county in a jail whereof a convict sentenced to the punishment of death is confined, or a deputy designated by the sheriff, within seven days after the imposing of such sentence in the case of a male convict or within ten days after receipt by the sheriff of the warrant for the execution of such sentence in the case of a female convict shall, at a time chosen by the sheriff, convey such male or female convict, as secretly as may be, to the state prison and deliver him or her, with the warrant in either case, to the superintendent thereof or to the officer performing his duties and such convict shall be placed in a cell provided for the purpose. Within fourteen days thereafter, the superintendent or officer performing his duties shall cause said convict to be examined by a competent psychiatrist for the purpose of rendering a written and signed opinion as to whether or not said convict is psychologically fit to be transferred from special confinement to confinement with the general prison population; and in the case of a female, to the general prison population at the reformatory for women with full participation in the educational and work programs, within the prison, afforded prisoners under sentence other than the punishment of death. Upon receipt of said psychiatric opinion, and other pertinent information, the superintendent or officer performing his duties may transfer said prisoner to confinement with the general prison population with the right of full participation in the privileges afforded other prisoners as aforesaid. If the superintendent or officer performing his duties does not so transfer said prisoner, he shall notify said prisoner of his decision forthwith, whereupon said prisoner may appeal said decision within ten days of said notification by giving notice to the superintendent or officer performing his duties on a form provided him at the time of the receipt of the notification of the adverse decision. Upon receipt of such notice, the superintendent or officer performing his duties shall notify the commissioner of correction forthwith whereupon the commissioner shall hold a hearing on said appeal within fifteen days of receipt of notice that such appeal has been made. The commissioner or his appointee shall conduct said hearing and shall render a decision granting or denying said appeal within five days following the date of the hearing. A prisoner who is denied such transfer by the superintendent or officer performing his duties shall remain in a cell for the purpose of the execution of his or her sentence, and shall thereafter be kept therein, unless an appeal made by him of the adverse decision is granted, until the sentence of death is executed upon him or her, and no person shall be allowed access to him or her without an order of the court, except the officers and employees of the prison, his or her counsel and such physicians, priest or minister of religion as the superintendent may approve and members of his or her family who are identified to the satisfaction of the superin-

tendent. Any inmate confined to a cell for the purpose of the execution of his or her sentence shall have his or her record reviewed annually for the purpose of determining whether or not said inmate should be placed in the general population and shall be entitled to a hearing, as provided above, on an adverse decision.

Notwithstanding the foregoing, the superior court may make any order relative to the custody of a person confined in the state prison or the reformatory for women under this section in case he or she is granted a new trial.

SECTION 2. All convicts sentenced to the punishment of death and confined to cells provided for the purpose shall, upon the effective date of this act, be given psychiatric examinations forthwith for the same purpose set forth in section forty-four of chapter two hundred and seventy-nine of the General Laws, as amended by section one of this act, and the superintendent or officer performing his duties shall follow the same procedures set forth in said section forty-four, as amended, for each such convict already so sentenced and confined, and such convict shall have the same rights of appeal and hearing as are described in said section forty-four. *Approved November 11, 1971.*

Chap. 1056. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO ENTER INTO AGREEMENTS FOR THE COLLECTION, TREATMENT AND DISPOSITION OR DISCHARGE OF SEWAGE FROM THE WORCESTER COUNTY JAIL AND HOUSE OF CORRECTION IN THE TOWN OF WEST BOYLSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of chapter seven hundred and fifty-two of the acts of nineteen hundred and sixty-eight or any other law to the contrary, the county commissioners of Worcester county and the Upper Blackstone Water Pollution Abatement District are hereby authorized to enter into mutual agreements for the collection, treatment and disposition or discharge of sewage from the Worcester county jail and house of correction in the town of West Boylston.

SECTION 2. This act shall take effect upon its acceptance by the county commissioners of Worcester county and the Upper Blackstone Water Pollution Abatement board. *Approved November 11, 1971.*

Chap. 1057. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE CITY OF WALTHAM OWNED BY THE CITY OF CAMBRIDGE FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

The department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by purchase or otherwise, the public lands hereinafter described, or such portions thereof as said department may determine, and to divert said lands from their present public uses to highway use, as hereinafter provided.

Said lands to be so transferred and diverted are shown on a map entitled "Commonwealth of Massachusetts Department of Public Works — Public Lands Needed for Highway Purposes, November 4, 1970", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and are identified as follows: —

For the reconstruction of route 128 in the city of Waltham.

1. In the city of Waltham, approximately eight acres owned by the city of Cambridge and used for water reservoir services.

The city of Cambridge shall be reimbursed by the commonwealth, after acquisition of said land at its fair market value which shall be determined by three qualified appraisers, one of whom shall be appointed by the city of Cambridge, one by the department of public works and the third by the two first appointed.

In addition to the amount so determined the commonwealth shall pay to the city of Cambridge the sum of one hundred and twenty-five thousand dollars for loss of water storage.

Approved November 11, 1971.

Chap. 1058. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO ACQUIRE SOUTH CAPE BEACH IN THE TOWN OF MASHPEE UNDER CERTAIN CONDITIONS.

Be it enacted, etc., as follows:

The department of natural resources is hereby authorized to acquire by gift, purchase or eminent domain South Cape beach in the town of Mashpee and such adjacent land and water as it deems necessary; provided that nothing contained herein shall permit said department to acquire by eminent domain said land of the town of Mashpee. Said department shall hold and develop said area for purposes of outdoor recreation and conservation under the provisions of chapter one hundred and thirty-two A of the General Laws. To carry out the purposes of this act, the department may expend such sums as have been or may hereafter be made available for the purposes of said chapter one hundred and thirty-two A. *Approved November 11, 1971.*

Chap. 1059. AN ACT PROVIDING FOR COVERAGE OF NURSES EMPLOYED BY THE COMMONWEALTH OR ITS POLITICAL SUBDIVISIONS UNDER THE WORKMEN'S COMPENSATION ACT.

Be it enacted, etc., as follows:

The first paragraph of section 69 of chapter 152 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 555 of the acts of 1959, and inserting in place thereof the following sentence: — The commonwealth and any county, city, town or district having the power of taxation which has accepted chapter eight hundred and seven of the acts of nineteen hundred and thirteen, and any town or district having the power of taxation which accepts the provisions of this section at an annual meeting or at any special meeting called for the purpose, and any county tuberculosis hospital district under sections seventy-eight to ninety, inclusive, of chapter one hundred

and eleven, if the trustees of said district accept the provisions of this section and any regional school district which accepts this section by vote of its regional district school committee, shall pay to laborers, workmen, mechanics and nurses employed by it who receive injuries arising out of and in the course of their employment or, in case of death resulting from such injury, to the persons entitled thereto, the compensation provided by this chapter. *Approved November 11, 1971.*

Chap. 1060. AN ACT PROVIDING THAT A CERTAIN LICENSE GRANTED BY THE DEPARTMENT OF PUBLIC WORKS TO PLACE AND MAINTAIN FILL IN CERTAIN TIDEWATERS IN THE TOWN OF WINTHROP BE IRREVOCABLE.

Be it enacted, etc., as follows:

The license granted by the department of public works, being license numbered 5007, dated December the fifteenth, nineteen hundred and sixty-five, to fill or maintain existing fill at certain property in Belle Isle Inlet in the town of Winthrop, shall, notwithstanding any provision of general or special law to the contrary, be irrevocable; provided, 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. *Approved November 11, 1971.*

Chap. 1061. AN ACT INCREASING THE AUTHORITY OF CONSTABLES TO SERVE CIVIL PROCESS.

Be it enacted, etc., as follows:

The last sentence of section 92 of chapter 41 of the General Laws, as most recently amended by chapter 74 of the acts of 1968, is hereby further amended by striking out, in line 4 and in line 6, the words "five hundred" and inserting in place thereof, in each instance, the words: — six hundred and fifty. *Approved November 11, 1971.*

Chap. 1062. AN ACT AUTHORIZING THE BOARD OF TRUSTEES OF STATE COLLEGES TO SELL AND CONVEY CERTAIN LAND IN THE CITY OF WESTFIELD TO SAID CITY.

Be it enacted, etc., as follows:

The board of trustees of state colleges, in the name and on behalf of the commonwealth, is hereby authorized to sell and convey to the city of Westfield, 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 said city, bounded and described as follows:

Beginning at a point on the northerly line of Western Avenue at land now or formerly of Stanley Home Products, Inc., thence running northerly 150 feet by said land of Stanley Home Products, Inc., to a point, thence turning and running 100 feet in a westerly direction to a point, thence turning and running 150 feet in a southerly direction to the northerly line of Western Avenue, said last two boundaries being by land of Westfield State College and land retained by the commonwealth, thence turning and running 100 feet in an easterly direction along the northerly line of Western Avenue to the point of beginning.

Said land shall be used by the city of Westfield for the construction of a fire station. *Approved November 11, 1971.*

Chap. 1063. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE A CERTAIN PORTION OF HARTSHORN PARK IN THE CITY OF TAUNTON FOR THE PURPOSE OF CONSTRUCTING A BRIDGE ACROSS THE TAUNTON RIVER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section five of chapter seventy-nine of the General Laws, the department of public works, on behalf of the commonwealth, is hereby authorized and directed to take by eminent domain under said chapter seventy-nine or under chapter eighty A of the General Laws a portion of Hartshorn park in the town of Taunton lying at or near the northwesterly corner of that part of the park lying easterly of Cody street and Memorial Park drive, including any or all public and private rights and interests therein. Such taking shall be for the purpose of the construction of a bridge from Taunton across the Taunton river to land known as the Baylies Estate, said portion to be so taken being bounded and described as follows: —

Beginning at a point on the South line of Dean Street (Mass. Rte. 44) 91.10′ South of Station 37+77.49 of the 1932 State Highway Layout, thence North 74° 56′ 52″ East 51.84′ to the start of a curve to the left, having a radius of 3635.00′ a distance of 354.26′ to a point and the start of another curve generally southwesterly, having a radius of 150′ and length of 234.83′ to a point, thence South 20° 20′ 06″ East 105′ more or less to the edge of the Taunton River, thence by the irregular line of said Taunton River 125′ more or less to a point, thence North 20° 20′ 06″ West 82′ more or less to a point and the start of a curve to the left having a radius of 150′ and a distance of 221.79′ to Dean Street and the point of beginning.

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

SECTION 3. The damages determined to be payable on account of the interests of the public in the property taken or the damages agreed upon in settlement of the right of the public to be compensated, including any interest thereon, shall be set aside and held by the town of

Taunton in trust to be used solely for the acquisition of real property for park purposes or, if such use is determined to be lawful by a court of competent jurisdiction, may be used by the town for the improvement of real property held by the town for park purposes. Either the superior court or the probate court in and for the county of Bristol shall have jurisdiction for the foregoing purpose.

Approved November 11, 1971.

Chap. 1064. AN ACT RELATIVE TO CERTAIN EXPENSES INCURRED BY PROBATION OFFICERS OF THE SUPERIOR COURT AND THE PROBATE COURT.

Be it enacted, etc., as follows:

Section 94 of chapter 276 of the General Laws is hereby amended by striking out the first sentence, as amended by section 5 of chapter 771 of the acts of 1969, and inserting in place thereof the following sentence: — The reasonable expenses, including supplies and equipment, incurred by probation officers of the superior court and the probate court in the performance of their duties shall be approved and apportioned by the court and paid by the county to which they are thus apportioned.

Approved November 11, 1971.

Chap. 1065. AN ACT EXEMPTING CERTAIN PUBLICATIONS INCORPORATED BY REFERENCE IN REGULATIONS OF STATE AGENCIES FROM THE REQUIREMENT OF REPRODUCTION AND REPUBLICATION BY THE STATE SECRETARY.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 6 of chapter 30A of the General Laws, as appearing in section 4 of chapter 712 of the acts of 1970, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The state secretary shall, upon receipt of regulations filed in accordance with section five, cause the same to be printed, mimeographed or otherwise reproduced and thereafter compiled, indexed and published in pamphlet, loose leaf or other appropriate form for inexpensive and efficient distribution; provided, however, that whenever the regulations contain specifications, a separate attested copy of such specifications shall also be filed and the state secretary shall not have to include such specifications in the printing, mimeographing or other reproduction of such regulations, but may incorporate them by reference together with a notation that they are on file and available for inspection.

SECTION 2. Said section 6 of said chapter 30A is hereby further amended by striking out the last paragraph, as so appearing, and inserting in place thereof the following paragraph: —

For the purposes of this section, the word "regulation" shall not include any regulation whose principal purpose and effect is to prescribe or approve rates chargeable for goods, services or other things by specifically named persons and shall not include any portion of an existing publication which has been adopted as and incorporated by reference in a regulation of any agency and which the secretary determines is unnecessary to republish by reason of its already being reasonably available to that portion of the public affected by said agency's activities.

SECTION 3. Section 10A of chapter 808 of the acts of 1969, inserted by section 10 of said chapter 712, is hereby amended by inserting after the word "persons", in line 5, the words: — , and shall not include any portion of an existing publication which has been adopted as and incorporated by reference in a regulation of any agency and which the secretary determines is unnecessary to republish by reason of its already being reasonably available to that portion of the public affected by said agency's activities.

SECTION 4. No regulation adopted, and no public hearing or presentation of information held, between the thirty-first day of December, nineteen hundred and seventy and the effective date of this act, shall be deemed invalid by reason of noncompliance with any provision of section six or six A of chapter thirty A of the General Laws relative to the reproduction, compilation, indexing, publication or distribution of certain regulations and of notices of public hearings or times for presenting information thereon; provided, that all other applicable provisions of law have been complied with in the adoption of such regulations and in the conduct of such hearing or presentation of information.

Approved November 11, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, November 15, 1971

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 1065 of the Acts of 1971, entitled "AN ACT EXEMPTING CERTAIN PUBLICATIONS INCORPORATED BY REFERENCE IN REGULATIONS OF STATE AGENCIES FROM THE REQUIREMENT OF REPRODUCTION AND REPUBLICATION BY THE STATE SECRETARY." and the enactment of which received my approval on November 11, 1971, 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 order to make effective immediately the regulations which have not been published by the Secretary of the Commonwealth.

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

OFFICE OF THE SECRETARY, BOSTON, November 15, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at four o'clock and fifty 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 thousand and sixty-five of the acts of nineteen hundred and seventy-one.

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

Chap. 1066. AN ACT GOVERNING THE CERTIFICATION AND LICENSING OF PERSONS DETERMINING COMPOSITION OF MILK OR CREAM FOR PURPOSES OF INSPECTION OR PAYMENT AND OF PERSONS RECEIVING RAW MILK AT DAIRY FARMS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 94 of the General Laws is hereby amended by striking out sections 25 to 31, inclusive, and inserting in place thereof the following ten sections: —

Section 25. No person shall use any bottle, pipette, graduate or any other measuring utensil or device in the determination, by any testing method approved under section twenty-seven, of milk-fat or other component content of milk or cream for the purpose of inspection or as a basis for payment in buying or selling until such utensil or device has been tested and verified for accuracy by or under supervision of the director. Prior to use in any such determination, each such utensil or device shall be submitted to the director or his agent for the required testing and verification and shall, subsequent to test, be clearly and permanently marked as accurate or inaccurate, and none bearing the latter designation shall be used in any such determination. A fee not to exceed the actual cost of such testing and verification shall be payable to the director.

Section 26. Mechanical or other equipment intended for use in any testing method approved under section twenty-seven for the determination of milk-fat or other component content of milk or cream for purposes of inspection or as a basis for payment in buying or selling shall be inspected for accuracy of operation prior to initial use in such determination and at least once in each year thereafter by the director or his agent and, if approved, shall be so identified by seal showing the date of inspection. The user or owner of such equipment shall pay to the director a fee not to exceed the actual cost of each such initial and subsequent annual inspection. The director or his agent may condemn any testing equipment which in his judgment, upon inspection, is not in condition to produce accurate results. Upon condemnation, no such equipment shall be used in such determination until it has been corrected to the satisfaction of the director or his agent and approved by him. The actual cost of any additional inspection necessary to such approval shall also be paid to the director.

Section 27. No testing method shall be used for the determination of milk-fat or other component content of milk or cream for the purpose of inspection or as a basis for payment in buying or selling unless it has been jointly approved by the director and the director of milk control and duly regulated under the provisions of section twenty-nine A. No person shall operate any mechanical equipment for such determination unless he has first obtained from the director or his agent a certificate indicating that he is competent in such operation and has thereafter been licensed under the provisions of section twenty-eight. The fee for such a certificate of competency shall be set by and be payable to the director. The director shall establish such requirements with respect to the application for and granting of said certicates as he deems appropriate. A copy of each such certificate shall be furnished to the director of milk control.

Section 27A. Except as provided in section twenty-eight A with respect to emergency licensing, no person in determining the basis for payment in buying or selling shall measure, sample or accept raw milk at a dairy farm for inclusion in a bulk tank truck unless he has first obtained from the director or his agent a certificate indicating that he is competent in such operations and thereafter has been licensed under the provisions of section twenty-eight A. The fee for such a certificate of competency shall be set by and be payable to the director. The director shall establish such requirements with respect to the application for and granting of said certificates as he deems appropriate. A copy of each such certificate shall be furnished to the director of milk control.

Section 28. The director of milk control or his agent shall, upon application on a form provided by him, issue a license to operate to any person holding a certificate of competency obtained as provided in section twenty-seven and dated within thirty days of the date of application. The license fee shall be three dollars payable to the director of milk control. The director of milk control may revoke or suspend such license at any time for violation of any of the provisions of sections twenty-five through thirty or of the rules and regulations made thereunder and may reinstate such license upon his determination that the cause for revocation or suspension has been removed. An additional fee of three dollars shall be paid to the director of milk control for reinstatement of a license which has been revoked. Names of licensees and notice of any suspension, revocation or reinstatement shall be furnished to the director.

Section 28A. The director of milk control or his agent shall, upon application on a form provided by him, issue a license to receive raw milk at dairy farms to any person holding a certificate of competency obtained as provided in section twenty-seven A and dated within thirty days of the date of application. He may also, without prior evidence of competency and upon application by telephone or otherwise, issue such a license on a temporary basis not to exceed thirty days, provided he deems such action to be required because of emergency conditions to assure the uninterrupted collection of raw milk from dairy farms. No temporary license shall be renewed or extended except upon submission by the licensee of a certificate of competency obtained as hereinabove provided. The license fee in either case shall be three dollars payable to the director of milk control. The director of milk control may at any time revoke or suspend a license issued under this section for violation of any of the provisions of sections twenty-five through thirty or of the rules and regulations made thereunder and may reinstate such license upon his determination that the cause for revocation or suspension has been removed. An additional fee of three dollars shall be paid to the director of milk control for reinstatement of a license which has been revoked. Names of licensees and notice of any suspension, revocation or reinstatement shall be furnished to the director.

Section 29. The director shall be responsible for timely dissemination of information to all persons licensed by him under prior provisions of earlier law or certified by him under the provisions of either section twenty-seven or section twenty-seven A with respect to technical developments and improved procedural methods pertinent to their

operations and may, in his discretion, require additional evidence of competency for continued licensing or certification. He or his agent may enter upon any premises, including bulk tank trucks, where samples of milk or cream are taken, stored or tested in order to inspect any utensil, device or equipment used in making tests or to ascertain the continuing competency of any person so licensed or certified and shall report to the director of milk control any violation observed by him of the provisions of sections twenty-five through twenty-eight A or of the rules and regulations issued under the provisions of section twenty-nine A. He shall also be represented at any hearing held as provided in section twenty-nine A and shall enter testimony thereat with respect to such proposals for amendment of rules and regulations as may be under consideration.

Section 29A. The director of milk control shall, after reasonable notice to all interested parties and a hearing and subject to the approval of the milk control commission, prescribe and may from time to time in like manner modify or amend rules and regulations to govern the methods and frequency of making tests for determining the milk-fat or other component content of milk or cream for purposes of inspection or as a basis for payment in buying or selling and to govern the procedures for determining the proper basis for payment by the measuring, sampling and accepting of raw milk at dairy farms for inclusion in bulk tank trucks.

Section 30. The director of milk control and his agents shall enforce sections twenty-five through thirty-one, inclusive, and the rules and regulations made thereunder, and may prosecute or cause to be prosecuted any person violating any provision thereof. The director of milk control or his agents shall enter upon any premises, including bulk tank trucks, where samples of milk or cream are taken, stored or tested for the purpose of inspection or as a basis for payment in buying or selling in order to determine whether said sections, rules and regulations are being properly observed. Said sections, rules and regulations shall not be construed to apply to any person determining milk-fat or other component content of milk or cream solely in connection with an educational and informational service to dairy farmers, provided that the director or his agent shall, with respect to any such person, be responsible for carrying out the provisions of sections twenty-five and twenty-six and for issuing certificates of competency as provided in sections twenty-seven and twenty-seven A.

Section 31. Whoever hinders or obstructs the director or the director of milk control, or any agent of either said director, in the discharge of any authority or duty imposed upon him by any provision of sections twenty-five through thirty, whoever violates any provision of said sections and whoever knowingly violates any provisions of the rules and regulations made thereunder shall be punished by a fine of not less than twenty-five nor more than fifty dollars.

SECTION 2. Upon the effective date of this act, all rules and regulations, adopted by the director of the Massachusetts agricultural experiment station and approved by the governor and council on March the twenty-ninth, nineteen hundred and sixty-two, for sampling and testing milk and cream for milk-fat, and all rules and regulations made by said director, effective January the first, nineteen hundred and sixty-two, for measuring, sampling and accepting raw bulk milk from

a dairy farm bulk tank for inclusion in a bulk tank truck, shall continue in force, unless and until amended pursuant to section twenty-nine A of chapter ninety-four of the General Laws, as though prescribed by the director of milk control with the approval of the milk control commission under the provisions of said section.

SECTION 3. Upon the effective date of this act, the director of milk control shall, upon application and without fee, issue an appropriate license under either section twenty-eight or section twenty-eight A of chapter ninety-four of the General Laws to any person already holding at that time a related certificate of competency or license issued to him by the director of the Massachusetts agricultural experiment station.

SECTION 4. Notwithstanding any of the provisions of sections twenty-five to thirty-one, inclusive, of chapter ninety-four of the General Laws, the certification of persons conducting tests on milk, cream or other dairy products to determine compliance with the standards for such products established under the provisions of said chapter shall be the responsibility of the state department of public health. Said department shall also by regulation determine the methods to be used in making such tests, shall test such equipment as may be used for such testing purposes and shall certify such equipment as is deemed suitable for use in the performance of such tests.

Approved November 11, 1971.

Chap. 1067. AN ACT AUTHORIZING THE CITY OF LOWELL TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Lowell is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, such of the unpaid bills incurred by said city and totalling sixty-one thousand four hundred fifty-eight dollars and forty-three cents, as set forth in a list on file in the office of the director of accounts in the department of corporations and taxation, as are legally unenforceable against said city, by reason of the services thereunder having been fully performed before the signing of the contract therefor and as are certified for payment by, and were contracted for, the school department, the recreation department and the public works department of said city; provided, that the money so appropriated to pay such bills shall be made available from the unappropriated surplus funds of 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 a certificate has been signed and filed with said city auditor, stating under the penalties of perjury that the services for which the bills have been submitted were ordered by an official or an employee of said city and that such services were rendered to said city.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby received payment for services which were not 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 November 11, 1971.*

Chap. 1068. AN ACT ESTABLISHING THE BRISTOL COUNTY COURT HOUSE BOARD AND DEFINING ITS POWERS AND DUTIES.

Be it enacted, etc., as follows:

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

SECTION 2. There shall be a board to be known as the Bristol county court house board, consisting of the county commissioners of Bristol county, the mayors of the cities of Attleboro, Fall River, New Bedford and Taunton, the president of the Bristol County Selectmen's Association and one other selectman to be appointed by said association, the county treasurer of said county, the district attorney for the southern district, the presidents of the Fall River, New Bedford, Taunton and Fourth Bristol District Bar Associations, the chief justice of the superior court or his designee who shall be a judge, the chief judge of probate or his designee who shall be a judge and two persons to be appointed by the governor.

The board may travel within the commonwealth, and its members shall serve without compensation, but shall be reimbursed for their necessary expenses incurred in connection with travel in the discharge of their official duties. The chairman of the county commissioners of Bristol county shall be chairman of the board.

SECTION 3. The board shall make a study of improving the present court house facilities in Fall River, New Bedford and Taunton, by means of an addition to the existing superior court house buildings, and may use the services of architects and engineers to establish standards and criteria and to prepare surveys, reports and programs for the project, which reports shall include; the departments to be accommodated, the space requirements of said departments; legal fees, the architect fees, cost of furniture and furnishings, the cost of operating equipment, construction costs projected over the estimated time of construction and any other studies deemed appropriate to determine the cost of the whole project. Said board shall also make a study of constructing a building, at a site to be selected by said board, to house a centralized superior court, probate court and such other county offices as the board determines is in the best interest of said county; develop plans for said facilities through the schematic design phase; develop total cost estimates on the project, including land acquisition costs, site improvement costs, construction costs projected on a four-year curve, cost of furniture and furnishings and architectural, engineering and consulting fees; determine the availability of federal funds for said project and the conditions of their availability. Said board 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 house of representatives on or before the first Monday in May, nineteen hundred and seventy-two.

SECTION 4. The board is hereby authorized to hire the services of architects, engineers, test boring firms, site location firms, surveyors, consultants on federal funding programs, attorneys and secretarial services and may execute contracts for the provision of said services. The board may also incur reasonable administrative expenses, including but not limited to office supplies, communication expenses, meeting

rooms and office rental, and may acquire temporary easements in property under the provisions of chapter seventy-nine of the General Laws, whenever necessary in order to carry out the provisions of this act.

SECTION 5. For the purpose of this act, the treasurer of Bristol county may expend such sums as may be appropriated therefor.

Approved November 11, 1971.

Chap. 1069. AN ACT INCREASING THE WHOLE ESTATE WHICH AN ELDERLY PERSON MAY HAVE TO QUALIFY FOR REAL ESTATE TAX EXEMPTION.

Be it enacted, etc., as follows:

SECTION 1. Clause Forty-first of section 5 of chapter 59 of the General Laws, as amended by chapter 456 of the acts of 1970, is hereby further amended by striking out, in lines 22 and 40, the word "thirty" and inserting in place thereof, in each instance, the word: — forty, — and by striking out, in lines 24 and 42, the word "thirty-five" and inserting in place thereof, in each instance, the word: — forty-five.

SECTION 2. This act shall apply to taxes levied for the year nineteen hundred and seventy-two and subsequent years.

Approved November 11, 1971.

Chap. 1070. AN ACT PROVIDING FOR THE IMPLEMENTATION OF THE FEDERAL HIGHWAY BEAUTIFICATION ACT OF 1965.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 93C the following chapter: —

CHAPTER 93D.

CONTROL OF OUTDOOR ADVERTISING ADJACENT TO THE INTERSTATE AND PRIMARY HIGHWAY SYSTEMS.

Section 1. In this chapter unless the context otherwise requires, the following words shall have the following meanings:

"Interstate system", that portion of the national system of interstate and defense highways located within this commonwealth, as officially designated, or as may be hereafter so designated, by the department of public works of the commonwealth, and approved by the United States Secretary of Transportation, pursuant to the provisions of Title 23, United States Code, "Highways".

"Primary systems", that portion of connected main highways, as officially designated, or as may hereafter be so designated, by the department of public works of the commonwealth, and approved by the United States Secretary of Transportation, pursuant to the provisions of Title 23, United States Code, "Highways".

"Outdoor advertising", any outdoor sign, display, light, device, figure, painting, drawing, message, plaque, poster, billboard or other thing which is designed, intended or used to advertise or inform any part of the advertising or information contents of which is visible from any place on the main travelled way of the interstate or primary systems.

"Safety rest area", an area or site established and maintained within or adjacent to the right-of-way by or under public supervision or control, for the convenience of the traveling public.

"Board", outdoor advertising board.

"Information center", an area or site established and maintained at safety rest areas for the purpose of informing the public of places of interest within the state and providing such other information as the department of public works may consider desirable.

"Department", the department of public works of the commonwealth.

Section 2. Notwithstanding the provisions of chapter ninety-three, no outdoor advertising shall be erected or maintained within six hundred and sixty feet of the nearest edge of the right-of-way and visible from the main travelled way of a highway in the interstate or primary systems except the following:

(*a*) Directional and other official signs and notices, which signs and notices shall include, but not be limited to, signs and notices pertaining to natural wonders, scenic and historic attractions, as authorized by the department or required by law.

(*b*) Signs, displays and devices advertising activities conducted on the property upon which they are located.

(*c*) Signs, displays and devices advertising the sale or lease of property upon which they are located.

(*d*) Signs, displays and devices which are located in areas which are zoned industrial or commercial under authority of law and which have permits issued under the provisions of section three.

(*e*) Signs, displays and devices which are located in unzoned commercial or industrial areas which areas shall be determined from actual land use and defined by regulations to be promulgated by the department and which have permits issued under the provisions of section three.

Section 3. Under the procedures set forth in chapter ninety-three, the board is authorized to issue permits for the erection and maintenance of signs, displays and devices described in clauses (*a*), (*d*) and (*e*) of section two, provided, however, that the erection and maintenance thereof would comply with applicable ordinances and by-laws, with standards promulgated by the Secretary of Transportation under Section 131 (c–1), (f) and (h) of Title 23, United States Code, and with agreements between the department and said Secretary authorized by section seven of this chapter. Nothing in this section shall apply to signs, displays or devices referred to in clauses (*b*) and (*c*) of section two.

Nothing in this chapter shall be construed to prohibit the board from adopting lawful regulations imposing stricter limitations with respect to signs, displays and devices on the interstate and primary systems.

Section 4. Any outdoor advertising which violates the provisions of this chapter shall be deemed a public nuisance. The department shall have the same power to abate and remove any such nuisance as is given the board of health of a town under sections one hundred and twenty-three to one hundred and twenty-five, inclusive, of chapter one hundred and eleven, and the provisions of said sections shall, sofar as applicable, apply in the case of a nuisance as herein defined. The remedy provided herein shall be in addition to any other remedy provided by law.

Section 5. The supreme judicial and superior courts shall have jurisdiction in equity upon the petition of the department, the board, the

attorney general, of any city or town or any officer thereof, or of any interested party, to restrain the erection or maintenance of any outdoor advertising erected or maintained in violation of any provisions of this chapter and to order the removal or abatement of such outdoor advertising as a nuisance.

Section 6. The department is hereby authorized to maintain maps and to permit informational directories and advertising pamphlets to be made available at safety rest areas and to establish centers at safety rest areas for the purpose of informing the public of places of interest within the commonwealth and providing such other information as may be considered desirable.

Section 7. The department is hereby authorized to enter into an agreement with the United States Secretary of Transportation, as provided by Title 23 of the United States Code, to establish standards for size, lighting and spacing of signs, displays and devices described in subsections (*d*) and (*e*) of section two and to define an unzoned commercial or industrial area for the purposes of said section and to take action in the name of the commonwealth to comply with the terms of such agreement.

The department is further authorized to enter into an agreement with the Secretary of Transportation as provided by said Title 23 of the United States Code, relating to the establishment of information centers at safety rest areas and to take action in the name of the commonwealth to comply with the terms of such agreement.

SECTION 2. The department of public works, hereinafter in this act called the department, is authorized and directed to acquire by purchase, gift or otherwise, or take by eminent domain upon payment of just compensation all right, title, leasehold and interest of the owner, in the following signs, displays or devices and to so acquire from the owner of the real property on which the sign, display or device is located the right to erect and maintain such signs, displays and devices thereon: (*a*) Any sign, display or device which was lawfully in existence on October the twenty-second, nineteen hundred and sixty-five and lawfully maintained thereafter but which does not comply with the provisions of chapter ninety-three D of the General Laws, inserted by section one of this act; (*b*) any sign, display or device lawfully on any highway made a part of the interstate or primary system on or after October the twenty-second, nineteen hundred and sixty-five and before January the first, nineteen hundred and sixty-eight, but which does not comply with the provisions of said chapter ninety-three D; and (*c*) any sign, display or device lawfully erected on or after January the first, nineteen hundred and sixty-eight and lawfully maintained thereafter but which does not comply with the provisions of said chapter ninety-three D; provided, however, that the department shall not acquire said sign, display or device without receiving prior assurance from the appropriate federal authorities that seventy-five per cent of the cost of said acquisition is available for reimbursement to the commonwealth. Said signs, displays and devices shall not be subject to any proceeding for abatement as a nuisance, or equitable relief, notwithstanding the provisions of said chapter ninety-three D.

SECTION 3. For carrying out the purposes and provisions of this act and of Title 1 of Public Law 89–285, or as amended, the department may expend any funds made available for the laying out, construction,

reconstruction, resurfacing, relocation or improvement of highways notwithstanding any provisions of law to the contrary.

SECTION 4. Any outdoor advertising, as defined in section one of chapter ninety-three D of the General Laws, inserted by section one of this act, which was lawfully erected and which on the effective date of this act had a permit issued under chapter ninety-three of the General Laws, was in compliance with by-laws and ordinances, and was otherwise lawful in all respects, shall not be required to be removed as a result of any of the provisions of this act until five years after the effective date of this act.

SECTION 5. Nothing in this act shall be construed to abrogate or affect the provisions of any lawful ordinance, by-law, regulation or resolution, which are more restrictive than the provisions of this act.

SECTION 6. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction the decision of such court shall not affect or impair any of the remaining provisions. *Approved November 11, 1971.*

EMERGENCY LETTER — November 23, 1971 at 2:22 P.M.

Chap. 1071. AN ACT PROVIDING FOR THE REGULATION OF DRUGS AND CONTROLLED SUBSTANCES.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 94B the following chapter:—

CHAPTER 94C.

Controlled Substances Act.

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:

"Administer", the direct application of a controlled substance whether by injection, inhalation, ingestion or any other means to the body of a patient or research subject by—

(a) a practitioner, or

(b) a registered nurse or licensed practical nurse at the direction of a practitioner in the course of his professional practice, or

(c) an ultimate user or research subject at the direction of a practitioner in the course of his professional practice.

"Agent", an authorized person who acts on behalf of or at the direction of a manufacturer, distributor or dispenser; except that such term does not include a common or contract carrier, public warehouseman or employee of the carrier or warehouseman, when acting in the usual and lawful course of the carrier's or warehouseman's business.

"Bureau", the Bureau of Narcotics and Dangerous Drugs, United States Department of Justice or its successor agency.

"Class", the list of controlled substances for the purpose of determining the severity of criminal offenses under this chapter.

"Clinical research", any systematic investigation or study carried out in connection with the good faith professional practice of medicine, dentistry or podiatry for the alleviation of pain and suffering or

for the treatment or alleviation of disease. Such clinical research shall be deemed to be within the meaning of the term "in the course of professional practice" as used in this chapter.

"Commissioner", the commissioner of public health.

"Controlled substance", a drug, substance or immediate precursor in any schedule or class referred to in this chapter.

"Counterfeit substance", a substance which is represented to be a particular controlled drug or substance, but which is in fact not that drug or substance.

"Deliver", to transfer, whether by actual or constructive transfer, a controlled substance from one person to another, whether or not there is an agency relationship.

"Department", the department of public health.

"Depressant or stimulant substance",

(*a*) a drug which contains any quantity of barbituric acid or any of the salts of barbituric acid; or any derivative of barbituric acid which the United States Secretary of Health, Education and Welfare has by regulation designated as habit forming; or

(*b*) a drug which contains any quantity of amphetamine or any of its optical isomers; any salt of amphetamine or any salt of an optical isomer of amphetamine; or any substance which the United States Attorney General has by regulation designated as habit forming because of its stimulant effect on the central nervous system; or

(*c*) lysergic acid diethylamide; or

(*d*) any drug except marihuana which contains any quantity of a substance which the United States Attorney General has by regulation designated as having a potential for abuse because of its depressant or stimulant effect on the central nervous system or its hallucinogenic effect.

"Dispense", to deliver a controlled substance to an ultimate user or research subject or to the agent of an ultimate user or research subject by or pursuant to the lawful order of a practitioner, including the prescribing and administering of a controlled substance and the packaging, labeling, or compounding necessary for such delivery.

"Distribute", to deliver other than by administering or dispensing a controlled substance.

"Drug",

(a) substances recognized as drugs in the official United States Pharmacopoeia, official Homeopathic Pharmacopoeia of the United States or official National Formulary or any supplement to any of them;

(b) substances intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease in man or animals;

(c) substances, other than food, intended to affect the structure or any function of the body of man and animals; or

(d) substances intended for use as a component of any article specified in clauses (a), (b) or (c), exclusive of devices or their components, parts or accessories.

"Immediate precursor", a substance which the commissioner has found to be and by rule designates as being the principal compound commonly used or produced primarily for use, and which is an immediate chemical intermediary used or likely to be used in the

manufacture of a controlled substance, the control of which is necessary to prevent, curtail or limit manufacture.

"Isomer", the optical isomer, except that wherever appropriate it shall mean the optical, position or geometric isomer.

"Manufacture", the production, preparation, propagation, compounding, conversion or processing of a controlled substance, either directly or indirectly by extraction from substances of natural origin or independently by means of chemical synthesis, including any packaging or repackaging of the substance or labeling or relabeling of its container except that this term does not include the preparation or compounding of a controlled substance by an individual for his own use or the preparation, compounding, packaging or labeling of a controlled substance:

(a) by a practitioner as an incident to his administering a controlled substance in the course of his professional practice, or

(b) by a practitioner, or by his authorized agent under his supervision, for the purpose of, or as an incident to, research, teaching or chemical analysis and not for sale.

"Marihuana", all parts of the plant Cannabis sativa L., whether growing or not; the seeds thereof; and resin extracted from any part of the plant; and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or resin. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt derivative, mixture or preparation of the mature stalks, except the resin extracted therefrom, fiber, oil or cake of the sterilized seed of the plant which is incapable of germination.

"Narcotic drug", any of the following, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(a) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate;

(b) Any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in clause (*a*), but not including the isoquinoline alkaloids of opium;

(c) Opium poppy and poppy straw;

(d) Coca leaves and any salt, compound, derivative, or preparation of coca leaves, and any salt, compound, isomer, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, but not including decocainized coca leaves or extractions of coca leaves which do not contain cocaine or ecgonine.

"Opiate", any substance having an addiction-forming or addiction-sustaining liability similar to morphine or being capable of conversion into a drug having addiction-forming or addiction-sustaining liability. It does not include, unless specifically designated as controlled under section two, the dextrorotatory isomer of 3- methoxy-n-methyl-morphinan and its salts, dextromethorphan. It does include its racemic and levorotatory forms.

"Opium poppy", the plant of the species Papaver somniferum L., except its seeds.

"Oral prescription", an oral order for medication which is dispensed to or for an ultimate user, but not including an order for medication which is dispensed for immediate administration to the ultimate user by a practitioner, registered nurse, or practical nurse.

"Person", individual, corporation, government, or governmental subdivision or agency, business trust, estate, trust, partnership or association, or any other legal entity.

"Pharmacist", any pharmacist registered in the commonwealth to dispense controlled substances and including any other person authorized to dispense controlled substances under the supervision of a pharmacist registered in the commonwealth.

"Pharmacy", a facility under the direction or supervision of a registered pharmacist which is authorized to dispense controlled substances, including but not limited to "retail drug business" as defined below.

"Poppy straw", all parts, except the seeds of the opium poppy, after mowing.

"Practical nurse", a nurse who is licensed pursuant to the provisions of section seventy-four A of chapter one hundred and twelve.

"Practitioner",

(a) A physician, dentist, veterinarian, podiatrist, scientific investigator or other person registered to distribute, dispense, conduct research with respect to, or use in teaching or chemical analysis, a controlled substance in the course of professional practice or research in the commonwealth;

(b) A pharmacy, hospital or other institution registered to distribute, dispense, conduct research with respect to or to administer a controlled substance in the course of professional practice or research in the commonwealth.

"Prescription drug", any and all drugs upon which the manufacturer or distributor has, in compliance with federal law and regulations, placed the following: "Caution, Federal law prohibits dispensing without prescription".

"Production", includes the manufacture, planting, cultivation, growing or harvesting of a controlled substance.

"Registered nurse", a nurse who is registered pursuant to the provisions of section seventy-four of chapter one hundred and twelve.

"Registrant", a person who is registered pursuant to any provision of this chapter.

"Registration", unless the context specifically indicates otherwise, such registration as is required and permitted only pursuant to the provisions of this chapter.

"Retail drug business", a store for the transaction of "drug business" as defined in section thirty-seven of chapter one hundred and twelve.

"Schedule", a list of controlled substances established by the commissioner pursuant to the provisions of section two for purposes of administration and regulation.

"State", when applied to a part of the United States other than Massachusetts includes any state, district, commonwealth, territory, insular possession thereof and any area subject to the legal authority of the United States of America.

"Tetrahydrocannabinol", tetrahydrocannabinol or preparations containing tetrahydrocannabinol excluding marihuana except when it has been established that the concentration of delta-9 tetrahydrocannabinol in said marihuana exceeds two and one half per cent.

"Ultimate user", a person who lawfully possesses a controlled substance for his own use or for the use of a member of his household or for administering to an animal owned by him or by a member of his household.

"Written prescription", a written order for medication which is dispensed to or for an ultimate user, but not including an order for medication which is dispensed for immediate administration to the ultimate user by a practitioner, registered nurse or practical nurse.

Section 2. (*a*) For the purpose of administration and regulation of the manufacture, distribution, dispensing and possession of controlled substances by persons authorized under this chapter, the commissioner shall establish by regulations pursuant to the provisions of chapter thirty A five schedules incorporating the five schedules of controlled substances under the "Comprehensive Drug Abuse, Prevention and Control Act of 1970" or any amendment thereof. In addition thereto the commissioner shall by regulation as aforesaid establish a sixth schedule which shall include all prescription drugs not included in the first five schedules.

(*b*) In making any finding under subsection (a) of this section or under subsection (a) of section three, the commissioner shall consider the following factors with respect to each drug or other substance proposed to be controlled or removed from the schedules:

(1) Its actual or relative potential for abuse.

(2) Scientific evidence of its pharmacological effect, if known.

(3) The state of current scientific knowledge regarding the drug or other substance.

(4) Its history and current pattern of abuse.

(5) The scope, duration and significance of abuse.

(6) What, if any, risk there is to the public health.

(7) Its psychological or physiological dependence liability.

(8) Whether the substance is an immediate precursor of a substance already controlled under this chapter.

(*c*) The commissioner acting jointly with the board of registration in pharmacy shall by regulation pursuant to the provisions of chapter thirty A exclude any nonnarcotic substance from a schedule if such substance may, under the Federal "Comprehensive Drug Abuse Prevention and Control Act of 1970" and the Food, Drug and Cosmetic Act, be lawfully sold over the counter without a prescription.

(*d*) Authority to control under this section shall not extend to distilled spirits, wine, malt beverages or tobacco, as those terms are defined or used in subtitle E of the Internal Revenue Code of 1954.

Section 3. Except in the case of an immediate precursor, a drug or other substance may not be placed in any schedule unless the findings required for such schedule are made with respect to such drug or other substance. The findings required for each of the schedules are as follows:

(1) SCHEDULE I.—

(A) The drug or other substance has a high potential for abuse.

(B) The drug or other substance has no currently accepted medical use in treatment in the United States.

(C) There is a lack of accepted safety for use of the drug or other substance under medical supervision.

(2) SCHEDULE II.—

(A) The drug or other substance has a high potential for abuse.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States or a currently accepted medical use with severe restrictions.

(C) Abuse of the drug or other substances may lead to severe psychological or physical dependence.

(3) SCHEDULE III.—

(A) The drug or other substance has a potential for abuse less than the drugs or other substances in schedules I and II.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to moderate or low physical dependence or high psychological dependence.

(4) SCHEDULE IV.—

(A) The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule III.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule III.

(5) SCHEDULE V.—

(A) The drug or other substance has a low potential for abuse relative to the drugs or other substances in schedule IV.

(B) The drug or other substance has a currently accepted medical use in treatment in the United States.

(C) Abuse of the drug or other substance may lead to limited physical dependence or psychological dependence relative to the drugs or other substances in schedule IV.

(6) SCHEDULE VI.—

(A) The substance is a prescription drug; and

(B) Said prescription drug has not been included in Schedules I through V.

Section 4. The commissioner acting jointly with the board of registration in pharmacy may by regulation pursuant to the provisions of chapter thirty A except any compound, mixture or preparation containing any substances in paragraph (*a*) or (*b*) of Schedule III or in Schedule IV, V or VI established pursuant to the provisions of section two from the application of all or any part of this chapter if

(1) the compound, mixture or preparation contains one or more active medicinal ingredients not having a depressant or stimulant effect on the central nervous system, and

(2) such ingredients are included therein in such combinations, quantity, proportion or concentration as to vitiate the potential for abuse of the substances which do have a depressant or stimulant effect on the central nervous system, and

(3) the compound, mixture or preparation has been similarly excepted under the provisions of the Federal "Comprehensive Drug Abuse, Prevention and Control Act of 1970", or any amendment thereof.

Such regulation shall state the weight of the controlled substance per fluid ounce, or if a solid or semisolid preparation the weight in the avoirdupois amounts, and, if the metric system is used, the weight in grams per hundred cubic centimeters in the case of a fluid or the weight per gram in the case of a solid or semisolid preparation.

The commissioner shall by regulation rescind or revoke an exception whenever it has been modified, revoked or rescinded under the provisions of the Federal "Comprehensive Drug Abuse, Prevention and Control Act of 1970" or any amendment thereof.

Section 5. Controlled substances which are excepted pursuant to section four may be dispensed or sold at retail, except that the exception authorized by this section shall be subject to the following conditions:

(1) that such preparation shall be dispensed or sold in good faith as a medicine and not for the purpose of evading the provisions of the controlled substances law; (2) that the purchaser of such preparation identify himself to the satisfaction of the pharmacist; and (3) that of such preparation not more than four ounces are dispensed or sold to a person during any 48 hour period.

The pharmacist dispensing such excepted substances shall keep an accurate record book including the name and address of the purchaser, the name of the preparation, the strength per dosage unit, the quantity dispensed and the date.

Section 6. The board of registration in pharmacy in the case of a retail drug business or wholesale druggist and the commissioner in all other cases may promulgate rules and regulations relative to registration and control of the manufacture, distribution, dispensing and possession of controlled substances within the commonwealth.

Section 7. (*a*) Every person who manufactures, distributes, dispenses or possesses with intent to manufacture, distribute or dispense any controlled substance within the commonwealth shall in the case of a retail drug business or wholesale druggist, register with the board of registration in pharmacy and shall in all other cases register with the commissioner, in accordance with his or its rules, said registration to be effective for one year, except that in the case of a retail drug business said registration shall be effective for two years.

(*b*) Every person who is engaged in the qualitative or quantitative analysis of controlled substances within a scientific laboratory shall obtain a registration issued by the commissioner in accordance with his rules, said registration to be effective for one year from date of issuance.

(*c*) A person registered under this chapter to manufacture, distribute, dispense or possess controlled substances may possess, manufacture, distribute or dispense those substances to the extent authorized by his registration and in conformity with the other provisions of this chapter.

(*d*) The following persons shall not require registration and may lawfully possess controlled substances:

(1) an agent or employee of any manufacturer, distributor or dispenser registered under this chapter, if he is acting in the usual course of his business or employment, except that a salesman, detail man or other field representative of a registered manufacturer, wholesaler, jobber or dealer in controlled substances may not possess any controlled substance in schedule I, II, III, IV, or V of section three for the purpose of demonstrating, displaying, selling or distributing as samples said controlled substances to a practitioner;

(2) a common or contract carrier or warehouseman, or an employee thereof, whose possession of any controlled substance is in the usual course of business or employment;

(3) any public official or law enforcement officer acting in the regular performance of his official duties.

(*e*) An ultimate user or research subject may lawfully possess or administer a controlled substance at the direction of a practitioner in the course of his professional practice.

(*f*) Notwithstanding any other provision of this section, the commissioner shall automatically issue to any physician, dentist, podiatrist or veterinarian who is duly authorized to practice his profession in the commonwealth a registration to dispense, other than for research pursuant to section eight, unless the registration of such physician, dentist, podiatrist or veterinarian has been suspended or revoked pursuant to the provision of section thirteen or fourteen or unless said registration is denied for cause by the commissioner pursuant to the provisions of chapter thirty A. Such registration shall continue in full force and effect unless it is suspended or revoked or unless it is recalled and a new registration issued in accordance with the rules and regulations of the commissioner.

Section 8. (a) No person shall carry out any research project or study involving any narcotic drug in Schedule II or the investigational use on human beings of any drug which has not been approved for safety and effectiveness by the Federal Food and Drug Administration for such use on human beings or which is used in such manner or under such condition or in such combination that does not conform to the standards of safety and effectiveness which have been determined for such drug by the Federal Food and Drug Administration for such use on human beings unless he supplies the commissioner and the commissioner of mental health with a protocol describing the research to be undertaken and with satisfactory evidence of compliance with any applicable federal law.

(b) The commissioner shall pursuant to the provisions of chapter thirty A promulgate rules and regulations establishing standards for such protocol and requiring, among such other conditions relating to the protection of the public health that the commissioner may prescribe, the establishment and maintenance of records and the making of reports to the commissioner of data, including but not limited to analytical reports by investigators, obtained as the result of the investigational use of the drug. The commissioner may waive any or all such conditions with respect to a particular research project or study described in this section if he deems it consistent with the public interest.

(c) The commissioner shall, after due notice and opportunity for hearing pursuant to the provisions of chapter thirty A, issue an order

that such research project or study be terminated if the commissioner finds (1) that the drug under investigation is unsafe under the conditions of use; or (2) that the investigators lack the necessary training and experience to conduct such research project or study; or (3) that the research protocol contains any untrue statement of a material fact, provided, that if the commissioner finds that there is an imminent hazard to health he shall order that the research project or study be discontinued upon notice and afford those persons who are undertaking the research the opportunity for an expedited hearing. The commissioner may also, after due notice and opportunity for a hearing pursuant to the provisions of chapter thirty A, order that a research project or study be discontinued if the commissioner finds (1) that the persons who are undertaking the research have failed to establish a system for maintaining required records or have repeatedly or deliberately failed to maintain such records or to make reports which are required by the commissioner or the persons undertaking the research project or study have refused to permit access to or copying or verification of such records; or (2) the methods used in or the facilities and controls used for the research project or study are inadequate to safeguard against unlawful diversion of the drug under investigation.

(d) Every person who is required pursuant to the provisions of this section to maintain records, and every person in charge or custody thereof, shall, upon request of an officer or employee designated by the commissioner, permit such officer or employee at all reasonable times to have access to and copy and verify such records.

(e) No person who undertakes research pursuant to the provisions of this section shall use as a subject for such research any human being unless such subject or his legal representative has given in writing his informed consent based upon information about the nature, duration and purpose of the investigation; the method and means by which it is to be conducted; all inconveniences and hazards reasonably to be expected; and the effects upon the subject's health or person which may reasonably be expected to come from his participation.

(f) A person who is conducting research pursuant to the provisions of this section may to the extent authorized by the commissioner and in conformity with the provisions of this section dispense any drug for investigational use without an oral or written prescription.

(g) Notwithstanding any other provision of this section, the administering or dispensing directly or prescribing of narcotic drugs listed in any schedule to a narcotic drug dependent person for the purpose of continuing his dependence upon such drugs in the course of conducting an authorized clinical investigation pursuant to a narcotic addict rehabilitation program shall be deemed to be within the meaning of the term "in the course of professional practice" as used in this chapter, provided, that federal approval, if such approval is required by federal law, is obtained prior to the initiation of such a program, and satisfactory evidence of such approval is submitted to the commissioner.

Section 9. (a) A physician, dentist, podiatrist or veterinarian, when duly registered pursuant to the provisions of section seven and when acting conformably with the provisions of the Federal "Com-

prehensive Drug Abuse Prevention and Control Act of 1970" or any amendment thereof, the Federal Food, Drug and Cosmetic Act, and any provision of this chapter which is consistent with federal laws, in good faith and in the course of his professional practice for the alleviation of pain and suffering or for the treatment or alleviation of disease, may possess such controlled substances as he may reasonably require for the purpose of patient treatment and may administer controlled substances, or he may cause the same to be administered under his direction by a registered nurse or licensed practical nurse.

(b) Notwithstanding the provisions of section seventeen, a physician, dentist, podiatrist or veterinarian who is duly registered pursuant to the provisions of section seven, when acting in good faith and in the legitimate practice of medicine, dentistry, podiatry or veterinary medicine, or a registered nurse or licensed practical nurse when authorized by a physician, dentist, podiatrist or veterinarian in the course of said nurse's professional practice, may dispense by delivering to an ultimate user a controlled substance in a single dose or in such quantity as is in the opinion of the physician, dentist, podiatrist or veterinarian essential for the proper treatment of the patient; provided, that such amount or quantity of said controlled substance shall not exceed that needed for the immediate treatment of the patient and that all further such controlled substances required by the person as part of his treatment shall be dispensed by prescription to the ultimate user in accordance with the provisions of this chapter.

For purposes of this subsection the words "immediate treatment" shall mean that quantity of a controlled substance which is necessary for the proper treatment of the patient until it is possible for him to have a prescription filled by a pharmacy.

(c) A registered nurse or licensed practical nurse who has obtained from a physician, dentist, podiatrist or veterinarian a controlled substance for dispensing to an ultimate user pursuant to the provisions of subsection (b) of this section or for administration to a patient pursuant to the provisions of subsection (a) of this section during the absence of such physician, dentist, podiatrist or veterinarian shall return to such physician, dentist, podiatrist or veterinarian any unused portion of such substance which is no longer required by the patient.

(d) Every physician, dentist, podiatrist or veterinarian shall in the course of his professional practice keep and maintain records, open to inspection by the commissioner during reasonable business hours, which shall contain the names and quantities of any controlled substance in Schedule I, II or III received by the practitioner; the name and address of the patient for whom the controlled substance is administered or dispensed; the name, dosage and strength per dosage unit of such controlled substance; and the date of administration or dispensing.

Section 10. A separate registration shall be required at each principal place of business or professional practice where the applicant manufactures, distributes or dispenses controlled substances.

Section 11. The board of registration in pharmacy in the case of a pharmacy and the commissioner in any case may inspect in accor-

dance with his or its rules and regulations the establishment of a registrant or applicant for registration pursuant to the provisions of this chapter.

Section 12. (*a*) The board of registration in pharmacy in the case of a retail drug business or wholesale druggist and the commissioner in all other cases shall register an applicant to manufacture or distribute controlled substances included in the schedules established pursuant to section two unless he determines that the issuance of that registration would be inconsistent with the public interest. In determining the public interest, the board of registration in pharmacy in the case of a retail drug store or a wholesale druggist and the commissioner in all other cases shall consider the following factors:

(1) maintenance of effective controls against diversion of controlled substances into other than legitimate medical, scientific or industrial channels;

(2) compliance with applicable federal, state and local law;

(3) any conviction of the applicant under any federal and state law relating to any controlled substance;

(4) past experience in the manufacture or distribution of controlled substances and the existence in the applicant's establishment of effective controls against diversion;

(5) furnishing by the applicant of false or fraudulent material in any application filed under the provisions of this chapter;

(6) suspension or revocation of the applicant's federal registration to manufacture, distribute or dispense controlled substances as authorized by federal law; and

(7) any other factors relevant to and consistent with the public health and safety.

(*b*) Registration under subsection (*a*) of this section shall not entitle a registrant to manufacture or distribute controlled substances in Schedules I or II established pursuant to the provisions of section two except to the extent specified in the registration.

Section 13. (*a*) The board of registration in pharmacy in the case of a retail drug business or wholesale druggist and the commissioner in all other cases may suspend or revoke a registration to manufacture, distribute, dispense or possess a controlled substance, after a hearing pursuant to the provisions of chapter thirty A upon a finding that the registrant:

(1) has furnished false or fraudulent material information in any application filed under the provisions of this chapter;

(2) has been convicted of any criminal violation under any state or federal law relating to his fitness to be registered under this chapter;

(3) has had his federal registration suspended or revoked to manufacture, distribute, dispense, administer or possess controlled substances; or

(4) is, upon good cause, found to be unfit or unqualified to manufacture, distribute, dispense or possess any controlled substance.

(*b*) The board of registration in pharmacy in the case of a retail drug business or wholesale druggist and the commissioner in all other cases may pursuant to the provisions of this section or section fourteen suspend or revoke any registration issued by him or it for violation of any provision of this chapter.

(*c*) Whenever the commissioner, the board of registration in pharmacy or the commissioner of mental health has substantial reason to believe that a registrant has committed a criminal violation of any provision of this chapter, he or it shall promptly report all pertinent facts to the district attorney in the county where the violation is believed to have occurred, or to the attorney general.

(*d*) The board of registration in pharmacy in the case of a retail drug business or wholesale druggist and the commissioner in all other cases may limit revocation or suspension of a registration to the particular controlled substance with respect to which grounds for revocation or suspension exists.

(*e*) If the board of registration in pharmacy in the case of a retail drug business or wholesale druggist or the commissioner in all other cases suspends or revokes a registration, all controlled substances which are affected by such suspension or revocation order at the time of suspension or the effective date of the revocation order shall be placed under seal. No disposition may be made of substances under seal until the time for taking an appeal has elapsed or until all appeals have been concluded unless a court, upon application therefor, orders the sale of perishable substances and the deposit of the proceeds of the sale with the court. Upon a revocation order becoming final, all controlled substances may be forfeited to the commonwealth under the provisions of section forty-seven.

(*f*) The board of registration in pharmacy in the case of a retail drug business or wholesale druggist and the commissioner in all other cases shall promptly notify the bureau of all orders suspending or revoking a registration and all forfeitures of controlled substances.

Section 14. The board of registration in pharmacy in the case of a retail drug business or wholesale druggist or the commissioner in all other cases may without hearing suspend or refuse to renew any registration if he finds that there is an imminent danger to the public health or safety which warrants this action, provided he promptly affords the registrant an opportunity for a hearing under chapter thirty A. The suspension shall continue in effect until the conclusion of the proceedings including judicial review thereof, unless sooner dissolved by a court of competent jurisdiction, or withdrawn by the board of registration in pharmacy in the case of a retail drug business or wholesale druggist, or withdrawn by the commissioner in any other case.

Section 15. Persons registered to manufacture, distribute, dispense or possess controlled substances shall keep records and maintain inventories in conformance with the record-keeping and inventory requirements of the Federal "Comprehensive Drug Prevention and Control Act of 1970" or any amendment thereof and the Federal Food, Drug and Cosmetic Act, and with any additional rules or regulations promulgated by the board of registration in pharmacy in the case of a retail drug business or wholesale druggist or by the commissioner in all other cases.

Section 16. Controlled substances in Schedules I and II shall be distributed by a registrant to another registrant only pursuant to such order form as may be required by the Federal "Comprehensive Drug

Abuse Prevention and Control Act of 1970" or any amendment thereof and the Federal Food, Drug and Cosmetic Act.

Section 17. (a) No controlled substance in Schedule II may be dispensed without the written prescription of a practitioner, except that—

(b) In emergency situations, as defined by rule or regulation of the commissioner acting jointly with the board of registration in pharmacy, drugs in said Schedule II may be dispensed upon oral prescription of a practitioner, reduced promptly to writing and filed by the pharmacy, pursuant to the provisions of subsection (a) of section twenty.

(c) A controlled substance included in Schedule III, IV, V or VI shall not be dispensed without a written or oral prescription of a practitioner.

Section 18. (a) A prescription for a controlled substance may be issued only by a practitioner who is;

(1) authorized to prescribe controlled substances; and

(2) registered pursuant to the provisions of this chapter.

(b) An oral prescription issued by a practitioner may be communicated to a pharmacist by an employee or agent of the practitioner.

Section 19. (a) A prescription for a controlled substance to be valid shall be issued for a legitimate medical purpose by a practitioner acting in the usual course of his professional practice. The responsibility for the proper prescribing and dispensing of controlled substances shall be upon the prescribing practitioner, but a corresponding responsibility shall rest with the pharmacist who fills the prescription. An order purporting to be a prescription issued not in the usual course of professional treatment or in legitimate and authorized research is not a prescription within the meaning and intent of section one and the person knowingly filling such a purported prescription, as well as the person issuing it, shall be subject to the penalties provided by section thirty-two.

(b) No prescription shall be issued in order for a practitioner to obtain controlled substances for supplying the practitioner for the purpose of general dispensing to patients.

(c) Unless permitted by federal law, a prescription shall not be issued for the dispensing of narcotic drugs listed in any schedule to a narcotic drug dependent person for the purpose of continuing his dependence upon such drugs, in the course of conducting an authorized clinical investigation pursuant to a narcotic addict rehabilitation program.

Section 20. (a) Upon receiving an oral prescription for a controlled substance from an authorized practitioner, the pharmacist shall immediately reduce the prescription to writing on a prescription form and shall record the name, address and registration number of the practitioner and the name of any expressly authorized representative, the date of the prescription, the name, dosage and strength per dosage unit of the controlled substance, the serial number assigned to the prescription by the dispensing pharmacy, the name of said pharmacy, the name and address of the patient unless it is a veterinary prescrip-

tion, the directions for use and any cautionary statements required and a statement indicating the number of times to be refilled.

(b) If the prescribing practitioner is not known to the pharmacist, he shall make a reasonable effort to determine that the oral authorization came from a registered practitioner.

(c) Whenever a practitioner dispenses a controlled substance by oral prescription, such practitioner shall, within a period of not more than seven days or such shorter period that is required by federal law, cause a written prescription for the prescribed controlled substance to be delivered to the dispensing pharmacy. The prescription may be delivered to the pharmacy in person or by mail, but if delivered by mail the envelope shall be postmarked within the seven-day period or such shorter period that is required by federal law. Upon receipt, the dispensing pharmacy shall attach said prescription to the oral prescription which the pharmacy has reduced to writing. Persons charged with the enforcement of this chapter shall report violations of this subsection to the board of registration in medicine, the board of registration in dentistry, the board of registration in podiatry or the board of registration in veterinary medicine, whichever is applicable, and to the commissioner or board of registration in pharmacy, whichever is applicable.

Section 21. (a) The pharmacist filling a written or oral prescription for a controlled substance shall package the controlled substance in a container, affixing to the container a label showing the date of filling, the pharmacy name and address, the serial number of the prescription, the name of the patient, unless it is a veterinary prescription, the name of the prescribing practitioner, the name of the controlled substance and directions for use and cautionary statements, if any, contained in such prescription or required by law.

Section 22. (a) A practitioner who dispenses a controlled substance by issuing a written prescription shall state on the prescription the name, address and registration number of the practitioner, the date of delivery of the prescription, the name, dosage and strength per dosage unit of the controlled substance, the name and address of the patient unless it is a veterinary prescription, the directions for use and any cautionary statements required and a statement indicating the number of times to be refilled.

(b) A practitioner who dispenses by delivering to an ultimate user a controlled substance which is not for immediate administration shall package the controlled substance in a container, affixing to the container a label bearing the practitioner's name and address, the date of dispensing, the name of the patient unless it is a veterinary prescription, the name of the controlled substance, directions for use and any necessary cautionary statements.

Section 23. (*a*) A written prescription for a controlled substance in Schedule II shall become invalid five days after the date of issuance.

(*b*) A written prescription for a controlled substance in Schedule II shall not be refilled and shall be kept in a separate file.

(*c*) The pharmacist filling a written prescription for a controlled substance in Schedule II shall endorse his own signature on the face thereof.

(*d*) In regard to a controlled substance in Schedule II or III, no prescription shall be written or filled which calls for more than a thirty day supply of such substance upon any single filling.

(*e*) All prescriptions for controlled substances shall be kept for two years by the pharmacy and shall be subject to inspection pursuant to the provisions of this chapter.

(*f*) No prescription for a controlled substance shall be refilled unless the original prescription provides for such refilling and unless the number of refills has been specified in said prescription.

(*g*) A prescription shall be written in ink, indelible pencil or typewriter; and a written prescription shall be signed by the prescriber with his usual signature.

Section 24. (*a*) A practitioner who dispenses a controlled substance in Schedule I, II or III in the course of research conducted pursuant to the provisions of section eight or for the purpose of treating for his drug dependency a drug dependent person as defined in section thirty-eight of chapter one hundred and twenty-three shall report to the commissioner of mental health or his designee identifying information and the address of each research subject or patient to whom such controlled substance is dispensed and the name, dosage and strength per dosage unit of the substance so dispensed. Said commissioner shall maintain records of each such report.

(*b*) Such records maintained by the commissioner of mental health shall be closed to the public and shall not be available to any law enforcement officer for any purpose, nor shall they be used in the criminal prosecution of such research subject or patient pursuant to any provision of this chapter, nor shall they be admissible in evidence against such research subject or patient in any criminal proceeding.

(*c*) If the commissioner of mental health determines that the research subject or patient is receiving any controlled substance from more than one source and in quantities which he determines to be harmful to the health of the research subject or patient, said commissioner shall so notify the practitioners who have dispensed the controlled substance.

(*d*) The commissioner of mental health shall report to the commissioner any failure of a practitioner to report the information required by the provisions of this section. The failure of a practitioner to report as aforesaid shall constitute sufficient grounds for the termination of the research project or study pursuant to the provisions of subsection (*c*) of section eight or the revocation, suspension or modification of the practitioner's registration, or both.

(*e*) In order to prevent the dispensing of controlled substances to the same individual from multiple sources or the unlawful diversion of controlled substances, the commissioner of mental health shall pursuant to the provisions of chapter thirty A adopt rules and regulations for carrying out the provisions of this section.

Section 25. No person—

(1) who is subject to the requirements of sections six and seven and twelve to seventeen, inclusive, shall dispense a controlled substance in violation of said section seventeen;

(2) shall distribute or dispense a controlled substance not authorized by his registration to another registrant or other authorized per-

son or manufacturer a controlled substance not authorized by his registration;

(3) who is a registrant shall distribute a controlled substance in violation of section sixteen;

(4) shall remove, alter or obliterate a symbol or label required by federal law and the laws of the commonwealth;

(5) shall refuse or fail to make, keep or furnish any record, report, notification, declaration, order or order form, statement, invoice or information required under this chapter;

(6) shall refuse any entry into any premises or inspection authorized by this chapter;

(7) shall remove, break, injure or deface a seal placed upon controlled substances pursuant to this chapter or remove or dispose of substances so placed under seal;

(8) shall use, to his own advantage, or reveal, other than to duly authorized officers or employees of the United States or of the commonwealth or to the courts when relevant in any judicial proceeding under this chapter, any information acquired in the course of an inspection authorized by this chapter concerning any method or process which is a trade secret.

No person who is a registrant shall manufacture a controlled substance in Schedule I or II which is not expressly authorized by his registration.

Section 26. No person who is a registrant shall knowingly or intentionally;

(1) distribute a controlled substance classified in Schedule I or II in the course of his legitimate business, except pursuant to an order or an order form as required by section sixteen; or

(2) furnish false or fraudulent material information in, or omit any material information from, any application, report, record or other document required to be made, kept or filed pursuant to the provisions of this chapter.

Section 27. (*a*) No person, not being a physician, dentist, nurse or veterinarian registered under the laws of this commonwealth, or of the state where he resides, or a registered embalmer, manufacturer of or dealer in embalming supplies, pharmacist, wholesale druggist, manufacturing pharmacist, manufacturer of or dealer in surgical supplies, official of any government having possession of the articles hereinafter mentioned by reason of his official duties, nurse acting under the direction of a physician or dentist, employee of a hospital acting under the direction of its superintendent or officer in immediate charge, or a carrier or messenger engaged in the transportation of such articles, or a person who has received a written prescription issued under subsection (*c*), or a podiatrist who has received a certificate from the board of registration in podiatry stating that upon examination by said board he has been determined to be competent to use hypodermic needles or a scientific investigator registered pursuant to the provisions of section seven, or a person licensed under subsection (*e*), shall have in his possession a hypodermic syringe, hypodermic needle or any instrument adapted for the administration of controlled substances by injection.

(*b*) No such syringe, needle or instrument shall be delivered or sold to, or exchanged with, any person except a pharmacist, dentist, physician, veterinarian, registered embalmer, manufacturer of or dealer in embalming supplies, scientific investigator registered pursuant to the provisions of section seven, wholesale druggist, manufacturing pharmacist, manufacturer of or dealer in surgical supplies, an official of any government agency requiring the use of such syringe, needle or instrument by reason of his official duties, a nurse upon the written order of a physician or dentist, or a person who has received a written prescription issued under subsection (*c*), a podiatrist certified as aforesaid, or an employee of a hospital or scientific institution upon the written order of its superintendent or officer in immediate charge of a person licensed under subsection (*e*).

(*c*) A physician may issue to a patient under his immediate charge a written prescription to purchase, from a pharmacist only, any of the instruments specified in subsection (*a*). Such prescription shall contain the name and address of the patient, the description of the instrument prescribed and the number of instruments prescribed. The pharmacist filling the prescription shall record upon the fact of said prescription, over the signature of the pharmacist making the sale, the date of such sale. Such prescription may be renewed or refilled for one year unless the physician indicates otherwise on the prescription, and each refilling shall be noted upon the prescription. No prescription for such instruments shall be refilled after one year from date of issue. The pharmacist filling the prescription shall dispense any such instrument in a sanitary container which shall completely enclose such instrument and shall affix to said container a label bearing (1) the name and address of the pharmacy, and, if said pharmacy is in a hospital, the name and address of said hospital, (2) the name and address of the patient, (3) the file number of the prescription and (4) the name of the physician prescribing the same. The person to whom the prescription is issued shall keep such instrument in said container at all times, except when such instrument is in actual use or is in the process of being cleaned.

(*d*) A record shall be kept by the person selling such syringes, needles or instruments, which shall give the date of the sale, the name and address of the purchaser and a description of the instrument. This record shall be open to inspection pursuant to a judicial warrant or to the provisions of section thirty.

(*e*) No person, except a person registered under chapter one hundred and twelve and listed under subsection (*a*), shall sell, offer for sale, deliver or have in possession with intent to sell hypodermic syringes, hypodermic needles or any instrument adapted for the administration of controlled substances by injection, unless licensed so to do by the department. Such license shall be valid for a period of one year. The fee for such license shall be ten dollars. A license issued to a company or corporation which has more than one branch or department shall include any and all branches and departments or sections of said company or corporation.

No person except a person listed in subsections (*b*) or (*c*) shall obtain, receive or purchase a hypodermic syringe, hypodermic needle

or any instrument adapted for the administration of controlled substances by injection, unless licensed so to do by the department, or by a local board of health. A license to obtain, receive or purchase any such instrument, which license shall be valid throughout the commonwealth, may be obtained from the department upon payment of a fee of five dollars, and a license to obtain, receive or purchase any such instrument, which license shall be valid only in a particular city or town of the commonwealth, may be obtained from the local board of health upon payment of a fee of fifty cents. Said license shall be valid for one year.

Section 28. Upon petition of the board of registration in pharmacy or the commissioner in the case of a pharmacy, or upon petition of the commissioner in any case, the superior court shall have jurisdiction to restrain or enjoin a violation of this chapter.

Section 29. (a) The commissioner of mental health in cooperation with the commissioner of education shall carry out educational programs designed to prevent and deter misuse and abuse of controlled substances. In connection with these programs he shall:

(1) promote better recognition of the problem of misuse and abuse of controlled substances within the regulated industry and among interested groups and organizations;

(2) assist the regulated industry and interested groups and organizations in contributing to the reduction of misuse and abuse of controlled substances;

(3) consult with interested groups and organizations to aid them in solving administrative and organizational problems;

(4) evaluate procedures, projects, techniques and controls conducted or proposed as part of educational programs on misuse and abuse of controlled substances;

(5) disseminate the results of research on misuse and abuse of controlled substances to promote a better public understanding of what problems exist and what can be done to combat them; and

(6) assist the attorney general in the education and training of state and local law enforcement officials in their efforts to control misuse and abuse of controlled substances.

(b) The commissioner of mental health shall encourage research on misuse and abuse of controlled substances. In connection with the research, and in furtherance of the enforcement of this chapter, he shall:

(1) establish methods to assess accurately the effects of controlled substances and identify and characterize those with potential for abuse;

(2) make studies and undertake programs of research to:

(i) develop new or improved approaches, techniques, systems, equipment and devices to strengthen the enforcement of this chapter;

(ii) determine patterns of misuse and abuse of controlled substances and the social effects thereof; and

(iii) improve methods for preventing, predicting, understanding and dealing with the misuse and abuse of controlled substances; and

(3) enter into contracts with public agencies, institutions of higher education and private organizations or individuals for the purpose of

conducting research, demonstrations or special projects which bear directly on misuse and abuse of controlled substances.

(c) The commissioner of mental health may enter into contracts for educational and research activities.

Section 30. (*a*) Administrative inspection warrants shall issue for the inspection of controlled premises in accordance with the provisions of this section. As used in this section "administrative inspection warrants" are warrants for the purpose of inspecting, copying and verifying the correctness of records, reports or other documents required to be kept by a registrant on controlled premises and for the seizure of property appropriate to such inspection. For the purposes of this section "controlled premises" means any place or area, including but not limited to any building, conveyance, warehouse, factory or establishment, in which persons registered under the provisions of this chapter or required thereunder to keep records, are permitted to hold, manufacture, compound, process, distribute, deliver, dispense or administer any controlled substance or in which such persons make or maintain records pertaining thereto.

(*b*) A district court or justice or superior court justice may, upon proper oath or affirmation showing probable cause, issue warrants for the purpose of conducting administrative inspections authorized by this chapter or rules hereunder and seizures of property if appropriate to the inspections. For the purposes of the issuance of administrative inspection warrants, probable cause exists upon a showing of a reasonable and valid public interest in the effective enforcement of this chapter or rules or regulations hereunder under a general plan sufficient to justify administrative inspection of an area, premises, buildings or conveyances in the circumstances specified in the application or such warrant.

(*c*) An administrative inspection warrant shall issue only upon affidavit sworn to before the court or justice establishing the grounds for issuing the warrant. If the court or justice is satisfied that grounds for the issuance of such warrant exists or that there is probable cause to believe they exist, he shall issue such warrant identifying the area, premises, buildings or conveyances to be inspected, the purpose of the inspection and, if appropriate, the type of property to be inspected, if any. Such warrant shall:

(1) be directed to the commissioner or his designee, except in the case of a pharmacy to the commissioner or to the designee of the board of registration in pharmacy or to a police officer;

(2) command the person to whom it is directed to inspect the area, premises, buildings or conveyances identified for the purpose specified and, if appropriate, direct the seizure of the property specified;

(3) describe the item or types of property to be inspected or seized, if any;

(4) direct that it be served during normal business hours.

(*d*) An administrative inspection warrant issued and executed pursuant to the provisions of this section shall be returned to the issuing court, except if said warrant is issued by the superior court it shall be returned to any court named in such warrant, within ten days of the date of issuance thereof unless, upon a showing of a need for

additional time, the court or justice orders otherwise. If property is seized pursuant to such warrant, a copy of the inventory shall be given to the person from whom or from whose premises the property is taken, together with a receipt for the property taken. The inventory shall be made in the presence of the person executing such warrant and of the person from whose possession or premises the property was taken, if present. A copy of the inventory shall be delivered to the person from whom or from whose premises the property was taken and to the applicant for such warrant at the time it is returned to a court.

(*e*) When authorized by an administrative inspection warrant issued pursuant to this section a person designated by the commissioner, except in the case of a pharmacy by the commissioner or by the board of registration in pharmacy, upon showing such warrant to the owner, operator, or agent in charge, may enter controlled premises for the purpose of conducting an administrative inspection.

(*f*) A person executing an administrative inspection warrant may:

(1) use reasonable force and means to execute the warrant;

(2) inspect and copy records required by this chapter to be kept;

(3) inspect, within reasonable limits and in a reasonable manner, controlled premises and all pertinent equipment, finished and unfinished material, containers and labeling found therein, and except as provided in subsection (h), all other things therein, including records, files, papers, processes, controls and facilities bearing on violation of this chapter; and

(4) inventory any stock of any controlled substance therein and obtain samples thereof.

(*g*) This section shall not prevent entries and administrative inspections, including seizures of property, without a warrant:

(1) if the owner, operator or agent in charge of the controlled premises consents;

(2) in situations presenting imminent danger to health or safety;

(3) in situations involving inspection of conveyances if there is reasonable cause to believe that the mobility of the conveyance makes it impracticable to obtain a warrant;

(4) in any other exceptional or emergency circumstance where time or opportunity to apply for a warrant is lacking; or

(5) in all other situations in which a warrant is not required by the laws and constitution of the commonwealth or of the United States.

(*h*) An inspection authorized by this section shall not extend to financial data, sales data, other than shipment data or pricing data unless the owner, operator or agent in charge of the controlled premises consents in writing.

Section 31. For the purposes of establishing criminal penalties for violation of a provision of this chapter, there are established the following five classes of controlled substances:

CLASS A

Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such

isomers, esters, ethers and salts is possible within the specific chemical designation:

(1) Acetylmethadol
(2) Allylprodine
(3) Alphacetylmethadol
(4) Alphameprodine
(5) Alphamethadol
(6) Benzethidine
(7) Betacetylmethadol
(8) Betameprodine
(9) Betamethadol
(10) Betaprodine
(11) Clonitazene
(12) Dextromoramide
(13) Dextrorphan
(14) Diampromide
(15) Diethylthiambutene
(16) Dimenoxadol
(17) Dimepheptanol
(18) Dimethylthiambutene
(19) Dioxaphetylbutyrate
(20) Dipipanone
(21) Ethylmethylthiambutene
(22) Etonitazene
(23) Etoxeridine
(24) Furethidine
(25) Hydroxypethidine
(26) Ketobemidone
(27) Levomoramide
(28) Levophenacylmorphan
(29) Morpheridine
(30) Noracymethadol
(31) Norlevorphanol
(32) Normethadone
(33) Norpipanone
(34) Phenadoxone
(35) Phenampromide
(36) Phenomorphan
(37) Phenoperidine
(38) Piritramide
(39) Proheptazine
(40) Properidine
(41) Racemoramide
(42) Trimeperidine

(b) Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Acetorphine
(2) Acetyldihydrocodeine
(3) Benzylmorphine

(4) Codeine methylbromide
(5) Codeine-N-Oxide
(6) Cyprenorphine
(7) Desomorphine
(8) Dihydromorphine
(9) Etorphine
(10) Heroin
(11) Hydromorphinol
(12) Methyldesorphine
(13) Methylhydromorphine
(14) Morphine methylbromide
(15) Morphine methylsulfonate
(16) Morphine-N-Oxide
(17) Myrophine
(18) Nicocodeine
(19) Nicomorphine
(20) Normorphine
(21) Pholcodine
(22) Thebacon

CLASS B

(a) Unless specifically excepted or unless listed in another schedule, any of the following substances whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis:

(1) Opium and opiate and any salt, compound, derivative or preparation of opium or opiate.

(2) Any salt, compound, derivative or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1) except that these substances shall not include the isequinoline alkaloids of opium.

(3) Opium poppy and poppy straw.

(4) Coca leaves and any salt, compound, derivative or preparation of coca leaves and any salt, compound, derivative or preparation thereof which is chemically equivalent or identical with any of these substances, except that the substances shall not include decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine.

(b) Unless specifically excepted or unless listed in another schedule, any of the following opiates, including isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of such isomers, esters, ethers and salts is possible within the specific chemical designation:

(1) Alphaprodine
(2) Anileridine
(3) Bezitramide
(4) Dihydrocodeine
(5) Diphenoxylate
(6) Fentanyl
(7) Isomethadone

(8) Levomethorphan
(9) Levorphanol
(10) Metazocine
(11) Methadone
(12) Methadone-Intermediate, 4-cyano-2-dimethylamino-4, 4-diphenyl butane
(13) Moramide-Intermediate, 2-methyl-3 morpholine-1, 1-diphenyl-propane carboxylic acid
(14) Pethidine
(15) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine
(16) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate
(17) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid
(18) Phenazocine
(19) Piminodine
(20) Racemethorphan
(21) Racemorphan

(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances having a stimulant effect on the central nervous system:

(1) Amphetamine, its salts, optical isomers and salts of its optical isomers.
(2) Any substance which contains any quantity of methamphetamine, including its salts, isomers and salts of isomers.
(3) Phenmetrazine and its salts.
(4) Methylphenidate.

(d) Unless specifically excepted or unless listed in another schedule, any material compound, mixture or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system:

(1) Any substance which contains any quantity of a derivative of barbituric acid or any salt of a derivative of barbituric acid.

CLASS C

(a) Unless specifically excepted or unless listed in another schedule, any material compound, mixture or preparation which contains any quantity of the following subtances having a depressant effect on the central nervous system:

(1) Chorhexadol
(2) Glutethimide
(3) Lysergic acid
(4) Lysergic acid amide
(5) Methyprylon
(6) Phencyclidine
(7) Sulfondiethylmethane
(8) Sulfonethylmethane

(9) Sulfonmethane
(b) Nalorphine
(c) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:
(1) Not more than 1.8 grams of codeine per 100 milliliters of not more than 90 milligrams per dosage unit with an equal or greater quantity of an isoquinoline alkaloid of opium.
(2) Not more than 1.8 grams of codeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
(3) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with a fourfold or greater quantity of an isoquinoline alkaloid of opium.
(4) Not more than 300 milligrams of dihydrocodeinone per 100 milliliters or not more than 15 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts.
(5) Not more than 1.8 grams of dihydrocodeine per 100 milliliters or not more than 90 milligrams per dosage unit, with one or more active nonnarcotic ingredients in recognized therapeutic amounts.
(6) Not more than 300 milligrams of ethylmorphine per 100 milliliters or not more than 15 milligrams per dosage unit with one or more active nonnarcotic ingredients in recognized therapeutic amounts.
(7) Not more than 500 milligrams of opium per 100 milliliters or per 100 grams, or not more than 25 milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.
(8) Not more than 50 milligrams of morphine per 100 milliliters or per 100 grams with one or more active nonnarcotic ingredients in recognized therapeutic amounts.
(e) Unless specifically excepted or listed in another schedule, any material, compound, mixture or preparation, which contains any quantity of the following hallucinogenic substances, or which contains any of their salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:
(1) 3, 4-methylenedioxy amphetamine
(2) 5-methoxy-3, 4-methylenedioxy amphetamine
(3) 3, 4, 5-trimethoxy amphetamine
(4) Bufotenine
(5) Diethyltryptamine
(6) Dimethyltryptamine
(7) 4-methyl-2, 5, -dimethazyamphetamine
(8) Ibogaine
(9) Lvsergic acid diethylamide
(10) Mescaline
(11) Peyote
(12) N-ethyl-3-piperidyl benzilate

(13) N-methyl-3-piperidyl benzilate
(14) Psilocybin
(15) Psilocyn
(16) Tetrahydrocannabinols

CLASS D

(a)
(1) Barbital
(2) Chloral betaine
(3) Chloral hydrate
(4) Ethchlorvynol
(5) Ethinamate
(6) Methohexital
(7) Meprobamate
(8) Methylphenobarbital
(9) Paraldehyde
(10) Petrichloral
(11) Phenobarbital

(b) Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances or which contains any of their salts, isomers and salts of isomers whenever the existence of such salts, isomers and salts of isomers is possible within the specific chemical designation:

(1) Marihuana

CLASS E

(a) Any compound, mixture or preparation containing any of the following limited quantities of narcotic drugs, which shall include one or more nonnarcotic active medicinal ingredients in sufficient proportion to confer upon the compound, mixture or preparation valuable medicinal qualities other than those possessed by the narcotic drug alone:

(1) Not more than 200 milligrams of codeine per 100 milliliters or per 100 grams.

(2) Not more than 100 milligrams of dihydrocodeine per 100 milliliters or per 100 grams.

(3) Not more than 100 milligrams of ethylmorphine per 100 milliliters or per 100 grams.

(4) Not more than 2.5 milligrams of diphenoxylate and not less than 25 micrograms of atropine sulfate per dosage unit.

(5) Not more than 100 milligrams of opium per 100 milliliters or per 100 grams.

(b) Prescription drugs other than those included in Classes A, B, C, D and subsection (*a*) of this Class.

Section 32. Except as authorized by this chapter, no person shall knowingly or intentionally manufacture, distribute, dispense or possess with intent to manufacture, distribute or dispense a controlled substance; or create, distribute, dispense or possess with intent to distribute or dispense a counterfeit subtance.

Whoever violates any provision of this section relative to a controlled substance in Class A or B of section thirty-one shall be punished by imprisonment in the state prison for not more than ten years or in a jail or house of correction for not more than two and one half years or by a fine of not more than twenty thousand dollars, or both such fine and imprisonment. Whoever violates any provision of this section after one or more prior convictions of a felony under any provision of this chapter, or under a corresponding provision of prior law relating to the sale or manufacture of a narcotic drug as defined in said earlier law, shall be punished by imprisonment in the state prison for not less than five years and not more than fifteen years and by a fine of not more than thirty thousand dollars; except that if a person has a prior conviction of any offense involving the manufacture, distribution or dispensing of heroin or the possession with intent to manufacture, distribute or dispense heroin, such person shall be punished by imprisonment in the state prison for not less than ten years nor more than twenty-five years and by a fine of not more than thirty thousand dollars.

Whoever violates any provision of this section relative to a controlled substance in Class C of section thirty-one shall be punished by imprisonment in the state prison for not more than five years or in a jail or house of correction for not more than two and one half years, or by a fine of not more than ten thousand dollars, or by both such fine and imprisonment. Whoever violates any provision of this section after one or more prior convictions of a felony under any provision of this chapter, or under a corresponding provision of prior law relating to the sale or manufacture of a narcotic drug as defined in said earlier law, shall be punished by imprisonment in the state prison for not less than three years nor more than ten years and by a fine of not more than twenty thousand dollars.

Whoever violates any provision of this section relative to controlled substances in Class D of section thirty-one shall be punished by imprisonment in a house of correction for not more than two years or by a fine of not more than five thousand dollars, or both. Whoever violates any provision of this paragraph after one or more prior convictions of an offense under any provision of this section, or of a felony under any provision of this chapter, or under a provision of prior law relative to the sale or manufacture of a narcotic drug or a harmful drug as defined in said earlier law shall be punished by imprisonment in the state prison for not less than two years nor more than five years and by a fine of not more than ten thousand dollars.

Whoever violates any provision of this section relative to Schedule E of section thirty-one shall be punished by imprisonment for not more than one year or by a fine of not more than twenty-five hundred dollars, or both. Whoever violates any provision of this paragraph after one or more prior convictions of an offense under any provision of this section, or of a felony under any provision of this chapter, or under a provision of prior law relative to the sale or manufacture of a narcotic drug or a harmful drug as defined in said earlier law, shall be punished by imprisonment for not less than one year nor more than two years and by a fine of not more than five thousand dollars.

Section 33. (*a*) No person shall knowingly or intentionally use in the course of the manufacture or distribution of a controlled substance a registration number which is fictitious, revoked, suspended or issued to another person.

(*b*) No person shall knowingly or intentionally acquire or obtain possession of a controlled substance by misrepresentation, fraud, forgery, deception or subterfuge, including but not limited to the forgery or falsification of a prescription or the nondisclosure of a material fact in order to obtain a controlled substance from a practitioner.

(*c*) Whoever violates any provision of this section shall be punished by imprisonment in the state prison for not more than four years or in a house of correction for not more than two and one half years or by a fine of not more than twenty thousand dollars, or by both such fine and imprisonment. Whoever violates any provision of this section after one or more prior convictions of a violation of this section, or of a felony under any other provision of this chapter, or under a provision of prior law relative to the sale or manufacture of a narcotic drug or a harmful drug as defined in said earlier law shall be punished by imprisonment in the state prison for not more than eight years or in a jail or house of correction for not more than two and one half years, or by a fine of not more than thirty thousand dollars or by both such fine and imprisonment.

Section 34. No person knowingly or intentionally shall possess a controlled substance unless such substance was obtained directly, or pursuant to a valid prescription or order, from a practitioner while acting in the course of his professional practice, or except as otherwise authorized by the provisions of this chapter. Except as hereinafter provided, any person who violates this section shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars, or by both such fine and imprisonment. Any person who violates this section by possessing heroin shall be punished by imprisonment in a house of correction for not more than two years or by a fine of not more than two thousand dollars, or both. Any person who violates this section by possession of ~~marihuana or~~ a controlled substance in Class E of section thirty-one shall be punished by imprisonment in a house of correction for not more than six months or a fine of five hundred dollars, or both. Except for an offense involving a controlled substance in Class E of section thirty-one, whoever violates the provisions of this section after one or more convictions of a violation of this section or of a felony under any other provisions of this chapter, or of a corresponding provision of earlier law relating to the sale or manufacure of a narcotic drug as defined in said earlier law, shall be punished by imprisonment in a house of correction for not more than two years or by a fine of not more than two thousand dollars, or both.

If any person who is charged with a violation of this section has not previously been convicted of a violation of any provision of this chapter or other provision of prior law relative to narcotic drugs or harmful drugs as defined in said prior law, or of a felony under the laws of any state or of the United States relating to such drugs, has had his case continued without a finding to a certain date, or has

been convicted and placed on probation and if, during the period of said continuance or of said probation, such person does not violate any of the conditions of said continuance or said probation, then upon the expiration of such period the court may, in the manner provided by law, dismiss the proceedings against him and may order expunged all official records relating to his arrest, indictment, conviction, probation, continuance or discharge pursuant to this section; provided, however, that departmental records which are not public records, maintained by police and other law enforcement agencies shall not be so expunged; and provided further that such a record shall be maintained in a separate file by the department of probation solely for the purpose of use by the courts in determining whether or not in subsequent proceedings such person qualifies under this section. The record maintained by the department of probation shall contain only identifying information concerning the person and a statement that he has had his record expunged pursuant to the provisions of this section. Any conviction, the record of which has been expunged under this section, shall not be deemed a conviction for purposes of any disqualification or for any other purpose. No person as to whom such expungement has been ordered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his failure to recite or acknowledge such arrest, indictment, conviction, dismissal, continuance, expungement, or any other related court proceeding, in response to any inquiry made of him for any purpose.

Notwithstanding any other penalty provision of this section, any person who is convicted for the first time under this section for the possession of marihuana and who has not previously been convicted of any offense pursuant to the provisions of this chapter or any provision of prior law relating to narcotic drugs or harmful drugs as defined in said prior law shall be placed on probation unless such person does not consent thereto or unless the court files a written memorandum stating the reasons for not so doing. Upon successful completion of said probation, the case shall be dismissed and records shall be expunged.

Section 35. Any person who is knowingly present at a place where heroin is kept or deposited in violation of the provisions of this chapter, or any person who is in the company of a person, knowing that said person is in possession of heroin in violation of the provisions of this chapter shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars, or both; provided, however, that the provisions of section thirty-four relative to probation and repeated violations shall apply to him.

Section 36. If a police officer finds a child present where said officer finds a substance which he reasonably believes to be a controlled substance listed in Class A, B or C of section thirty-one kept or possessed in violation of any provision of this chapter, and if the police officer reasonably believes that the child has not reached his seventeenth birthday and that the child knew of the presence of such controlled substance, the police officer may lawfully take such child into protective custody for a period not to exceed four hours. Persons

having custody of a child under this section shall make reasonable efforts to notify the child's parent or guardian or other person having lawful custody. Such persons shall be considered to be acting in the conduct of their official duties and shall not be held criminally or civilly liable for such acts. A child detained pursuant to the provisions of this section shall not be considered to have been arrested or to have a criminal record for any purpose; however, only a departmental record of custody shall be made by the officer indicating the circumstances of custody. The procedures and processes provided by this section for the care, protection and custody of children are not exclusive but are in addition to all others provided by law.

Section 37. Whoever steals a controlled substance from a registered manufacturer, wholesale druggist, pharmacy or other person authorized to dispense or possess any controlled substance shall be punished by imprisonment in the state prison for not more than ten years or in a jail or house of correction for not more than two and one half years or by a fine of not more than five hundred dollars.

Section 38. Any person who violates any provision of subsection (a) of section twenty-four or of section twenty-five, twenty-six or twenty-seven shall be punished by imprisonment for not more than one year or by a fine of not more than one thousand dollars, or both. Whoever violates any of the provisions of any of said sections after one or more prior convictions of a violation of any provision of this chapter or of a provision of prior law relating to the sale or manufacture of narcotic drugs or harmful drugs as defined in said prior law shall be punished by imprisonment for not more than two years or by a fine of not more than two thousand dollars, or both.

Section 39. Any person who violates any provision of section twenty-one or twenty-two shall be punished by imprisonment for not more than six months or by a fine of not more than fifteen hundred dollars, or by both. Whoever violates any of the provisions of said sections after one or more prior convictions of a violation of any provision of this chapter or of a provision of prior law relating to narcotic drugs or harmful drugs as defined in said prior law shall be punished by imprisonment for not more than two years or by a fine of not more than two thousand dollars, or both.

Section 40. Whoever conspires with another person to violate any provision of this chapter shall be punished by imprisonment or fine, or both, which punishment shall not exceed the maximum punishment prescribed for the offense, the commission of which was the object of the conspiracy.

Section 41. A police officer shall have the authority to arrest without a warrant:

(a) any person committing in his presence any offense set forth in this chapter;

(b) any person who he has probable cause to believe has committed or is committing a felony set forth under the provisions of this chapter; or

(c) any person who he has probable cause to believe has committed or is committing a violation of the provisions of sections twenty-seven, thirty-two, thirty-three, thirty-four, thirty-five, thirty-seven and forty-one.

Section 42. The commissioner and the attorney general shall cooperate with federal and other state agencies in discharging their responsibilities concerning traffic in controlled substances and in suppressing the abuse of controlled substances. To this end they may:

(1) Arrange for the exchange of information among governmental officials concerning the use and abuse of controlled substances;

(2) Coordinate and cooperate in training programs concerning the enforcement of laws governing controlled substances at local and state levels;

(3) Cooperate with the bureau by establishing a centralized unit to accept, catalog, file and collect statistics including statistics regarding drug dependent persons and controlled substance law offenders within the commonwealth and make the information available for federal, state and local law enforcement purposes, provided that they shall not furnish the name or identity of a patient or research subject; and

(4) Conduct programs of eradication aimed at destroying wild or illicit growth of plant species from which controlled substances may be extracted.

Section 43. Notwithstanding any other provisions of this chapter, no practitioner shall dispense, distribute, administer or possess any controlled substance except in conformity with the provisions of the Federal "Comprehensive Drug Abuse Prevention and Control Act of 1970" or any amendment thereof and the Federal Food, Drug and Cosmetic Act.

Section 44. If any person is found not guilty of the violation of any provision of section thirty-four or if a complaint against him is dismissed or an indictment nol prossed for a violation of said section, the court shall order all official records relating to his arrest, indictment, conviction, continuance or discharge to be expunged; provided, however, that departmental records maintained by police and other law enforcement agencies which are not public records shall not be expunged.

No person as to whom such expungement has been ordered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise making a false statement by reason of his failure to recite or acknowledge such arrest, indictment, disposition, expungement or any other related court proceeding, in response to any inquiry made of him for any purpose.

Section 45. Any person arrested for or charged with the criminal violation of any provision of this chapter which constitutes a felony may at the time of arrest or as soon thereafter as is practicable be photographed and fingerprinted according to the system of the state bureau of identification and upon conviction any such fingerprints and photographs shall be made a part of permanent records of the police department of the municipality where the arrest took place, and without delay two copies of the fingerprints and photographs shall be forwarded, with such other description as may be required and a written history of the offense, to the state bureau of identification.

Section 46. No practitioner except a facility which is licensed by the commissioner of mental health pursuant to the provisions of

chapter one hundred and twenty-three for the treatment of drug dependent persons as defined in said chapter shall solicit by public advertisement or otherwise the application to him for prescriptions for, or sales of, controlled substances nor publicly advertise any treatment the principal element of which consists in the administering, dispensing or delivering of a controlled substance, except that a wholesale druggist or manufacturing pharmacist may advertise in journals and publications intended for circulation among the medical profession and drug trade generally.

Section 47. (*a*) The following property shall be subject to forfeiture to the commonwealth and all property rights therein shall be in the commonwealth:

(1) All controlled substances which have been manufactured, delivered, distributed, dispensed or acquired in violation of this chapter.

(2) All materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, dispensing, distributing, importing or exporting any controlled substance in violation of this chapter.

(3) All conveyances, including aircraft, vehicles or vessels which are used, or are intended for use, to transport, conceal or otherwise to facilitate the manufacture, dispensing or distribution of or possession with intent to manufacture, dispense or distribute a controlled substance in violation of the provisions of section thirty-two.

(4) All books, records and research, including formulas, microfilm, tapes and data which are used, or intended for use, in violation of this chapter.

(*b*) Property subject to forfeiture under subparagraphs (1), (2) and (4) of subsection (a) of this section shall be declared forfeit by any court having jurisdiction over said property or having final jurisdiction over any related criminal proceeding brought under any provision of this chapter. Property subject to forfeiture under subparagraph (1) of subsection (a) of this section shall be destroyed, regardless of the final disposition of such related criminal proceeding, if any, unless the court for good cause shown orders otherwise.

(*c*) The court shall order forfeiture of all conveyances subject to the provisions of subparagraph (3) of subsection (a) of this section, except as follows:

(1) No conveyance used by any person as a common carrier in the transaction of business as a common carrier shall be forfeited unless it shall appear that the owner or other person in charge of such conveyance was a consenting party of privy to a violation of this chapter.

(2) No conveyance shall be forfeited by reason of any act or omission established by the owner thereof to have been committed or omitted by any person other than such owner while such conveyance was unlawfully in the possession of a person other than the owner in violation of the criminal laws of the United States, or of the commonwealth, or of any state.

(3) No conveyance shall be subject to forfeiture unless the owner thereof knew or should have known that such conveyance was used in and for the business of unlawfully manufacturing, dispensing or

distributing controlled substances. Proof that the conveyance was used to facilitate the unlawful dispensing, manufacturing or distribution of, or possession with intent unlawfully to manufacture, dispense or distribute, controlled substances on three or more different dates shall be prima facie evidence that the conveyance was used in and for the business of unlawfully manufacturing, dispensing or distributing controlled substances.

(4) No conveyance used to facilitate the unlawful manufacturing, dispensing, or distribution of, or the possession with intent unlawfully to manufacture, dispense or distribute, a substance, not itself a controlled substance, containing any marihuana shall be forfeited if the net weight of the substance so manufactured, dispensed, or distributed or possessed with intent to manufacture, dispense or distribute, is less than ten pounds in the aggregate.

(*d*) A district attorney or the attorney general may petition the superior court in the name of the commonwealth in the nature of a proceeding in rem to order forfeiture of a conveyance subject to forfeiture under the provisions of subparagraph (3) of subsection (a) of this section. Such petition shall be filed in the court having jurisdiction over said conveyance or having final jurisdiction over any related criminal proceeding brought under any provision of this chapter. Such proceeding shall be deemed a civil suit in equity, in which the commonwealth shall have the burden of proving all material facts by a preponderance of the evidence, and the owner of said conveyance or other person claiming thereunder shall have such burden as to all exceptions set forth in subsection (c) of this section. The court shall order the commonwealth to give notice by certified or registered mail to the owner of said conveyance and to such other person as appear to have an interest therein and shall promptly, but not less than two weeks after notice, hold a hearing on the petition. At such hearing the court shall hear evidence and make findings of fact and enter conclusions of law, and shall thereupon issue a final order, from which the parties shall have such right of appeal as from a decree in equity. Such final order shall provide for disposition of said conveyance by the commonwealth or any subdivision thereof in any manner not prohibited by law, including official use by an authorized law enforcement or other public agency, or sale at public auction or by competitive bidding. The proceeds of any such sale shall be used to pay the reasonable expenses of the forfeiture proceedings, seizure, storage, maintenance of custody, advertising, and notice, and the balance, if any, shall be deposited in the treasury of the commonwealth.

(*e*) Any officer, department or agency having custody of said property or having disposed of said property shall keep and maintain full and complete records showing from whom it received said property, under what authority it held or received or disposed of said property, to whom it delivered said property, the date and manner of destruction or disposition of said property and the exact kinds, quantities and forms of said property. Said records shall be open to inspection by all federal and state officers charged with enforcement of federal and state drug control laws. Persons making final disposition or destruction of said property under court order shall report, under oath,

to the court the exact circumstances of said disposition or destruction.

(*f*) During the pendency of the proceedings the court may issue at the request of the commonwealth *ex parte* any preliminary order or process as is necessary to seize or secure the property for which forfeiture is sought and to provide for its custody. Process for seizure of said property shall issue only upon a showing of probable cause, and the application therefor and the issuance, execution and return thereof shall be subject to the provisions of chapter two hundred and seventy-six, sofar as applicable.

(*g*) Species of plants from which controlled substances in Schedules I and II may be derived which have been planted or cultivated in violation of this chapter, or of which the owners or cultivators are unknown, or which are wild growths may be seized by any police officer and summarily forfeited to the commonwealth.

(*h*) The failure, upon demand by a police officer of the person in occupancy or in control of land or premises upon which the species of plants are growing to produce an appropriate registration, or proof that he is a holder thereof, constitutes authority for the seizure and forfeiture of the plants.

Section 48. If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the chapter which can be given effect without the invalid provisions or application, and to this end the provisions of this chapter are severable.

SECTION 2. Sections one hundred and eighty-seven A, one hundred and eighty-seven B, one hundred and eighty-seven C, one hundred and eighty-seven E, one hundred and eighty-seven F, one hundred and eighty-seven G, one hundred and eighty-seven H, one hundred and ninety-seven, one hundred and ninety-eight, one hundred and ninety-eight A, one hundred and ninety-eight B, one hundred and ninety-nine, one hundred and ninety-nine A, one hundred and ninety-nine B, one hundred and ninety-nine C, one hundred and ninety-nine D, one hundred and ninety-nine E, one hundred and ninety-nine F, one hundred and ninety-nine G, two hundred, two hundred A, two hundred and one, two hundred and two, two hundred and three, two hundred and four, two hundred and five, two hundred and six, two hundred and seven, two hundred and eight, two hundred and nine, two hundred and ten, two hundred and ten A, two hundred and eleven, two hundred and eleven A, two hundred and twelve, two hundred and twelve A, two hundred and twelve B, two hundred and thirteen, two hundred and thirteen A, two hundred and fourteen, two hundred and fifteen, two hundred and sixteen, two hundred and seventeen, two hundred and seventeen A, two hundred and seventeen B, two hundred and seventeen C, two hundred and seventeen D, two hundred and seventeen E of chapter ninety-four of the General Laws are hereby repealed.

SECTION 3. Section 21 of chapter 90 of the General Laws is hereby further amended by striking out the last sentence, as appearing in chapter 332 of the acts of 1963, and inserting in place thereof the following sentence:—An investigator or examiner appointed under section twenty-nine may arrest without warrant, keep in custody for a

like period, bring before a magistrate and proceed against in like manner any person operating a motor vehicle while under the influence of intoxicating liquor or marihuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C, irrespective of his possession of such license.

SECTION 4. Paragraph (a) of subdivision (1) of section 24 of said chapter 90 is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 369 of the acts of 1963, and inserting in place thereof the following sentence:—Whoever, upon any way or in any place to which the public has a right of access, or upon any way or in any place to which members of the public have access as invitees or licensees, operates a motor vehicle while under the influence of intoxicating liquor, or of marihuana, narcotic drugs, depressants or stimulant substances, all as defined in section one of chapter ninety-four C, or the vapors of glue, shall be punished by a fine of not less than thirty-five nor more than one thousand dollars, or by imprisonment for not less than two weeks nor more than two years, or both such fine and imprisonment.

SECTION 5. Chapter 94 of the General Laws is hereby amended by striking out section 187D, as most recently amended by section 8 of chapter 443 of the acts of 1970, and inserting in place thereof the following section:—

Section 187D. Whoever for the purpose of evading or assisting in the evasion of any provision of sections one hundred and eighty-six, one hundred and eighty-seven, one hundred and eighty-eight to one hundred and ninety-five, inclusive, falsely represents that he is a physician, dentist, podiatrist or veterinarian, or that he is a manufacturer or jobber in drugs, or a licensed wholesale druggist, or that he is a pharmacist actively engaged in the business as such, or that he is a superintendent or official in immediate charge of an incorporated hospital, college or scientific institution shall be punished by a fine of not more than one thousand dollars or by imprisonment in a jail or house of correction for not more than two years or both.

SECTION 6. Chapter 123 of the General Laws is hereby amended by striking out section 38, inserted by section 4 of chapter 888 of the acts of 1970, and inserting in place thereof the following section:—

Section 38. The following words as used in this section and sections thirty-nine to fifty-five, 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 or a controlled substance as defined in section one of chapter ninety-four C.

"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 a dependency related drug which constitutes an offense pursuant to section twenty-one or subdivision (1) of section twenty-four of chapter ninety, section eight of chapter ninety B, chapter ninety-four C 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.

"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.

"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.

"Sale", includes but is not limited to any dispensing or distribution which constitutes an offense pursuant to the provisions of chapter ninety-four C.

"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 7. Chapter 276 is hereby amended by striking out section 3, as most recently amended by section 12 of chapter 347 of the acts of 1967, and inserting in place thereof the following section:—

Section 3. If an officer in the execution of a search warrant finds property or articles therein described, he shall seize and safely keep

them, under the direction of the court or justice, so long as necessary to permit them to be produced or used as evidence in any trial. As soon as may be, thereafter, all property seized under clause First of section one shall be restored to the owners thereof; and all other property seized in execution of a search warrant shall be disposed of as the court or justice orders and may be forfeited and either sold or destroyed, as the public interest requires, in the discretion of the court or justice, except:

(a) Diseased animals or carcasses thereof, or any tainted, diseased, corrupt, decayed or unwholesome meat, fish, vegetables, produce, fruit or provisions of any kind, or the meat of any calf killed when less than two weeks old, or any product thereof kept or concealed with intent to kill, sell or offer the same for sale for food, shall be destroyed or disposed of in accordance with section one hundred and forty-six of chapter ninety-four by the board of health or by an officer designated by the court or justice; and diseased animals found to have been kept or concealed in a particular building, place or enclosure shall be destroyed or disposed of by the division of animal health and department of agriculture without compensation to the owners thereof.

(b) Rifles, shotguns, pistols, knives or other dangerous weapons which have been found to have been kept, concealed or used unlawfully or for an unlawful purpose shall be forfeited to the commonwealth and delivered forthwith to the commissioner of public safety for destruction or preservation in the discretion of the commissioner of public safety.

(c) Money seized under clause Third of section one shall be forfeited and paid over to the state treasurer.

(d) Any property the forfeiture and disposition of which is specified in any general or special law shall be disposed of in accordance therewith.

SECTION 8. Chapter 277 of the General Laws is hereby amended by striking out section 38, as amended by section 5 of chapter 660 of the acts of 1957, and inserting in place thereof the following section:—

Section 38. In a prosecution under any provision of chapter ninety-four C, for unlawfully manufacturing, dispensing or distributing a controlled substance in violation of any provision of said chapter, it shall be sufficient to allege that the defendant did unlawfully manufacture, dispense or distribute, as the case may be, such alleged substance, without any further allegations, without naming the person to whom it dispensed or distributed, or quantity of the substance; but the defendant shall be entitled to a bill of particulars under section forty. In such a prosecution, a defendant relying upon a prescription, written order, receipt, registration, appointment or authority or exemption as a defense or justification shall prove the same, and until he has proved it the presumption shall be that he is not so justified or authorized.

SECTION 9. Chapter ninety-four C of the General Laws, inserted by section one of this act, shall take effect on July the first, nineteen hundred and seventy-two and any registration or license issued under chapter ninety-four of the General Laws prior to said effective date shall terminate on said date. *Approved November 11, 1971.*

Chap. 1072. AN ACT VALIDATING THE ACTION OF THE TOWN OF SWANSEA IN GRANTING RETROACTIVE PAY RAISES TO ALL PERMANENT CUSTODIANS OF THE SCHOOL DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the town of Swansea, at a special town meeting called for that purpose, may approve a collective bargaining contract by and between said town and the American Federation of State, County and Municipal employees for all permanent custodians of the school department of said town, granting them certain wage and fringe benefits retroactive to January the first, nineteen hundred and seventy-one, to be met by the school salary account subject, however, to the rules and regulations of the Office of Emergency Preparedness established under the authority of Presidential Order 11615.

SECTION 2. Any action taken by the town of Swansea at the special town meeting held on November the first, nineteen hundred and seventy-one 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 November 11, 1971.*

Chap. 1073. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LAND IN THE TOWN OF WARREN FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of nineteen hundred and fifty-five, as amended, the department of public works, acting for and on behalf of the commonwealth, is hereby authorized to acquire by eminent domain under chapter seventy-nine of the General Laws, or to acquire by purchase or otherwise, the public land hereinafter described, or such portions thereof as said department may determine, and to divert said land from its present public uses to highway use, as hereinafter provided.

Said land to be so transferred and diverted is shown on a map entitled "Commonwealth of Massachusetts Department of Public Works — Public Lands Needed for Highway Purposes, July 1, 1971", which said department is hereby directed to file in the office of the state secretary and which said secretary is hereby authorized to receive for filing, and is identified as follows:

In the town of Warren, approximately one tenth of an acre adjacent to Route 67 along area of the premises occupied by the Town Common as shown on said map, now owned by said town and dedicated to Town Common purposes to be used for the reconstruction of said Route 67.

Approved November 11, 1971.

Chap. 1074. AN ACT ESTABLISHING CONGRESSIONAL DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 57 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 1 of chap-

ter 816 of the acts of 1967, and inserting in place thereof the following section: —

Section 1. For the purpose of electing representatives in the Congress of the United States and delegates and alternate delegates to the national conventions of political parties, until otherwise provided by law, the commonwealth is divided into the following twelve districts, each of which shall elect one representative:

Number One. — Consisting of the cities and towns in Berkshire county; and the towns of Ashfield, Bernardston, Buckland, Charlemont, Colrain, Conway, Deerfield, Erving, Gill, Greenfield, Hawley, Heath, Leverett, Leyden, Monroe, Montague, New Salem, Northfield, Rowe, Shelburne, Shutesbury, Sunderland, Warwick, Wendell and Whately, all in Franklin county; and the cities of Holyoke and Westfield and the towns of Agawam, Blandford, Chester, Granville, Montgomery, Russell, Southwick, Tolland and West Springfield, all in Hampden county; and the city and towns of Hampshire county.

Number Two. — Consisting of the town of Orange in Franklin county; and the cities of Chicopee and Springfield and the towns of Brimfield, East Longmeadow, Hampden, Holland, Longmeadow, Ludlow, Monson, Palmer, Wales and Wilbraham, all in Hampden county; and the towns of Ashburnham, Athol, Barre, Brookfield, Charlton, Douglas, Dudley, East Brookfield, Hardwick, Holden, Hubbardston, New Braintree, North Brookfield, Oakham, Oxford, Paxton, Petersham, Phillipston, Princeton, Royalston, Rutland, Southbridge, Spencer, Sterling, Sturbridge, Templeton, Warren, Webster, West Brookfield and Winchendon, all in Worcester county.

Number Three. — Consisting of the city of Marlborough and the towns of Ashland, Holliston, Hopkinton and Hudson, all in Middlesex county; and the towns of Bellingham, Franklin and Medway, all in Norfolk county; and the city of Worcester and the towns of Auburn, Berlin, Blackstone, Boylston, Clinton, Grafton, Hopedale, Leicester, Mendon, Milford, Millbury, Millville, Northborough, Northbridge, Shrewsbury, Southborough, Sutton, Upton, Uxbridge, Westborough and West Boylston, all in Worcester county.

Number Four. — Consisting of the cities of Newton and Waltham and the towns of Ayer, Framingham, Lincoln, Maynard, Shirley, Stow, Sudbury, Wayland and Weston, all in Middlesex county; and the town of Brookline in Norfolk county; and the cities of Fitchburg, Gardner and Leominster and the towns of Bolton, Harvard, Lancaster, Lunenburg and Westminster, all in Worcester county.

Number Five. — Consisting of the city of Lawrence and the towns of Andover and Methuen, both in Essex county; and the city of Lowell and the towns of Acton, Ashby, Bedford, Billerica, Boxborough, Carlisle, Chelmsford, Concord, Dracut, Dunstable, Groton, Lexington, Littleton, North Reading, Pepperell, Tewksbury, Townsend, Tyngsborough, Westford and Wilmington, all in Middlesex county.

Number Six. — Consisting of the cities of Beverly, Gloucester, Haverhill, Lynn, Newburyport, Peabody and Salem and the towns of Amesbury, Boxford, Danvers, Essex, Georgetown, Groveland, Hamilton, Ipswich, Manchester, Marblehead, Merrimac, Middleton, Nahant, Newbury, North Andover, Rockport, Rowley, Salisbury, Swampscott, Topsfield, Wenham and West Newbury, all in Essex county.

Number Seven. — Consisting of the towns of Lynnfield and Saugus, both in Essex county; and the cities of Everett, Malden, Medford, Melrose and Woburn and the towns of Burlington, Reading, Stoneham, Wakefield and Winchester, all in Middlesex county; and the cities of Chelsea and Revere and the town of Winthrop, all in Suffolk county.

Number Eight. — Consisting of the cities of Cambridge and Somerville and the towns of Arlington, Belmont and Watertown, all in Middlesex county; and wards numbered 1, 2, 5, 21 and 22 in the city of Boston in Suffolk county.

Number Nine. — Consisting of the towns of Canton, Dedham, Dover, Needham, Norwood, Walpole and Westwood, all in Norfolk county; and wards numbered 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 19 and 20 in the city of Boston in Suffolk county.

Number Ten. — Consisting of the cities of Attleboro, Fall River and Taunton and the towns of Berkley, Dighton, Easton, Freetown, Mansfield, North Attleborough, Norton, Raynham, Rehoboth, Seekonk, Somerset, Swansea and Westport, all in Bristol county; and the towns of Natick and Sherborn, both in Middlesex county; and the towns of Foxborough, Medfield, Millis, Norfolk, Plainville, Sharon, Wellesley and Wrentham, all in Norfolk county; and the towns of Bridgewater, East Bridgewater, Halifax, Hanson, Lakeville, Middleborough and West Bridgewater, all in Plymouth county.

Number Eleven. — Consisting of the city of Quincy and the towns of Avon, Braintree, Holbrook, Milton, Randolph and Stoughton, all in Norfolk county; and the city of Brockton and the towns of Abington and Whitman, all in Plymouth county; and wards numbered 15, 16, 17 and 18 in the city of Boston in Suffolk county.

Number Twelve. — Consisting of the towns in Barnstable county; and the city of New Bedford and the towns of Acushnet, Dartmouth and Fairhaven, all in Bristol county; and the towns in Dukes county; and the town of Nantucket in Nantucket county; and the towns of Cohasset and Weymouth, both in Norfolk county; and the towns of Carver, Duxbury, Hanover, Hingham, Hull, Kingston, Marion, Marshfield, Mattapoisett, Norwell, Pembroke, Plymouth, Plympton, Rochester, Rockland, Scituate and Wareham, all in Plymouth county.

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

Approved November 12, 1971.

Chap. 1075. AN ACT RELATIVE TO THE ADMINISTRATION AND OPERATION OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY AND INCREASING THE AMOUNT OF BONDS WHICH MAY BE ISSUED BY SAID AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Section 25B of chapter 58 of the General Laws is hereby amended by striking out clause (*a*), as appearing in section 2 of chapter 563 of the acts of 1964, and inserting in place thereof the following clause: —

(*a*) From time to time when required, the contract assistance to the Massachusetts Bay Transportation Authority provided under section twenty-eight of chapter one hundred and sixty-one A or under other applicable laws;

SECTION 2. The last paragraph of section 12 of chapter 161A of the General Laws is hereby amended by striking out the fourth sentence, as appearing in section 18 of said chapter 563, and inserting in place thereof the following sentence: — All remaining net savings after such application shall be applied to reimbursing the commonwealth, first, for any contract assistance which it may have paid to the authority under the provisions of section twenty-eight or other applicable laws and, second, for any other amounts which it may have paid under the provisions of this section and section thirteen, or otherwise paid on account of the net cost of service, and the commonwealth shall thereupon distribute the latter among the cities and towns constituting the authority up to and in proportion to the amounts they were respectively assessed in the previous calendar year for express or local service or both, without any separation as between assessments for local and express service.

SECTION 3. The first paragraph of section 23 of said chapter 161A, as so appearing, is hereby amended by striking out clauses (1), (3) and (4) and inserting in place thereof, in each instance, the following three clauses: —

(*1*) To acquire, plan, design, construct, reconstruct, alter, recondition and improve mass transportation facilities and equipment for express service for use by or under contract with the authority.

(*3*) (a) to acquire, plan, design, construct, reconstruct, alter, recondition and improve mass transportation facilities and equipment for local service for use by or under contract with the authority and (b) to provide relief to any private company, whether by agreement or arbitration award, under the provisions of section fourteen.

(*4*) To pay any capital costs of the authority, whether or not bonds for any such purpose may also be issued under any other provision of this section.

SECTION 4. Said section 23 of said chapter 161A is hereby further amended by striking out the third paragraph, as so appearing, and inserting in place thereof the following paragraph: —

Not more than three hundred and forty-nine million dollars of bonds of the authority under clauses (1), (2), (3) and (4) above shall be outstanding at any time, and not more than five million dollars of bonds shall be issued under clause (2).

SECTION 5. The fifth paragraph of said section 23 of said chapter 161A, as so appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — Provisions of this chapter relating to the preparation, adoption or approval of plans, programs, projects, budgets and expenditures shall not affect the issue of bonds and notes and the bonds and notes may be issued either before or after such preparation, adoption or approval.

SECTION 6. The first paragraph of section 28 of said chapter 161A, as so appearing, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — The portion of the net cost of service not to be so assessed, hereinafter called contract assistance, is limited to (A) the annual debt service on bonds issued prior to January the first, nineteen hundred and seventy-one for which such contract assistance has been provided by contract, and the annual debt service on ninety per cent of the bonds issued thereafter, but not exceeding under this clause (A) the debt service on two hundred and

fifty-seven million dollars of bonds outstanding at any time, and (B) not more than a total of five million dollars to be paid to the authority for not more than one half of the cost to the authority of agreements with railroads authorized by paragraph (2) of section twenty-three, and (C) not more than three million dollars annually to pay interest, principal and sinking fund requirements due upon indebtedness incurred or assumed by the authority and issued to finance or refinance mass transportation facilities or equipment for express service; provided that all facilities, title to which was transferred to the Metropolitan Transit Authority, pursuant to paragraph (d) of section eight A of chapter five hundred and forty-four of the acts of nineteen hundred and forty-seven, shall be considered to be express service mass transportation facilities for the purpose of this clause (C); and provided, further, that such indebtedness shall not be subject to the limitations contained in the following paragraph.

SECTION 7. Said section 28 of said chapter 161A, as so appearing, is hereby further amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

Any debt service on bonds issued by the authority, for which contract assistance is provided, shall mature serially beginning not later than ten years after the date of issue and ending not later than forty years after the date of the bonds, so that the amounts payable in the several years for principal and interest combined shall be as nearly equal as in the opinion of the authority it is practicable to make them or, in the alternative, in accordance with a schedule providing a more rapid amortization of principal.

SECTION 8. The proceeds of one hundred and twenty-four million dollars of the bonds issued under the authority of section twenty-three of chapter one hundred and sixty-one A of the General Laws, as amended by this act, shall be expended by the Massachusetts Bay Transportation Authority only for land acquisition, engineering, construction, including reconstruction, alteration and reconditioning where applicable, purchase of materials and equipment, and project administration; provided, however, that no such funds shall be used for a rapid transit station in North Braintree, nor for repair yards or car storage shops in the Roslindale-West Roxbury section of Boston, Dedham or Needham, and that such funds shall be allocated to the following priority projects provided that the funds so used shall be used as matching funds in accordance with the terms of the Urban Mass Transportation Act of 1964, as amended:

Central Area Subway System, including new rolling stock	$30,000,000
Pines River Transit Extension	13,000,000
Rolling Stock Replacement, including new buses and new cars for East Boston	11,000,000
Station Modernization	5,000,000
New Bus Garages and Other Plant Improvements	25,000,000
Private Bus Carrier Improvements	2,000,000
Harvard/Alewife Corridor Construction Plans and Specifications	2,000,000
South Shore Extension — Phase II	8,000,000

Forest Hills, West Roxbury and Needham Transit Extension	$20,000,000
Priority Right-of-Way Acquisition	8,000,000

Ninety per cent of such bond proceeds shall be expended only for projects for which the authority has agreements with the federal government providing for grants averaging two thirds of the estimated eligible cost of such projects or for expenditures which are preliminary to the obtaining of federal grants.

When a federal grant agreement has been obtained for a project, bond proceeds may be expended for the project beyond the amount allocated above in anticipation of federal reimbursement. The reserve for increased costs, together with any premium realized upon the sale of the bonds, may be allocated to the foregoing programs as needed. If the authority determines that any of the intended programs can be accomplished at a cost, exclusive of federal aid, less than the amount allocated above, the difference may be expended for other programs listed in this section. Except as aforesaid, the bond proceeds referred to in this section shall not be expended for any of the listed programs in excess of the amount allocated by this section.

Approved November 12, 1971.

Chap. 1076. AN ACT ESTABLISHING A COMPREHENSIVE PROGRAM FOR THE TREATMENT AND REHABILITATION OF INTOXICATED PERSONS AND ALCOHOLICS AND ABOLISHING THE CRIME OF PUBLIC INTOXICATION.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 111A the following chapter: —

CHAPTER 111B.

ALCOHOLISM.

Section 1. This chapter shall be known and may be cited as the Alcoholism Treatment and Rehabilitation Law.

Section 2. The programs or activities of the organization known as Alcoholics Anonymous or any other private organization in the field of alcoholic rehabilitation shall not be restricted or regulated by the provisions of this chapter.

Nothing herein contained shall affect any laws, ordinances, by-laws, resolutions or regulations against driving after drinking alcohol, driving under the influence of alcohol or other similar offenses that involve the operation of motor vehicles, machinery or other hazardous equipment.

Section 3. In this chapter the following words shall, unless the context requires otherwise, have the following meanings: —

"Administrator", the person in charge of the operation of a facility, or his designee.

"Alcoholic", a person suffering from alcoholism.

"Alcoholism", a medically diagnosable disease characterized by chronic, habitual or periodic consumption of alcoholic beverages re-

sulting in the (1) substantial interference with an individual's social or economic functions in the community or (2) the loss of powers of self-control with respect to the use of such beverages.

"Commissioner", the commissioner of public health.

"Department", the department of public health.

"Director", the director of the division of alcoholism.

"Division", the division of alcoholism.

"Facility", any public or private place, or portion thereof, providing services especially designed for the detoxification of intoxicated persons or alcoholics.

"Incapacitated", the condition of an intoxicated person who, by reason of the consumption of intoxicating liquor is (1) unconscious, (2) in need of medical attention, (3) likely to suffer or cause physical harm or damage property or (4) disorderly.

"Independent physician", a physician registered in accordance with chapter one hundred and twelve, other than one holding an office or appointment in any department, board or agency of the commonwealth, or in any public facility.

"Juvenile", any person who is between seven and seventeen years of age.

"Patient", any person admitted to a facility.

"Treatment", services and programs for the care of intoxicated persons and alcoholics.

Section 4. The department shall coordinate matters affecting alcoholism in the commonwealth, shall establish and conduct a program for the treatment of intoxicated persons and alcoholics, including juveniles and young adults, their rehabilitation and the prevention of alcoholism in cooperation with public and private agencies, business and industry, and shall provide technical assistance and consultation services whenever required. The department may adopt rules and regulations to carry out its powers and duties under this chapter. The department shall be responsible for assuring that the following services are available and shall utilize community mental health centers and existing facilities and services available within the private sector whenever possible: (1) detoxification services on a twenty-four hour basis in or near population centers which meet the immediate medical and physical needs of intoxicated persons, including necessary diagnostic and referral services; (2) medical and hospital services which are available on a twenty-four hour basis and which, whenever possible, are provided in existing general hospital facilities; (3) rehabilitation services, including family care, residential aftercare and appropriate therapy which, whenever possible, shall be coordinated with the Massachusetts rehabilitation commission; (4) inpatient psychiatric services for those alcoholics whose diagnosis reflects serious alcoholic related mental disturbances which, whenever possible, shall be conducted with services available in the department of mental health; and (5) training programs for professional and non-professional workers in the field of treatment and rehabilitation of alcoholics and intoxicated persons. The department shall not grant its approval for the establishment or maintenance of a facility, pursuant to section seven, in any jail, house of correction or institution operated by the department of correction; provided, however, the department shall grant its approval for the establishment and maintenance of a facility in the Massachusetts correctional institutions at Bridgewater

and Framingham, if such facility meets the standards and procedures set forth in section seven.

Section 5. The department may: (1) make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this chapter including, but not limited to, contracts with government departments, public and private agencies and facilities, physicians and other persons rendering services to alcoholics; provided, however, that all rates are to be established in accordance with the provisions of section thirty K to thirty P, inclusive of chapter seven wherever applicable; and provided further, that the income and resource standards under chapter one hundred and eighteen E for determining the financial ability of alcoholics to pay for services shall be taken into consideration to the fullest extent possible and the department shall be subrogated to any public or private third party payments which may be due; (2) establish and operate facilities if adequate public and private resources are not available; and (3) solicit and accept for use in relation to the purposes of this chapter any gift or bequest of money or property and any grant or loans of money, services or property from the federal government, the commonwealth or any political subdivision thereof. Any money received under clause (3) shall be deposited with the state treasurer to be kept in a separate fund in the treasury for expenditure by the department in accordance with the conditions of the gift bequest, loan or grant without specific appropriation.

The department shall prepare and publish annually a list of all of its facilities and services operated by the division, shall make this list available upon request to members of the public and shall furnish each police department in the commonwealth with a copy of such list.

Section 6. The department shall issue for a term of two years, and may renew for like terms, a license, subject to revocation by it for cause, to any person, other than a licensed hospital, 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 department 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 department shall promulgate rules and regulations establishing requirements and standards for licensing and approval of facilities. Such requirements and standards shall include, but shall not be limited to: —

(1) the need for the facility in the community;

(2) the health standards to be met by the facility;

(3) misrepresentation as to the treatment afforded patients at a facility;

(4) licensing fees, application and revocation procedures and the procedures for evaluation of treatment programs.

The department may establish different requirements and standards for different kinds of facilities and may impose stricter requirements and standards in contracts with facilities and services made pursuant to section five.

Each facility shall be individually licensed or approved.

Each facility shall file with the department, from time to time, such data, statistics, schedules or information as the department 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 required, or who files fraudulent returns thereof, shall be punished by a fine of not more than five hundred dollars.

The department, after holding a hearing in accordance with chapter thirty A, may refuse to grant, suspend, revoke, limit or restrict the applicability of or refuse to renew any license or approval for any failure to meet the requirements of its rules and regulations or standards concerning such facilities.

No person, excepting a licensed 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 department pursuant to this section. The superior court shall have jurisdiction in equity 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 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 by imprisonment for not more than two years, or both.

Each facility shall be subject to visitation and inspection by the department and the department shall inspect each facility prior to granting or renewing a license or approval. The department may examine the books and accounts of any facility if it deems such examination necessary for the purpose of the section. The department is hereby authorized to make a complaint to a district court, to a justice of any court of record or to a magistrate authorized to issue warrants, who may thereupon issue a warrant to any officers or employees or the department 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 department which the department has reason to believe is operating in violation of the provisions of this chapter. Refusal by the operator or owner to allow such entry and inspection pursuant to such a warrant shall for a first offense be punishable 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 by imprisonment for not more than two years, or both.

The director may require facilities or services which contract with the commonwealth, pursuant to clause (1) of section five, to admit as an inpatient or outpatient any person to be afforded treatment pursuant to this chapter.

The department shall promulgate rules and regulations governing the extent to which the circumstances in which facilities and services may be required to treat any person as an inpatient or outpatient pursuant to this chapter, except that no licensed hospital with an emergency service shall refuse any person treatment for intoxication or alcoholism

unless the person's need for treatment is not immediate and the hospital has at the time exceeded its reasonable treatment capacity for intoxication and alcoholism.

Section 7. Any person who is intoxicated and voluntarily applies for treatment at a detoxification facility or is brought to said facility in accordance with section eight shall be afforded treatment there or at another facility.

Prior to the admission of any person, the administrator of the facility shall cause him to be evaluated by physician-supervised personnel experienced in alcoholism diagnosis. If there is any concern about the health or the immediate treatment needs of such person, he shall be examined by a physician. If upon said evaluation or examination, a determination is made that the person is intoxicated or is an alcoholic, and adequate and appropriate treatment is available, he shall be admitted. If any person is not admitted for the reason that adequate and appropriate treatment is not available at the facility, the administrator of the facility, acting whenever possible with the assistance of the director, or his designee, shall refer the person to a facility at which adequate and appropriate treatment is available. In the event that a person is not admitted to a facility, and has no funds, the administrator shall arrange for the person to be assisted to his residence or if he has no residence to a place where shelter will be provided him.

Any person admitted to a facility shall receive treatment at the center or facility for as long as he wishes to remain or until the administrator determines that treatment will no longer benefit him; provided, however, that any person who at the time of admission is intoxicated and is incapacitated, shall remain at the facility until he is no longer incapacitated, but in no event shall he be required to remain for a period greater than forty-eight hours, or if any such person is committed for rehabilitative purposes to the Massachusetts correctional institution, Bridgewater or to the Massachusetts correctional institution, Framingham, he shall be required to remain for a period of not less than ten days.

When a person is admitted to a facility, his family shall be notified as soon thereafter as possible. If a patient who is not incapacitated requests that notification not be given, his request shall be respected. Any person, unless transported by the police, who is transported to a facility or from one facility to another or from a facility to his residence shall be transported by the department or other persons authorized by the department. Said department shall promulgate rules and regulations regarding such transportation and where necessary shall bear the expense thereof.

Upon discharge from or upon leaving a facility, the patient shall be encouraged to consent to appropriate outpatient or residential aftercare treatment.

Section 8. Any person who is incapacitated in a public place may be assisted by a police officer with or without his consent to his residence, to a facility or to a police station. To determine for purposes of this chapter only whether or not such person is intoxicated, the police officer may request the person to submit to any reasonable test, including but not limited to tests of his coordination, coherency of speech and breath.

Any person assisted by a police officer to a facility or transferred to a facility from a police station pursuant to the provisions of this section shall receive treatment in accordance with section seven.

If any incapacitated person is assisted to a police station, the officer in charge or his designee shall notify forthwith the nearest facility that the person is being held in protective custody. If treatment services are available at a facility, the department shall thereupon arrange for the transportation of the person to the facility in accordance with the provisions of section seven.

No person assisted to a police station pursuant to this section shall be held in protective custody against his will; provided, however, if treatment at a facility is not available, an incapacitated person may be held in protective custody at a police station until he is no longer incapacitated or for a period of not longer than twelve hours, whichever is shorter.

A police officer acting in accordance with the provisions of this section may use such force, as is reasonably necessary to carry out his authorized responsibilities. If the police officer reasonably believes that his safety or the safety of other persons present so requires, he may search such person and his immediate surroundings, but only to the extent necessary to discover and seize any dangerous weapons which may on that occasion be used against the officer or other person present.

A person assisted to a facility or held in protective custody by the police, pursuant to the provisions of this section, shall not be considered to have been arrested or to have been charged with any crime; however, an entry of custody shall be made indicating the date, time and place of custody, which record shall not be treated for any purposes as an arrest or criminal record.

Section 9. 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 of the department; however, if the facility is operated by a department or agency of the commonwealth other than the department of public health, the administrator shall exercise his supervisory powers subject to the rules and regulations of the department which operates the facility.

Section 10. Any juvenile who is a patient at a facility, pursuant to section seven, shall, upon request of his parent or guardian, be released to the custody of such parent or guardian. All rights afforded any person under this chapter shall apply to juveniles. Any provisions of this chapter requiring the consent of a person shall, if the person is a juvenile, require the consent of both the juvenile and his parent or guardian.

Section 11. The administrator of each facility shall keep a record of the treatment afforded each patient, which shall be confidential and shall be made available only upon proper judicial order, whether in connection with pending judicial proceedings or otherwise.

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 consent of such patient. The foregoing shall not limit the right of the administrator, subject to reasonable rules and regulations of the department,

to prescribe reasonable rules governing visiting hours and the use of telephone and telegraph facilities.

Section 12. The commonwealth, the several counties, cities and towns, subject to appropriation, may establish service forces to perform the function of the police in accordance with the provisions of section eight. Such service forces may be a part of a police department, the department or may be a separate unit. Members of the force shall be trained to carry out the responsibilities of police, and other individuals as these are set out in section eight, including the administration of first aid to intoxicated persons in need of medical assistance.

SECTION 1A. Section 4 of chapter 17 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 612 of the acts of 1958, and inserting in place thereof the following paragraph: —

There shall be in the department a division of sanatoria a division of food and drugs, a division of alcoholism and such other divisions as the commissioner, with the approval of the public health council, may from time to time determine. Each division shall be in charge of a director. The director of a division, other than the division of alcoholism, shall be appointed by the commissioner, subject to the approval of the public health council. The director of the division of alcoholism shall be appointed by the commissioner, with the advice of the advisory council on alcoholism and with the approval of the secretary of human services. The director of each division, other than the division of alcoholism, shall be subject to chapter thirty-one. The director of the division of alcoholism shall be a physician with special training or experience in the treatment of behavioral disorders or medico-social problems, or a person qualified by training and experience in the treatment of behavorial disorders or medico-social problems, or in the organization or administration of treatment services for persons suffering from behavioral disorders or medico-social problems. The provisions of chapter thirty-one shall not apply to the director of the division of alcoholism nor to physicians and psychiatrists therein who have full medical or psychiatric responsibilities, as opposed to administrative responsibilities or to nurses. Whenever, as a condition of receiving federal grants for the purpose and programs of chapter one hundred and eleven B, the federal government requires that such director or physicians and psychiatrists be subject to the civil service law, the exemption of such officer or employee from the operation of the civil service law shall not apply.

The commissioner may require that a physician who is to be appointed a director be certified as to his qualifications by one of the physicians specialty boards approved by the Council on Medical Education and Hospitals of the American Medical Association.

SECTION 1B. Said chapter 17 is hereby further amended by adding under the caption ADVISORY COUNCIL ON ALCOHOLISM the following section: —

Section 14. There shall be an advisory council on alcoholism consisting of the attorney general, the commissioner of public health, the commissioner of mental health, the commissioner of correction, the commissioner of rehabilitation, the commissioner of education, the commissioner of youth services, the commissioner of probation, the commissioner of public safety, the registrar of motor vehicles, the chairman of the alcoholic beverages control commission, the president of the Massa-

chusetts chiefs of police association, or their designees, all of whom shall serve ex officiis, and eight persons experienced in the field of alcoholism treatment to be appointed by the governor, of whom at least two shall be women and at least two shall be rehabilitated alcoholics. Upon the expiration of the term of any appointive member his successor shall be appointed in like manner for a term of three years. No person shall be appointed to serve more than two consecutive three-year terms.

The governor shall annually designate the chairman of the council from among its members. The council shall meet at least four times each year and shall convene at special meetings at the call of the chairman, a majority of the members of the council, the commissioner of public health or the director of the division of alcoholism. The director of the division of alcoholism shall serve as the executive secretary of the council and shall attend all meetings. The council shall make an annual report to the governor and shall file a copy of said report with the state secretary, the clerk of the senate and the clerk of the house of representatives. Members of the council shall serve without compensation but shall be reimbursed for their expenses actually and necessarily incurred in the discharge of their duties.

Said advisory council shall (*a*) assist the commissioner of public health and the director of the division of alcoholism in coordinating the efforts of all public and private agencies within the commonwealth concerned with the prevention of alcoholism and the treatment and rehabilitation of alcoholics and intoxicated persons, (*b*) advise said commissioner and said director on policy and priorities of need in the commonwealth for comprehensive treatment and rehabilitation of alcoholics, (*c*) review the annual plans, the proposed annual budget and the programs and services of the division and make recommendations to the commissioner, including approval, modification or disapproval in regard thereto, and (*d*) in addition the chairman of the advisory council shall appoint a five member executive committee who shall meet with the commissioner and the director at least twice a month for the purpose of reviewing and implementing programs to cope with current problems and future needs which will arise as a result of the administration of chapter one hundred and eleven B.

SECTION 2. The third paragraph of section 1 of chapter 19 of the General Laws, as appearing in section 1 of chapter 735 of the acts of 1966, is hereby amended by adding the following sentence: — The department shall consult and cooperate with the department of public health in developing and making available appropriate facilities of the department for the treatment and rehabilitation of intoxicated persons and alcoholics under the program established pursuant to chapter one hundred and eleven B.

SECTION 3. Sections four A to four D, inclusive, of chapter one hundred and eleven of the General Laws are hereby repealed.

SECTION 4. The third paragraph of section 35 of chapter 123 of the General Laws, as appearing in section 4 of chapter 888 of the acts of 1970, is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences: — Such commitment shall be for the purpose of inpatient care in public or private facilities approved by the department of public health under the provisions of chapter one hundred and eleven B for the care and treatment of alcoholism. The person may be committed to the Massa-

chusetts correctional institution at Bridgewater, if a male, or at Framingham, if a female, provided that there are no suitable facilities available under chapter one hundred and eleven B; and provided, further, that the person so committed shall be housed and treated separately from convicted criminals.

SECTION 5. Section 16 of chapter 125 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 19 of said chapter 888, and inserting in place thereof the following paragraph: —

The department shall maintain at the Massachusetts Correctional Institution, Framingham, a facility for the treatment and rehabilitation of alcoholics, subject to the approval of the department of public health under the provisions of chapter one hundred and eleven B.

SECTION 6. Said chapter 125 is hereby further amended by striking out section 19, as most recently amended by section 6 of said chapter 888, and inserting in place thereof the following section: —

Section 19. No person shall be committed to the Massachusetts Correctional Institution, Bridgewater for the treatment of alcoholism, except in accordance with the provisions of chapter one hundred and eleven B and chapter one hundred and twenty-three.

SECTION 7. Section 83B of chapter 127 of the General Laws is hereby amended by striking out the first paragraph, as amended by section 47 of chapter 770 of the acts of 1955, and inserting in place thereof the following paragraph: —

The commissioner may remove to any camp so established any prisoner held in a correctional institution of the commonwealth except the Massachusetts Correctional Institution, Framingham, and sentenced prisoners in jails and houses of correction, except a prisoner serving a life sentence, or a sentence imposed for violation of sections twenty-two, twenty-three and twenty-four of chapter two hundred and sixty-five and for attempt to commit a crime referred to in said sections, who, in his judgment, may properly be so removed and may at any time return such prisoners to the prison from whence removed. Prisoners so removed shall be entitled to a permit to be at liberty as provided under the provisions of sections one hundred and twenty-eight, one hundred and thirty-two and one hundred and thirty-three of chapter one hundred and twenty-seven.

SECTION 8. Sections eighty-six A to eighty-six C, inclusive, and section one hundred and thirty-six A of said chapter one hundred and twenty-seven are hereby repealed.

SECTION 9. Section 140 of said chapter 127, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 4 and 5, the words "or of drunkenness".

SECTION 10. Section 8 of chapter 147 of the General Laws, as so appearing, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — They may, without a warrant, arrest idle or disorderly persons who by their presence or conduct obstruct or annoy persons using county buildings or premises, or who violate section ninety-seven of chapter two hundred and sixty-six, and may take persons so arrested to the nearest police station or other place of lawful detention.

SECTION 11. Sections forty-four to fifty, inclusive, of chapter two hundred and seventy-two of the General Laws are hereby repealed.

SECTION 12. Section 18 of chapter 279 of the General Laws is hereby amended by striking out the words "; if sentenced to said reformatory for drunkenness she may be held therein for not more than six months", inserted by section 24 of chapter 715 of the acts of 1956.

SECTION 13. The first sentence of section 93 of chapter 159 of the General Laws is hereby amended by striking out, in lines 6 and 7, as appearing in section 5 of chapter 363 of the acts of 1936, the word "intoxicated".

SECTION 14. Section twenty-eight of chapter two hundred and sixty-two of the General Laws is hereby repealed.

SECTION 15. Paragraph (*b*) of subdivision 3 of section 108 of chapter 175 of the General Laws is hereby amended by striking out provision 11.

SECTION 16. Section 30K of chapter 7 of the General Laws, as appearing in section 3 of chapter 492 of the acts of 1968, is hereby amended by striking out paragraph (*c*) and inserting in place thereof the following paragraph: —

(*c*) "General health supplies, care, services and accommodations", all supplies, care and services of a medical, dental, surgical, psychiatric, therapeutic, diagnostic or geriatric nature, including inpatient and outpatient hospital care and services, and accommodations in hospitals, sanatoria, infirmaries, convalescent and nursing homes, rest homes, facilities established, licensed or approved pursuant to the provisions of chapter one hundred and eleven B, and similar institutions.

SECTION 17. All books, papers, records, documents and equipment in the custody of or maintained for the use of the department of public health pursuant to sections four A to four D, inclusive, of chapter one hundred and eleven of the General Laws, repealed by section eight of this act, are hereby transferred to the custody and control of the division of alcoholism, established by section four of chapter seventeen of the General Laws, as amended by section one A of this act, and all moneys heretofore appropriated for the department of public health for activities authorized by said sections four A to four D, inclusive, of said chapter one hundred and eleven and remaining unexpended on the effective date of this section are hereby transferred to, and shall remain immediately available for expenditure by, said division of alcoholism.

All duly existing contracts, leases and obligations of the department of public health entered into pursuant to said sections four A to four D, inclusive, of said chapter one hundred and eleven shall remain in effect and shall be performed by the division of alcoholism. 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. Without limiting the generality of the foregoing, all approvals of 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 said division from withdrawing such approval if such action is otherwise in accordance with law.

All gifts and special grants made to the department of public health under said section four A of chapter one hundred and eleven and remaining unexpended on the effective date of this section shall be available for expenditure by the division of alcoholism in accordance with the conditions of the gift or grant without specific appropriation.

All hospital and clinic facilities established pursuant to section four B of said chapter one hundred and eleven shall remain subject to the control and supervision of the department of public health.

All officers and employees of the department of public health engaged in activities authorized by section four A to four D, inclusive, of said chapter one hundred and eleven who immediately prior to the effective date of this section hold permanent appointment in positions classified under chapter thirty-one of the General Laws or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws are hereby transferred to the division of alcoholism established 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 and salary grade, notwithstanding any change in his title or duties made as a result of such transfer; subject, however, to the provisions of said 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 said division of alcoholism without impairment of seniority, retirement and other rights, without interruption of service within the meaning of section nine A of said chapter thirty and without reduction in compensation and salary grade. Nothing in this section shall be construed to confer upon an officer or employee any rights not held prior to the transfer or to prohibit any subsequent reduction in compensation or salary grade not prohibited prior to the transfer.

SECTION 18. Any existing ordinance, by-law, resolution or other legislation of a county, municipality or other jurisdiction within the commonwealth establishing the offense of public intoxication or any equivalent offense is hereby repealed. No county, city, town or other political subdivision of the commonwealth shall adopt any law, ordinance, by-law, resolution or regulation having the force of law which provides that public intoxication or being found in any place in an intoxicated condition shall constitute an offense, a violation or the subject of criminal or civil penalties or sanctions of any kind or in any way inconsistent with the provisions of chapter one hundred and eleven B of the General Laws.

SECTION 19. The terms of the eight appointive members of the advisory council on alcoholism in the department of public health, established by section thirteen of chapter seventeen of the General Laws, as inserted by section one B of this act, first appointed by the governor shall be as follows: two members shall serve for terms of one year; three members for terms of two years; and three members for terms of three years.

SECTION 20. The Secretary of Health, Education and Welfare of the United States shall be afforded reasonable access to any reports, records, or the like, kept by the department of public health pursuant to and in accordance with the provisions of this act. The Comptroller General of the United States or his duly authorized representatives shall have access for the purpose of audit and examination to the same aforesaid reports, records or the like.

SECTION 21. The provisions of this act are severable and if any provisions shall be held unconstitutional by any court of competent jurisdiction, the decisions of such court shall not affect or impair any of its remaining provisions.

SECTION 22. This act shall take effect conformably to law except that sections six, seven and nine to eleven, inclusive, of chapter one hundred and eleven B of the General Laws, inserted by section one of this act, and sections four, five and sixteen of this act shall take effect on July the first, nineteen hundred and seventy-two; and except further that sections eight and twelve of said chapter one hundred and eleven B, inserted by section one of this act, and sections six to thirteen, inclusive, fourteen and eighteen of this act shall take effect on July the first, nineteen hundred and seventy-three. *Approved November 12, 1971.*

Chap. 1077. AN ACT PROHIBITING CERTAIN UNFAIR CLAIM SETTLEMENT PRACTICES BY INSURERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to designate forthwith certain practices by insurance companies as unfair claim settlement practices, to impose certain civil and criminal penalties for the commission of such practices and to authorize the insurance commissioner to revoke or suspend the licenses of insurance companies which have committed any such practices, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 193N the following section: —

Section 193O. No insurance company doing business in the commonwealth shall engage in unfair claim settlement practices. An "unfair claim settlement practice" shall consist of any of the following practices:

a. knowingly misrepresenting to claimants pertinent facts or policy provisions relating to coverages at issue;

b. failing to acknowledge with reasonable promptness pertinent communications with respect to claims arising under its policies;

c. failing to adopt and implement reasonable standards for the prompt investigation of claims arising under its policies;

d. not attempting in good faith to effectuate prompt, fair and equitable settlements of claims submitted in which liability has become reasonably clear; or

e. offering claimants amounts substantially less than the fair value of their claims, thereby tending to compel them to institute actions at law to recover said fair values.

The commissioner may upon his own initiative or upon receipt of a complaint of any person aggrieved by any such practice hold a hearing, giving at least twenty-one days written notice to the insurance company against which the complaint is directed. Such hearing shall be governed by the provisions of chapter thirty A. The commissioner shall, after each such hearing, make a finding as to whether or not an insurance company has engaged in any of the unfair claim settlement prac-

tices. Each of said practices may be treated as a separate violation for the purpose of the penalties set forth herein. Evidence as to the number and types of complaints which have been previously made to the commissioner against the insurance company before him and the commissioner's complaint experience with other companies writing similar lines of insurance shall be admissible evidence at any of such hearings. If the commissioner finds, after such hearing, that an insurance company has committed any such unfair claim settlement practices, he may suspend or, in the case of repeated violations, revoke the license of such company and may impose conditions for the reinstatement thereof.

In an action to recover on an insurance policy, if the insurer has been found to have engaged in any of such practices after a hearing by the commissioner, the court may, in addition to the amount of the claim, award punitive damages in an amount not to exceed twenty-five per cent of said claim.

Whoever commits an unfair claim settlement practice shall be punished by a fine of not more than ten thousand dollars for each violation.

SECTION 2. The provisions of section one hundred and ninety-three O of chapter one hundred and seventy-five of the General Laws, inserted by section one of this act, which provide for a civil remedy or punitive damages shall apply to claims pending on the effective date of this act as well as to claims arising thereafter. *Approved November 15, 1971.*

Chap. 1078. AN ACT PROVIDING FOR THE LICENSING OF MOTOR VEHICLE DAMAGE APPRAISERS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the licensing of motor vehicle appraisers, on January the first, nineteen hundred and seventy-two, to insure the continued and unimpeded issuance of motor vehicle physical damage policies and the speedy settlement and payment of motor vehicle physical damage claims, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 113L the following section: —

Section 113M. No person shall act as an appraiser of damages to motor vehicles under property protection insurance policies, and no person shall appraise such damage or furnish estimates or make such appraisals on behalf of any person including, but not limited to, an insurance company or any person engaged in the business of repairing such damage, unless licensed by the commissioner of insurance. A person wishing to secure such license shall make application therefor on a form approved by the commissioner. The commissioner shall grant such a license to any applicant he finds trustworthy and competent. Each license shall be valid for a period of one year and may be renewed annually. The fee for such license shall be ten dollars for the original and each renewal thereof.

The commissioner may suspend or revoke any such license if the licensee has made any misrepresentation in his application, is convicted

of any criminal act in connection with his work or if, after investigation and hearing, the commissioner finds that the licensee has engaged in practices that cause claimants under property protection insurance policies to receive or be offered settlements for damage that are shown to be either unfair or unreasonable, or both, or practices that are shown to be designed to offset the effect of any deductible purchased by a property protection insurance policyholder.

Whoever violates any provision of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

SECTION 2. Notwithstanding the provisions of section one hundred and thirteen M of chapter one hundred and seventy-five of the General Laws, inserted by section one of this act, any individual who submits satisfactory proof to the commissioner of insurance that he has been engaged in the business of appraising motor vehicle damage for the two years next prior to April the first, nineteen hundred and seventy-two shall be issued a license as a motor vehicle damage appraiser by the commissioner of insurance without further examination; provided that said individual makes application for such license within one year after the effective date of this act and accompanies such application with a license fee of ten dollars. Upon the expiration of said license, it may be renewed annually upon payment of a fee of ten dollars.

SECTION 3. This act shall take effect on April the first, nineteen hundred and seventy-two. *Approved November 15, 1971.*

Chap. 1079. AN ACT PROVIDING FOR THE ORDERLY IMPLEMENTATION OF THE NO-FAULT PROPERTY DAMAGE ACT, SO-CALLED, AND MAKING CERTAIN CORRECTIVE CHANGES THEREIN.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide for the orderly implementation of the no-fault property damage act, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any other provision of law the commissioner of insurance shall determine whether or not any requirements of the president's office of economic preparedness or the federal wage-price freeze, or both, may so affect the rating of property protection insurance as defined in chapter nine hundred and seventy-eight of the acts of nineteen hundred and seventy-one, as to make such insurance more costly to motorists than the costs of property damage liability insurance and collision insurance, or both, because of any determination or probable determination that property protection insurance will not be affected by any such requirements that affect or might affect property damage liability insurance and collision insurance or both. If the commissioner finds any such requirements will make property protection insurance more costly to motorists, he may, by rule or regulation, postpone until January the first, nineteen hundred and seventy-three so much of section thirty-four O of chapter ninety of the General Laws, inserted by section one of chapter nine hundred and seventy-eight of

the acts of nineteen hundred and seventy-one, as requires every person having in force a motor vehicle liability policy or bond to maintain in force either property protection insurance or a bond providing equivalent benefits; and may postpone until September the fifteenth, nineteen hundred and seventy-two so much of said section as requires him to fix, establish or approve classification of risks and premium charges for property protection insurance and coverage under bonds; and he may make such further regulations as he may deem necessary to accomplish the purposes of this section.

SECTION 2. Subparagraph (1) of the second paragraph of section 34 O of chapter 90 of the General Laws, inserted by section 1 of chapter 978 of the acts of 1971, is hereby amended by striking out the first and second sentences and inserting in place thereof the following sentence: — The insurer shall pay for direct and accidental loss of or damage to the insured vehicle, subject to a deductible of one hundred dollars, up to a limit equal to the actual cash value of the vehicle less such deductible, caused by collision of the insured vehicle with another object or with a vehicle to which it is attached, or by upset of the insured vehicle.

SECTION 3. Said section 34 O of said chapter 90 is hereby further amended by adding the following paragraph: —

Motor vehicle collision policies in effect on January the first of any year may be cancelled on a pro rata basis or continued and new collision policies may be issued so long as any continuance or issuance of policies is done in connection with the issuance of a policy of property protection insurance in which the insured has elected the option described in subparagraph (3) of the second paragraph of this section. There shall be no subrogation rights other than those described in this section for any insurer continuing or issuing such collision policies.

SECTION 4. In fixing and establishing classifications of risks and premium charges for no-fault property damage insurance for calendar year nineteen hundred and seventy-two in accordance with section one hundred and thirteen B of chapter one hundred and seventy-five of the General Laws, ten days notice of the hearings required shall suffice notwithstanding any provisions of chapter thirty A of the General Laws requiring longer notice to the state secretary.

Approved November 15, 1971.

Chap. 1080. AN ACT TO PREVENT UNNECESSARY EXPANSION OF HEALTH CARE FACILITIES DURING THE PERIOD ENDING MAY THE THIRTY-FIRST, NINETEEN HUNDRED AND SEVENTY-TWO.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the prevention of unnecessary expansion of health care facilities until May the thirty-first, nineteen hundred and seventy-two, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, no person shall (a) commence construction of a new health care facility at a specific location or commence construction altering, adding to,

making major repairs to, remodelling, renovating or replacing an existing such facility or part thereof or (b) substantially change its services, during the period extending from the effective date of this act to May the thirty-first, nineteen hundred and seventy-two unless there is a determination by the department of public health that there is need therefor. Such determination shall, upon request of the person applying therefor, be made after hearing and shall be based upon current information concerning, among other things, present and projected future needs, shall be in writing and set forth the reasons therefor, shall be kept on file in the office of the commissioner of public health and shall be a public record. Except in the case of an emergency requiring immediate action to prevent further damage to a health care facility or part thereof, such determination shall be made only after ten days' notice and opportunity to comment upon the need for such construction or change in services has been given to the single agency of the commonwealth and appropriate areawide health planning agency designated pursuant to the provisions of Sections 314 (a) and 314 (b) of the Federal Public Health Service Act. The provisions of this section shall not apply to any construction or change in services requiring a capital expenditure of less than one hundred thousand dollars.

SECTION 2. Notwithstanding the provisions of section fifty-one of chapter one hundred and eleven of the General Laws, the department of public health shall not issue any original license to establish or maintain a hospital, an institution for the care of unwed mothers or a clinic, as defined in section fifty-two of said chapter one hundred and eleven, during the period extending from the effective date of this act to May the thirty-first, nineteen hundred and seventy-two, unless there is a determination by said department, in the manner provided in section one of this act, that there is need for such a facility at the designated location.

Notwithstanding the provisions of section seventy-one of said chapter one hundred and eleven, said department shall not issue any original license to establish or maintain an infirmary maintained in a town, a convalescent or nursing home, a rest home or charitable home for the aged, as defined in said section, during the period extending from the effective date of this act to May the thirty-first, nineteen hundred and seventy-two unless there is a determination by said department, in the manner provided in section one of this act, that there is a need for such a facility at the designated location.

SECTION 3. As used in this act the term "health care facility" shall include (1) a hospital, institution for the care of unwed mothers or clinic, as defined in section fifty-two of chapter one hundred and eleven of the General Laws, and (2) a public medical institution, which is 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, approval or certification for participation in the programs administered under Titles 18 and 19 of the Federal Social Security Act, by the department of public health.

As used in this act, an "original license" shall mean a license issued to a health care facility not previously licensed or a license issued to an existing health care facility in which there has been a change in ownership or location.

SECTION 4. The department of public health is hereby authorized to promulgate rules and regulations necessary for the implementation of this act.

SECTION 5. The superior court shall have jurisdiction in equity, upon the petition of the department of public health or of any ten taxpayers in the commonwealth, to enjoin any violation or imminently threatened violation of the provisions of section one of this act.

SECTION 6. This act shall take effect upon its passage and shall cease to be effective on May the thirty-first, nineteen hundred and seventy-two. *Approved November 15, 1971.*

Chap. 1081. AN ACT PROVIDING FOR A COMPREHENSIVE PROGRAM OF LEAD PAINT POISONING PREVENTION AND CONTROL.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, immediately to prevent the further spread of lead poisoning, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public health and safety.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 189 the following ten sections:—

Section 190. The department shall establish a statewide program for the prevention, screening, diagnosis and treatment of lead poisoning, including elimination of the sources of such poisoning, through such research, educational, epidemiological and clinical activities as may be necessary.

The commissioner shall appoint a lead poisoning control director, who shall serve at the pleasure of the commissioner. The director shall be responsible, subject to the authority of the commissioner, for carrying out and administering all programs created pursuant to this and the following nine sections. As used in the following nine sections, "director" shall refer to the lead poisoning control director.

The director may contract with any agencies, individuals or groups for the provision of necessary services, subject to appropriation; and shall issue and, from time to time, amend such rules and regulations as may be necessary.

The governor shall appoint an advisory committee for the lead poisoning prevention program, which shall consist of nine members, at least four of whom shall be physicians or persons active in the field of public health and who shall serve at the pleasure of the governor. At least two members of said advisory committee shall be parents of children under six years of age who reside in lower-income urban areas. The committee shall advise the director on matters of policy; shall be consulted by the director prior to the issuance of rules and regulations; and shall perform such other duties as the director may

request. The members of the advisory committee shall not be paid for their services, but they shall be reimbursed for travel and other expenses necessary for the performance of their duties. As used in the following nine sections, "advisory committee" shall refer to said committee.

Section 191. Any examining physician, hospital, public health nurse or other diagnosing person or agency shall report to the director the existence and circumstances of each case of lead poisoning known to them and not previously reported. Such reports shall be made on forms prescribed by the director and shall be submitted not later than three days after said person or agency first diagnoses or is informed of such case. The director shall by regulation with the advice of the advisory committee and in accordance with sound medical practice define the terms "lead poisoning" and "previously reported".

When a case of lead paint poisoning is reported to the director, he shall inform such local boards of health, public health agencies and other persons and organizations as he deems necessary; provided, however, that the name of any individual contracting lead poisoning shall not be included unless the director determines that such inclusion is necessary to protect the health and well-being of the affected individual.

The director shall maintain comprehensive records of all reports submitted pursuant to this section. Such records shall be geographically indexed in order to determine the location of areas of relatively high incidence of lead poisoning. Such records shall be public records, subject to the provision of the preceding paragraph relating to the names of individuals.

Section 192. The director shall institute an educational and publicity program, in order to inform the general public and particularly parents of children residing in areas of significant exposure to sources of lead poisoning; teachers, social workers and other human service personnel; owners of residential property, particularly property constructed previous to the year nineteen hundred and forty-five; and health services personnel, and particularly interns, residents and other intake personnel at major hospitals, of the dangers, frequency and sources of lead poisoning and the methods of preventing such poisoning.

Section 193. The director shall establish a program for early diagnosis of cases of lead poisoning. Such program shall, to the extent permitted by appropriations, systematically examine all children under six years of age residing within the commonwealth for the presence of lead poisoning. Such examinations shall be made by such means and at such intervals as the director shall by regulation determine may be medically necessary and proper. Such program shall employ, to the extent possible, residents of the areas in which screening and examinations are conducted, which residents shall not be subject to the provisions of chapter thirty-one, unless required as a condition for receipt of federal funds, or section nine A of chapter thirty.

Such program of diagnosis shall, to the extent that all children residing in the commonwealth are not systematically examined, give priority in examinations to those children residing, or who have

recently resided, in areas where significant numbers of lead poisoning cases have recently been reported or where other reliable evidence indicates that significant numbers of lead poisoning cases may be found.

When the director is informed of a case of lead poisoning pursuant to section one hundred and ninety-one, or otherwise, he shall cause to have examined all other children under six years of age, and such other children as he may find advisable to examine, residing or recently residing in the household of the victim, unless the parents of such child object to said examination because it conflicts with their religious beliefs and practices. The results of such examinations shall be reported to the director, to the person or agency reporting the original case pursuant to section one hundred and ninety-one and to such other persons or agencies as the director deems advisable.

The director shall maintain comprehensive records of all examinations conducted pursuant to this section. Such records shall be geographically indexed in order to determine the location of areas of relatively high incidence of lead poisoning. Such records shall be public records, subject to the provision of section one hundred and ninety-one relating to the names of examined individuals. A summary of the results of all examinations conducted pursuant to this section shall be released quarterly, or more frequently if the director so determines, to all interested parties.

All cases or probable cases of lead poisoning, as defined by regulation by the director, found in the course of examinations conducted pursuant to this section shall be reported immediately to the affected individual, to his parent or legal guardian if he is a minor and to the director. The director shall inform such persons or agencies as he deems advisable of the existence of such case or probable case, subject to the provision of section one hundred and ninety-one relating to the names of individuals.

Section 194. The director shall establish a comprehensive program for detection of sources of lead poisoning. Such program shall attempt, to the extent permitted by appropriations, to locate all dwellings in which the paint, plaster or other accessible substance contains dangerous amounts of lead. The means of detection, and the amount of lead that produces the danger of lead poisoning, shall be determined by regulation by the director in accordance with sound medical practice and current technical knowledge.

Such program of detection shall, to the extent that all appropriate dwellings are not inspected, give priority in inspections to those dwellings located in areas where significant numbers of lead poisoning cases have recently been reported, and in which children under six years of age reside. Such program shall employ, to the extent possible, residents of the areas in which inspections are conducted, which residents shall not be subject to the provisions of chapter thirty-one, unless required as a condition for receipt of federal funds, or section nine A of chapter thirty.

Upon the request of any occupant, the director shall cause to have the occupant's premises inspected within a reasonable time, not to exceed ten days, unless systematic inspection of the area in which the person requesting the inspection resides is scheduled within thirty

days, in which case said inspection may be deferred up to twenty additional days.

When the director is informed of a case of lead poisoning pursuant to section one hundred and ninety-one or one hundred and ninety-three, or otherwise, he shall cause to have inspected the dwelling in which the victim resides, or has recently resided, if the occupants of said dwelling consent, after reasonable notice, to such inspection. If the occupant refuses admittance, an agent of the director or of any local board of health or code enforcement agency may apply for a search warrant to permit entry. A court may issue a warrant upon a showing that a victim of lead poisoning resides or has recently resided in said dwelling. The findings of such inspection shall be reported to the director and to the appropriate enforcement authorities set out in section one hundred and ninety-eight.

A dangerous level of lead found in a dwelling inspected pursuant to this section, or otherwise, shall be reported immediately to the owner of the building, all affected tenants, all mortgagees and lienholders of record, the appropriate enforcement authorities set out in section one hundred and ninety-eight and the director. The director shall inform such other persons or agencies as he deems advisable and shall cause to have prominently posted on all entrances to said dwelling a notice that the dwelling contains dangerous amounts of lead paint or other materials which children should not be allowed to eat or chew. Such notice may not be removed until all premises have been found to comply with section one hundred and ninety-seven.

When a dangerous level of lead is found in a dwelling inspected pursuant to this section, or otherwise, the director shall cause to have examined all children under six years of age, and such other children as he may find advisable to examine, residing or who have recently resided in said dwelling. The results of such examinations shall be reported to the director, the affected individual and his parent or legal guardian. The director shall inform such other persons or agencies as he deems advisable, subject to the provision of section one hundred and ninety-one relating to the names of affected individuals.

The director shall maintain comprehensive records of all inspections conducted pursuant to this section. Such records shall be geographically indexed in order to determine the location of areas of relatively high incidence of dangerous lead levels. Such records shall be public records. A summary of the results of all inspections conducted pursuant to this section shall be released quarterly, or more frequently if the director so determines, to all interested parties.

Section 195. The commissioner shall establish, within the Bureau of Institute of Laboratories, a state laboratory for lead and lead poisoning detection. Said laboratory shall analyze specimens received from children for the presence of lead poisoning and samples of paint and other materials for dangerous levels of lead.

Said laboratory shall analyze tests and samples submitted by persons and agencies not within the department as its facilities permit and may charge for such services a fee not greater than the cost to it of such services.

Section 196. (*a*) No person shall apply or cause to be applied any lead-based paint, glaze or other substance to any toy, furniture,

cooking, drinking or eating utensil, or interior or exterior surface or fixture of any dwelling; and no person shall sell, expose for sale, deliver, give away or possess with intent to sell, deliver or give away any toy, furniture, cooking, drinking or eating utensil to which any lead-based paint, glaze or other substance has been applied.

Any paint, glaze or other substance shall be deemed to be lead-based when it contains more than one half of one per centum lead by weight (calculated as lead metal) in the total nonvolatile content of liquid paints or in the dried film of paint or glaze already applied or when it contains a substantially equivalent amount of lead measured by such alternative reliable method of measurement as the director shall by regulation establish.

Any person who violates the provision of this subsection shall be punished by a fine of not less than one hundred dollars nor more than five hundred dollars for each violation. Each article, surface or fixture to which a lead-based substance is applied shall constitute a separate violation. Any person who willfully violates the provisions of this subsection shall be punished by imprisonment for not more than three months for each violation.

Any article of personal property in violation of this subsection may be embargoed by the director in the manner provided in section one hundred and eighty-nine A of chapter ninety-four.

Section 197. Whenever a child or children under six years of age reside in any residential premises in which any paint, plaster or other accessible materials contain dangerous levels of lead as defined pursuant to section one hundred and ninety-four, the owner shall remove or cover said paint, plaster or other material so as to make it inaccessible to children under six years of age. Whenever any such residential premises containing said dangerous levels of lead undergoes a change of ownership and as a result thereof a child or children under six years of age will become a resident therein, the new owner shall remove or cover said paint, plaster or other material so as to make it inaccessible to such children.

Repainting with nonlead-based paint, without removal of the offending paint, plaster or other material, shall not constitute compliance with this section. Such removal or covering shall be performed as follows:—

(*a*) All peeling paint, plaster or other material, on both interior and exterior surfaces and fixtures, shall be removed or adequately covered.

(*b*) Paint, plaster or other material that is not peeling shall be removed or covered on window sills; door frames below the four-foot level; windows, including mullions, below the four-foot level; stair rail spindles; stair treads from the lip to the riser on bottom and four inches back from the lip on the top of the tread; doors below the four-foot level and four inches from all edges; stair rails; porch railings; and all other exterior and interior surfaces or fixtures that may be readily chewed by children.

This duty shall apply to every owner of residential premises whenever a child or children under six years of age reside therein or whenever such premises undergoes a change of ownership and as a result thereof a child or children under six years of age shall reside therein, whether or not his premises have been inspected pursuant to

section one hundred and ninety-four or otherwise. This section shall be strictly construed and enforced so as to best protect the safety of residents of such dwellings.

Section 198. Any violation of sections one hundred and ninety-six and one hundred and ninety-seven may be treated by any party as a violation of the state sanitary code and all procedures and remedies applicable to such violations of said sanitary code shall be available to correct, deter or punish violations of said sections. The district and superior courts shall have jurisdiction to enforce the provisions of said sections to the same extent that said courts have jurisdiction to enforce said sanitary code.

All local boards of health or other code enforcement agencies, including in the city of Boston the commissioner of housing inspection, shall enforce sections one hundred and ninety-six and one hundred and ninety-seven in the same manner and with the same authority as they may enforce the sanitary code.

The director shall have concurrent responsibility and authority to enforce sections one hundred and ninety-six and one hundred and ninety-seven and in so doing shall have available to him all powers and authority which shall be available to local boards of health pursuant to sections one hundred and twenty-seven A through one hundred and twenty-seven K, inclusive.

Violations of sections one hundred and ninety-six and one hundred and ninety-seven shall be treated as emergency matters and shall be given preference by enforcing agencies and speedy hearings by district and superior courts.

Section 199. The owner of any residential property shall be liable for all damages caused by his failure to perform the duties required of him pursuant to subsection (*a*) of section one hundred and ninety-six or section one hundred and ninety-seven.

The owner of any residential property who is notified of a dangerous level of lead in paint, plaster or other material present upon his premises, pursuant to section one hundred and ninety-four, and who does not satisfactorily correct or remove said dangerous conditions shall in addition to the provisions of the preceding paragraph be subject to punitive damages, which shall be treble the actual damages found.

SECTION 2. Section 196 of chapter 111 of the General Laws, as appearing in section 1 of this act, is hereby amended by adding the following subsection:—

(*b*) No person shall sell, expose for sale, deliver, give away or possess with intent to sell, deliver or give away any lead-based paint, glaze or other surface covering, as defined in subsection (*a*); provided, however, that the director may by regulation with the concurrence of a majority of the advisory committee exempt from the provisions of this subsection certain lead-based paints that are not intended or suitable for use on or within residential premises, and are not advertised or labeled as intended or suitable for such uses, and are not sold to the general public on a retail basis, when he finds with substantial certainty that the sale or use of said paints will not result in the exposure of children younger than six years of age to said paints and will not result in an additional danger to life or health for such children or for the general public.

Whoever violates the provisions of this subsection shall be punished by a fine of not less than two hundred dollars nor more than five hundred dollars for each violation. Each can, bottle or other container of any prohibited substance shall constitute a separate violation. Whoever willfully violates the provisions of this subsection shall be punished by imprisonment for not more than six months for each violation. Any article or substance in violation of this subsection may be embargoed by the director in the manner provided in section one hundred and eighty-nine A of chapter ninety-four.

SECTION 3. Sections one hundred and ninety-six to one hundred and ninety-nine, inclusive, of the General Laws, inserted by this act, shall take effect on January the first, nineteen hundred and seventy-three. *Approved November 15, 1971.*

Chap. 1082. AN ACT INCREASING THE ANNUAL RATE OF COMPENSATION OF CERTAIN HEADS OF FIRE DEPARTMENTS AND POLICE DEPARTMENTS.

Be it enacted, etc., as follows:

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

Section 57G. The permanent, full-time fire chief or chief engineer of a fire department in any city, other than Boston, or town or fire district, and the permanent, full-time chief of police or superintendent of police, or city marshal, in any city, other than Boston, or town, and the superintendent of the metropolitan district commission police and the chief of the capitol police shall receive an annual rate of compensation which shall not be less than the following ratios of the highest annual rate of compensation of a permanent, full-time firefighter, or a permanent, full-time police officer or patrolman, as the case may be:

1. In departments having less than twelve permanent, full-time police officers or firefighters, the ratio shall be: 1.5.

2. In departments having not less than twelve nor more than twenty-nine permanent, full-time police officers or firefighters, the ratio shall be: 1.8.

3. In departments having thirty or more permanent, full-time police officers or firefighters, the ratio shall be: 2.0.

Approved November 15, 1971.

Chap. 1083. AN ACT FURTHER INCREASING UNEMPLOYMENT COMPENSATION BENEFITS.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of subsection (*a*) of section 29 of chapter 151A of the General Laws, as appearing in chapter 657 of the acts of 1970, is hereby amended by striking out, in line 5, the words "fifty-two and one half" and inserting in place thereof the word: — fifty-five.

SECTION 2. The fifth sentence of said subsection (*a*) of said section 29 of said chapter 151A, as so appearing, is hereby amended by striking out, in line 1, the words "Fifty-two and one half" and inserting in place thereof the words: — Fifty-five.

SECTION 3. This act shall take effect on October the first, nineteen hundred and seventy-two and shall apply only to individuals whose benefit years begin on or after said effective date.

Approved November 15, 1971.

Chap. 1084. AN ACT PROVIDING PAYMENT FOR HOSPITAL OR NURSING CARE FOR CERTAIN MULTIPLE-HANDICAPPED CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 111 of the General Laws is hereby amended by inserting after section 4I the following section: —

Section 4J. Financial assistance in the payment of expenses for the hospital and nursing care of multiple-handicapped children twenty years of age or under may be paid by the department on a statewide basis, provided, that: (1) eligibility for assistance shall be determined in accordance with an income and resource schedule established by the department which takes into account the number of persons in the family and the out-of-pocket expenses for such hospital or nursing care; (2) any person applying for such assistance shall provide the department with a financial statement which discloses in full any income, assets, liabilities or other data deemed relevant by the department; (3) a medical review team under the supervision of or approved by the department, in cooperation with the department of mental health, finds that the child requires such hospital or nursing care; and (4) if such care is required as a result of injury, disease, or disability for which a third party may be liable, the department shall require the person receiving such care, his parent or legal guardian, to provide for assignment to the commonwealth of the amounts expended under this section from the proceeds of any claim against the third party. Payments made under this section shall not supersede payments or services available under any other federal, state, local or private health program or insurance plan and shall be made only to providers of care in accordance with rates established by the rate setting commission under sections thirty K to thirty P, inclusive, of chapter seven. The department shall review at least annually the financial need for assistance and shall terminate any payments when such need no longer exists.

The department may adopt rules and regulations to carry out the purposes of this section including, but not limited to, standards and certification requirements of providers of service and procedures for review of individuals needing care.

SECTION 2. Section 6 of chapter 118E of the General Laws, as appearing in section 1 of chapter 800 of the acts of 1969, is hereby amended by adding after clause (16) the following clause: —

(17) nursing home services as permitted under the Social Security Act for individuals twenty years of age or under whose handicapping condition requires such services other than services in an institution for tuberculosis or mental diseases but including nursing services provided in facilities for the care of the mentally retarded.

SECTION 3. Section 7 of said chapter 118E, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph: —

Assistance under this chapter for nursing services for persons twenty years of age or under shall be available after a medical review team

under the supervision or with the approval of the department of public health, in cooperation with the departments of mental health and public welfare, approves such services for such persons. The department of public health, in cooperation with said other departments shall promulgate rules and regulations for such services, and any person or facility offering such services shall receive prior certification from the department of public health. *Approved November 15, 1971.*

Chap. 1085. AN ACT PLACING CERTAIN POSITIONS OF EMPLOYEES OF THE TOWN OF ANDOVER AT THE SPRING GROVE CEMETERY IN SAID TOWN UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The positions of all employees of the town of Andover at the Spring Grove cemetery in said town, except the position of cemetery superintendent, shall be subject to the civil service law and rules. The incumbent of every such position classified in the labor service 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 and rules.

Approved November 15, 1971.

Chap. 1086. AN ACT AUTHORIZING THE MASSACHUSETTS TURNPIKE AUTHORITY TO CONVEY CERTAIN RIGHTS IN LAND IN THE CITY OF CHICOPEE AND THE TOWN OF LUDLOW WITHOUT COMPLYING WITH THE LAW REQUIRING SAID AUTHORITY TO AWARD CONTRACTS TO THE LOWEST RESPONSIBLE AND ELIGIBLE BIDDER.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of clause (*q*) of section five of chapter three hundred and fifty-four of the acts of nineteen hundred and fifty-two, inserted by section two of chapter six hundred and sixty of the acts of nineteen hundred and seventy-one, the Massachusetts Turnpike Authority is hereby authorized to convey, upon such terms and conditions as it determines, to the Willwood Development Corporation, a certain right and easement for drainage purposes that it now has in land of said corporation in the city of Chicopee, in exchange for a similar right in land of said corporation, all for the purpose of relocating its present easement interests.

SECTION 2. Notwithstanding the provisions of clause (*q*) of said section five of said chapter three hundred and fifty-four, said Authority is hereby authorized to convey, upon such terms and conditions as it determines, to George Franklin, a certain right and easement for drainage purposes that it now has in land of said Franklin in the city of Chicopee, in exchange for a similar right in land of said Franklin, all for the purpose of relocating its present easement interests.

SECTION 3. Notwithstanding the provisions of clause (*q*) of said section five of said chapter three hundred and fifty-four, said Authority is hereby authorized to convey, upon such terms and conditions as it

determines, to the town of Ludlow an area of approximately nineteen thousand three hundred and fifty-eight square feet located on the westerly side of West street and on the southerly side of the Massachusetts Turnpike in said town for the purpose of eliminating a serious traffic condition by the relocation of Shawinigan drive in said town.

Approved November 15, 1971.

Chap. 1087. AN ACT MAKING CERTAIN TECHNICAL CHANGES IN THE LAW RELATIVE TO PLANS OF ACQUISITION IN RESPECT OF STOCK OF TRUST COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 4A of chapter 167A of the General Laws, added by chapter 899 of the acts of 1969, is hereby amended by striking out subsection 5 and inserting in place thereof the following subsection: —

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 such corporation 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 such corporation shall have the rights and duties and follow the procedure set forth in said sections.

SECTION 2. Section 59 of chapter 172 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following paragraph: —

Nothing in this section shall be deemed to prevent any such corporation from being the purchaser or holder of its own shares: (*a*) if, in connection with a stock dividend or a merger or consolidation to which such corporation is a party or a purchase by such corporation of all or substantially all of the assets of a trust or banking company or national banking association, such purchase or holding is incidental to an arrangement approved by the commissioner as appropriate to enable those entitled thereto to sell resulting fractional interests or to purchase such fractional interests as may be necessary for the acquisition of a full share, or (*b*) if, in connection with a merger or consolidation or plan of acquisition to which such corporation is a party or a sale or exchange by such corporation of all or substantially all of its property and assets, such purchase or holding is necessary to satisfy such corporation's liability to dissenting stockholders under section thirty-eight of this chapter or section four A of chapter one hundred and sixty-seven A.

Approved November 15, 1971.

Chap. 1088. AN ACT EXEMPTING THE SALE OF STEAM FROM THE OPERATION OF THE SALES AND USE TAX.

Be it enacted, etc., as follows:

Section 6 of chapter 64H of the General Laws is hereby amended by striking out clause (*i*), as appearing in section 1 of chapter 757 of the acts of 1967, and inserting in place thereof the following clause: —

(*i*) The sales, furnishing or service of gas, water, electricity, steam, telephone and telegraph.

Approved November 15, 1971.

Chap. 1089. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO ILLUMINATE THE SOUTHEAST EXPRESSWAY, SO-CALLED, FOR THE PROTECTION OF THE SAFETY OF THE PUBLIC.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to illuminate the Southeast Expressway, so-called, in heavily-travelled areas for the protection of the lives and safety of the public.

Approved November 15, 1971.

Chap. 1090. AN ACT PROVIDING FOR AN ADDITIONAL JUSTICE IN THE FIRST DISTRICT COURT OF SOUTHERN MIDDLESEX AND FOR THE ABOLITION OF THE OFFICE OF SPECIAL JUSTICE IN SAID COURT UPON THE OCCURRENCE OF A VACANCY IN SAID OFFICE.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 6 of chapter 218 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 703 of the acts of 1967, and inserting in place thereof the following sentence: — Each district court, other than the municipal court of the city of Boston, shall have one justice, except that the district court of Springfield, the municipal court of the Dorchester district, the municipal court of the Roxbury district, the first district court of eastern Middlesex and the first district court of southern Middlesex shall have two justices each, and the third district court of eastern Middlesex and the central district court of Worcester shall have three justices each.

SECTION 2. Notwithstanding the provisions of the third paragraph of section six of chapter two hundred and eighteen of the General Laws, as appearing in section 1 of chapter 810 of the acts of 1963, upon the occurrence of a vacancy in the office of special justice of the first district court of southern Middlesex, no appointment shall be made to fill such vacancy and such office shall thereupon be abolished.

Approved November 15, 1971.

Chap. 1091. AN ACT AUTHORIZING THE COUNTY PERSONNEL BOARD TO PERMIT THE RECRUITMENT OF CERTAIN AGENTS AND INSTRUCTORS AT A RATE ABOVE THE MINIMUM OF THE JOB GROUP ALLOCATION OF SAID POSITIONS.

Be it enacted, etc., as follows:

Section 51B of chapter 35 of the General Laws is hereby amended by inserting after paragraph (4) the following paragraph:—

(4A) Said board may permit the recruitment of agents or instructors appointed for purposes specified in section forty-three of chapter one hundred and twenty-eight at a rate above the minimum and within the grade to which the requested position is allocated, upon certification of the appointing authority that the person to be employed has served satisfactorily in a comparable position within or without the commonwealth for a period of time equivalent to the period required by the salary schedule had such service been entirely in the service of the county, provided, that said board 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 any county within a twelve month period prior to the date of the proposed employment.

Approved November 15, 1971.

Chap. 1092. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL COURT OFFICER FOR THE PROBATE COURT FOR WORCESTER COUNTY.

Be it enacted, etc., as follows:

Chapter 217 of the General Laws is hereby amended by striking out section 30, as most recently amended by section 2 of chapter 526 of the acts of 1970, and inserting in place thereof the following section:—

Section 30. The judges of probate for the counties of Suffolk, Middlesex and Norfolk may appoint three officers, and the judges of probate for the counties of Essex, Plymouth and Worcester may appoint two officers to attend the sessions of the probate court and court of insolvency of their respective counties. Such officers may be removed at the pleasure of the judge or judges of probate of their respective counties, and said judge or judges may fill any vacancy caused by removal or otherwise. Each court officer appointed hereunder for Suffolk, Middlesex, Worcester, Essex, Norfolk or Plymouth county shall give bond with sufficient sureties approved by a judge of his court for the faithful performance of his duties, in the sum of one thousand dollars, payable to the treasurer of Suffolk county or to Middlesex, Worcester, Essex, Norfolk or Plymouth county, as the case may be. Each officer appointed hereunder shall serve the orders, precepts and processes issued by the probate court for which he is appointed or by a judge thereof; and shall at the expense of his county be furnished with a uniform such as the court shall order, which he shall wear while in attendance on said court. *Approved November 15, 1971.*

Chap. 1093. AN ACT IMPOSING ASSESSMENTS UPON PUBLIC UTILITY COMPANIES FOR THE PURPOSE OF ASSISTING IN DEFRAYING OF THE GENERAL OPERATING EXPENSES OF THE DEPARTMENT OF PUBLIC UTILITIES.

Be it enacted, etc., as follows:

Chapter 25 of the General Laws is hereby amended by inserting the following two sections: —

Section 17. The commission is hereby authorized to make an assessment against each electric, gas, telephone and telegraph company under the jurisdictional control of the department, based upon the intrastate operating revenues of each of said companies derived from sales within the commonwealth of electric, gas, telephone and telegraph service, respectively, as shown in the annual report of each of said companies to the department. Said assessments shall be made at a rate, not exceeding one fourth of one tenth of one per cent, as shall be determined and certified annually by the commission as sufficient to produce two hundred fifty thousand dollars in revenue to the commonwealth. Said assessments shall be made in each fiscal year of the commonwealth for which there is appropriated to the account of the department an amount not less than the sum of one million five hundred thousand dollars and the aggregate of all payments made to the commonwealth in the preceding fiscal year on account of assessments made under the authority of this section and of section seventeen A. Assessments under this section may be credited to the normal operating costs of each company. The funds produced by said assessments shall be used by the department, in addition to other funds appropriated, to assist in defraying the general operating expenses of the department and may be used to compensate consultants in hearings on rate petitions filed by companies subject to assessment under this chapter.

Section 17A. On or before October the first in any fiscal year in which an assessment is made pursuant to section seventeen, the commission shall certify to the commissioner of corporations and taxation the amount of assessment to be made and the name and address of each company against whom such assessment is made. Such assessments shall be collected by the commissioner of corporations and taxation in accordance with applicable provisions of chapter sixty-three of the General Laws, provided, however, that each company shall pay the amount assessed against it within thirty days from the receipt of notice of assessment from the commissioner of corporations and taxation. The amount so collected shall be credited to the General Fund.

Approved November 15, 1971.

Chap. 1094. AN ACT RELATIVE TO THE RETIREMENT RIGHTS OF AENEAS M. CASEY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of general or special law to the contrary, the city of Cambridge through its retirement board is hereby authorized to grant to Aeneas M. Casey, a former police officer, who is presently retired from said city, a noncontributory pension based on the current rate of regular pay in such an amount as is provided for police officers under section eighty-three A of chapter thirty-two of the General Laws.

SECTION 2. This act shall take effect upon its acceptance by the city of Cambridge and the pension authorized by section one of this act shall be paid on and after said effective date.

Approved November 15, 1971.

Chap. 1095. AN ACT REQUIRING CERTAIN HEARING TESTS FOR PRE-SCHOOL CHILDREN AND OFFERING CERTAIN DIAGNOSTIC SERVICES RELATIVE THERETO, THE COSTS OF WHICH SHALL BE BORNE BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after section 67E, inserted by section 3 of chapter 22 of the acts of 1963, the following three sections: —

Section 67F. Within ten days after the date of birth in the commonwealth of any child, the hospital wherein such birth occurred shall provide the parents or legal guardians of the child with literature describing those conditions which cause certain children to be placed in a high risk category for hearing impairment. Such literature shall urge the parents to discuss such high risk factors with their physicians in order to make a decision as to whether or not the infant may fall into such a high risk category as defined in section sixty-seven H. Such literature shall be furnished to hospitals by the department.

The department shall offer the parents or legal guardians of those children who may fall into such high risk category complete diagnostic evaluation at hospital centers approved by it. Such centers shall maintain suitable otological, audiological, pediatric and neurological support in order to receive such approval and shall test each child referred thereto in accordance with specific conditions and tables established by the department. Such diagnostic examinations shall, upon request, be given to such children every six months from birth up to age two and at necessary intervals thereafter, at a cost to be borne entirely by the commonwealth.

Section 67G. Every person in control of a child who has reached age four shall cause such child to be given a complete pure tone test using conventional audiometric tests at such public schools and by such pediatric audiologists or school testers as are approved and designated by the commissioner. The costs for such examinations shall be borne by the commonwealth. In the event such a child fails such pure tone tests, the tester or pediatric audiologist shall advise the parent or legal guardian to consult the otologist of his choice who is in private practice. If upon examination such otologist recommends further tests, the diagnostic services of the approved hospital centers referred to in section sixty-seven F shall be made available to such children at a cost to be borne by the commonwealth.

Section 67H. The literature required by section sixty-seven F shall describe the following high risk conditions: — (1) Before birth (*a*) Family history of deafness as indicated by one or more deaf or hard of hearing children in family; (*b*) Maternal thyroid abnormality; (*c*) Maternal German measles in the first three months of pregnancy; (*d*) Maternal influenza or chicken pox in first three months of pregnancy, and (2) Newborn difficulty (*a*) Mycin drugs administered to infant; (*b*) Multiple abnormalities of infant, from whatever cause.

Approved November 15, 1971.

Chap. 1096. AN ACT REQUIRING PRIVATE BUSINESS SCHOOLS TO BE LICENSED BY THE DEPARTMENT OF EDUCATION.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 75C the following chapter: —

CHAPTER 75D.

PRIVATE BUSINESS SCHOOLS.

Section 1. As used in this chapter the term "private business school" shall mean a school maintained or classes conducted, for profit or by charging tuition, for the purpose of teaching business administration, accounting, data processing, computer operation, secretarial skills, sales techniques or social skills, habits or customs, and any other private business school not regulated by any agency of the commonwealth. Said term, however, shall not include a school or college regularly chartered and authorized by the commonwealth to grant degrees or a school conducted by any person for the education and training of his own employees.

Section 2. No private business school shall be operated in the commonwealth unless licensed by the commissioner of education, hereinafter referred to in this chapter as the commissioner. The fee for the issuance of a license to operate a private business school shall be one hundred dollars, and the fee for each renewal thereof shall be fifty dollars. There shall be a three member advisory committee in the department of education to be appointed by the commissioner to advise the commissioner on matters relating to private business schools. The initial appointment shall be one, two and three year terms, respectively, and thereafter each appointment shall be for a three year term. All of the appointive members shall have occupied for the five years preceding their appointment managerial positions in private business schools in the commonwealth. The members of said committee shall serve without compensation and shall be reimbursed for the necessary expenses actually incurred in the performance of their duties. The members shall elect their own chairman.

Section 3. Any person desiring to operate a private business school within the commonwealth shall submit to the state auditor, on a form supplied by him, such financial information as he may require, including but not limited to:

(*a*) ownership and organization of the school;

(*b*) the financial condition of the school; and

(*c*) the form and content of the student enrollment agreement to be used by the school.

If, after investigation, the state auditor finds that the applicant is financially qualified to operate a private business school, he shall certify to the commissioner the financial eligibility of the applicant to apply for a license to operate a private business school. Such financial information submitted to the state auditor shall be retained in the office of the state auditor and shall be kept confidential by him.

If the state auditor finds that the applicant is not financially responsible and qualified to operate a private business school, he shall

refuse to approve the application. The state auditor shall state his reasons therefor in writing.

Section 4. Any person desiring to operate a private business school within the commonwealth whose application has been granted initial approval by the state auditor pursuant to section three shall submit to the commissioner, on a form supplied by him, such information as he may require, including but not limited to:

(*a*) the training and experience of the instructors employed or to be employed by the school;

(*b*) the building facilities and equipment available or to be available for the instruction to be offered by the school;

(*c*) the form and content of the courses to be offered by the school;

(*d*) the particular field of instruction to be offered by the school; and

(*e*) the form of any contract or agreement to be executed by a prospective student.

If, after investigation, the commissioner finds that the applicant is qualified to operate a private business school, he shall issue a license to such person authorizing the operation of such school.

If the commissioner finds that the applicant is not qualified to operate a private business school, he shall refuse to issue a license. The commissioner shall state his reasons therefor in writing. The applicant shall be entitled to a hearing before the commissioner and judicial review subject to the provisions of chapter thirty A.

The commissioner shall also approve each separate course of instruction offered by a licensee according to such standards or guidelines as may be established by the commissioner. A licensee shall submit course changes, improvements and modifications to the commissioner. Course approval shall be valid for one year from the date of issue but may be revoked or suspended if the commissioner finds that the form or content of the course substantially differs from standards or guidelines established by him.

Section 5. A license issued under section four shall be valid for one year from the date of issue but may be revoked or suspended, subject to the provisions of chapter thirty A, if the commissioner finds that the licensee or any of its representatives:

(*a*) is no longer qualified to operate or serve as a representative of a private business school; or

(*b*) has violated any provision of this chapter or any regulation adopted by the commissioner; or

(*c*) cannot reasonably be expected to perform commitments to its pupils because of inadequate funds or equipment or because of a lack of qualified instructors; or

(*d*) has failed or refused to permit the commissioner or his designee to inspect the licensee's buildings or equipment or has failed or refused or make available to the commissioner or his designee, within a reasonable time, any information that reasonably pertains to the operation of the licensee's school; or

(*e*) has failed to provide or maintain premises or equipment in a safe or sanitary condition.

Section 6. No representative of any private business school, which is located within or without the commonwealth, shall, at the residence of any prospective student, solicit enrollments or sell courses therein,

make representations or give counsel concerning the educational content or quality of or the benefits to be derived from courses in such school unless licensed by the commissioner.

Section 7. Any person desiring to be a representative of a private business school shall submit to the commissioner, on a form supplied by him, information setting forth: —

(*a*) the applicant's name and address; and

(*b*) the applicant's educational qualifications; and

(*c*) the name and address of three business references; and

(*d*) the name and address of three personal references.

If, after investigation, the commissioner finds that the applicant is qualified to be a representative of a private business school and is of good moral character he shall issue a license to such person. The fee for the issuance of such license shall be twenty dollars, and the fee for such renewal thereof shall be ten dollars.

If the commissioner finds that the applicant is not qualified to be a representative of a private business school, he shall refuse to issue a license. The commissioner shall state his reasons therefor in writing. The applicant shall be entitled to a hearing before the commissioner and judicial review subject to the provisions of chapter thirty A.

A license issued hereunder shall be valid for one year from the date of issue and may not be revoked.

Section 8. The commissioner may, subject to the provisions of chapter thirty A, adopt, amend or repeal such regulations as may be necessary to carry out the provisions of this chapter, including but not limited to organization, control, location, equipment, courses of study, qualifications of teachers, methods of instruction, conditions of admission, advertising, financial stability, employment of pupils, scholarships, tuition, refunds and expenditures.

Section 9. No private business school shall represent that it is an accredited school unless it has been accredited by a national or regional accrediting agency recognized by the United States Department of Health, Education and Welfare, Office of Education.

Section 10. No private business school shall engage in untrue, deceptive or misleading advertising. Each school shall submit to the commissioner for his approval, pursuant to regulations adopted under this chapter at least ten days prior to publication, a copy of all advertising.

Section 11. Whoever operates a private business school without being licensed under section three or during the suspension or after the revocation of such a license under the provisions of section five or whoever acts as a representative of a private business school without being licensed under section seven shall be punished by imprisonment in a jail or house of correction for not more than six months or by a fine of not more than one thousand dollars, or both.

Section 12. No agreement between a private business school, not licensed under section three, or its representative, and a pupil shall be enforceable in any court in the commonwealth.

Section 13. The commissioner shall maintain a current list of private business schools licensed under section three and their representatives. This list shall be a public record.

Section 14. Any pupil of a private business school who is misled by an officer or representative of the school, or by any advertisement or circular issued by the school, which representation was untrue, de-

ceptive or misleading, may recover treble damages, or one thousand dollars, whichever is greater, plus court costs and reasonable attorney's fees.

No license shall issue under this chapter until the prospective licensee shall furnish a bond, with surety acceptable to the commissioner in the amount of twenty-five thousand dollars in the case of a school's license, and in the amount of one thousand dollars in the case of a representative's license; provided, however, that the liability of the surety on the bond shall be limited to indemnifying the claimant only for his actual damages. Each such bond shall be conditioned to provide that the obligor shall satisfy all judgments rendered against it in actions by students to recover damages resulting from fraud or misrepresentation used in procuring enrollment or from a breach of contract; provided, however, that the aggregate liability of the surety for all breaches of the conditions of the bond shall, in no event, exceed the sum of such bond. Such bond shall not limit or impair any right of recovery otherwise available pursuant to law, nor shall the amount of the bond be relevant in determining the amount of damages or other relief to which any plaintiff may be entitled. The surety on any such bond may cancel the bond upon giving thirty days notice in writing to the commissioner of education and thereafter shall be relieved of liability for any breach of condition occurring after the effective date of said cancellation.

SECTION 2. This act shall take effect on July the first, nineteen hundred and seventy-two. *Approved November 15, 1971.*

Chap. 1097. AN ACT CREATING THE ECONOMIC DEVELOPMENT AND INDUSTRIAL CORPORATION OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. *Definitions.* In this act, unless a contrary intention clearly appears, the following words shall have the following meanings:—

(*a*) "City", the city of Boston.

(*b*) "Corporation", the Economic Development and Industrial Corporation of Boston created by section three.

(*c*) "Cost of a project", all costs (whether incurred prior to or after the issue of bonds or notes hereunder) of acquisition, site development, construction, improvement, enlargement, reconstruction, alteration, machinery, equipment, furnishings, demolition or removal of existing buildings or structures, including the cost of acquiring any lands to which such buildings or structures may be moved, financing charges, interest prior to and during the carrying out of any project, interest for up to two years after the completion or estimated completion date of any project, planning, engineering and legal services, administrative expenses, the funding of notes issued for capital purposes, such reserves for debt service or other capital or current expenses as may be required by a trust agreement or resolution securing notes or bonds and all other expenses incidental to the determination of the feasibility of any project or to carrying out the project or to placing the project in operation.

(*d*) "Economic development plan", a detailed plan, as it may be approved from time to time by the city council and the mayor under

section six, for one or more economic development projects within an economic development area, which plan shall be consistent with local objectives respecting appropriate land uses, and shall be sufficiently complete to indicate the boundaries of the area, such land acquisition, such demolition, removal, and rehabilitation of structures, and such development, 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; provided, however, that without specific approval of the city council and of the mayor no economic development plan shall propose zoning changes to or from business or residential uses or provide for any office building other than one wholly incidental to a manufacturing or industrial use within the area.

(*e*) "Economic development area", any blighted open area or any decadent area, as respectively defined in section one of chapter one hundred and twenty-one B of the General Laws, which is located in the city, and is zoned for general or restricted manufacturing uses or for general or waterfront industrial uses, whether restricted or not, and within which there are not more than forty-five dwelling units.

(*f*) "Economic development project", (1) a project to be undertaken in accordance with an economic development plan for acquisition by the corporation of land and the improvements thereon, if any, within an economic development area covered by an economic development plan and for clearance and development of the land so acquired; or (2) a project for the rehabilitation or conservation of an economic development area, or for the restoration and renewal of any such area or portion thereof, or for the demolition, removal or rehabilitation of improvements on land within an economic development area whenever necessary to eliminate unhealthful, unsanitary or unsafe conditions, lessen density, mitigate or eliminate traffic congestion, reduce traffic hazards or eliminate obsolete or other uses detrimental to the public welfare; or (3) a project involving any combination of the foregoing types of project. An economic development project may include improvements necessary for carrying out the objectives of the economic development project, together with such site improvements as are necessary for the preparation of any site for uses in accordance with the economic development plan and making any land or improvements acquired in the area of the project available for redevelopment or rehabilitation by private enterprise, including sale, initial leasing or retention by the corporation for industrial or manufacturing uses in accordance with the economic development plan. An economic development project may also include the construction by the corporation of any of the buildings, structures or other facilities for industrial or manufacturing uses contemplated by the economic development plan and the repair, removal or rehabilitation by the corporation of any of the buildings, structures or other facilities located in the area covered by the economic development plan and which, under such plan, are to be repaired, moved or rehabilitated.

SECTION 2. *Statement of Findings.* It is hereby declared that decadent or blighted open areas exist in parts of the city of Boston zoned for industrial or manufacturing uses; that each such area

constitutes a serious and growing menace, injurious and inimical to the safety, health, morals and welfare of the residents of the city; that each such area constitutes an economic liability, substantially impairs or arrests the sound growth of the city and retards the economic well being of the commonwealth; that each decreases the value of private investments and threatens the sources of public revenue; that redevelopment of each such area in accordance with an economic development plan for the elimination of substandard conditions and the prevention of their recurrence is necessary to retain existing industries, and attract new industries, and promote the sound economic growth of the city; that the menace of such decadent 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 therein, preventing recurrence of such conditions in the area, the removal of structures and improvement of sites for manufacturing and industrial uses, the disposition of the property for redevelopment incidental to the foregoing, the exercise of powers by the corporation and any assistance which may be given by the city or any other public body 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, development, rehabilitation or rebuilding of such decadent and blighted open areas for industrial or manufacturing purposes 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 the city and of this commonwealth.

It is hereby further found and declared that there exists in the city a condition of substantial and persistent unemployment and underemployment which causes hardship to many individuals and families, wastes vital human resources, increases the public assistance burdens, impairs the security of family life, impedes the economic and physical development of the city and adversely affects the welfare and prosperity of the people; that unemployment and underemployment have been caused in part by industrial and manufacturing companies moving from the city; that many existing industrial and manufacturing facilities within the city are obsolete and inefficient; that such facilities are underutilized or vacated, thereby creating additional unemployment; that such obsolescence and abandonment of existing facilities are causing serious injury to the economy of the city; that the manufacturing and industrial sector of the economy provides the best opportunity for better jobs at higher wages for inhabitants of the city; that new industrial and manufacturing sites are required to attract and house new industries and to retain existing industries in need of expansion space; that the unaided efforts of private enterprise have not provided and cannot provide the necessary industrial sites within the urban environment due to problems encountered in the assembly of suitable building sites, the provision of adequate public services, the unavailability of private capital for development and the

inability of private enterprise alone to plan, finance and coordinate industrial development projects.

SECTION 3. *Creation of Corporation.* There is hereby created a public body politic and corporate, to be known as the Economic Development and Industrial Corporation of Boston, in this act called the corporation, which shall be an instrumentality of the commonwealth, consisting of seven members appointed by the mayor of the city subject to confirmation by the city council of the city, two of whom shall at all times be members of the development and industrial commission of the city. At least one member shall be experienced in financial matters, one in real estate matters and one in municipal government; and at least one member shall be a person of low income. The mayor shall designate one of the seven members as chairman and another as vice-chairman. Each of the seven members shall be sworn to the faithful performance of his official duties as a member of the corporation. A majority of the seven members shall constitute a quorum for the transaction of any business, but the action of a majority of the entire membership shall be required for any transaction. For the purposes of section eleven A of chapter thirty A of the General Laws, the corporation shall be deemed to be an authority established by the general court to serve a public purpose in the commonwealth.

Of the members of the corporation first appointed, two shall be appointed to serve for one year from the first day of July in the current year, two for two years from said date and three for three years from said date. Upon the expiration of the term of office of any such member, or of any subsequent member, his successor shall be appointed in like manner for a term of three years. In the event of a vacancy in the office of a member, his successor shall be appointed in like manner to serve for the unexpired term. Unless reappointed, no member of the corporation shall hold office after the expiration of his term; and the appointment of a successor to any person whose term has expired shall be for the remainder of the term which would have begun at such expiration if the successor had then been appointed.

Any member may be removed by the mayor for malfeasance, misfeasance or wilful neglect of duty, but only after reasonable notice and a public hearing, unless the same are in writing expressly waived. For the purposes of chapter two hundred and sixty-eight A of the General Laws, the members of the corporation shall be deemed to be special municipal employees.

Before the issuance of any bonds under the provisions of this act, each member of the corporation shall execute a surety bond with a surety company authorized to transact business in this commonwealth as surety, in the penal sum of fifty thousand dollars conditioned upon the faithful performance of the duties of his office, each such surety bond to be approved by the corporation counsel of the city and filed in the office of the state secretary. The members of the corporation shall receive no compensation for the performance of their duties hereunder; but each member shall be reimbursed for expenses actually incurred in the performance of his duties. Every such reimbursement shall be open to public inspection from and after the requisition therefor.

The corporation shall at least once every three months consult concerning industrial development policies and programs with the development and industrial commission of the city, which shall serve as an advisory council to the corporation.

SECTION 4. *General Powers and Duties.* The members of the corporation shall adopt a corporate seal for the corporation and designate the custodian thereof; may from time to time appoint and at pleasure remove a director, a clerk, a treasurer or such other officers of the corporation as they may deem necessary and may determine their duties and their compensation, which shall be paid by the corporation; shall cause at all times accurate accounts to be kept of all receipts and expenditures of the funds of the corporation; and shall make a report annually in December to the mayor, the city council and the city clerk of the city, containing an abstract of such accounts and detailed information of all receipts and expenditures, including prices paid for land purchased or taken and any buildings constructed thereon, contracts for construction of facilities and for the leasing thereof and such other detailed information as may be deemed helpful. The offices of treasurer and clerk may be held by the same person. The corporation shall cause an audit of its books and accounts to be made at least once in each fiscal year by certified public accountants and the cost thereof shall be treated as an item of current expense. Except as otherwise provided in this act, the corporation shall have full power to exercise care of its property and the management of its business and affairs and to sell and convey any real estate or other property not needed for its business or affairs, by deed or other instrument sealed with the corporate seal, signed and acknowledged by a majority of the members, or in like manner to authorize such sale and conveyance by any of its officers or agents. The treasurer shall give bond for the faithful performance of his duties, with a surety company authorized to do business in this commonwealth as surety, in such sum as the members may determine, the premium therefor to be paid by the corporation. Neither chapter thirty-one of the General Laws nor any rule made thereunder shall apply to any person employed or engaged by the corporation under this act.

SECTION 5. *Specific Powers.* The corporation is hereby authorized:

(*a*) To sue and be sued in its own name and plead and be impleaded.

(*b*) To adopt by-laws for the regulation of its affairs and the conduct of its business and to alter the same at its pleasure.

(*c*) To make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers under this act, and to employ consulting engineers, superintendents, managers, and such other engineers, construction and accounting experts and attorneys and such other employees, agents and consultants as may be necessary in its judgment and to fix their compensation.

(*d*) To receive and accept from any federal agency or the commonwealth or the city grants, loans or advances for or in aid of an economic development project or projects and to receive and accept contributions from any source of either money, property, labor or

other things of value, to be held, used and applied for the purposes for which such grants, loans, advances and contributions may be made.

(*e*) To borrow money, and, from time to time, to make, accept, endorse, execute and issue bonds, debentures, promissory notes, bills of exchange, and other obligations of the corporation, for moneys borrowed or in payment for property acquired or for any of the other purposes of the corporation and to secure the payment of such obligations by mortgage, pledge, deed, indenture, agreement, or other instrument of trust, or by other lien upon, assignment of, or agreement in regard to all or any part of the property, rights or privileges of the corporation.

(*f*) To issue revenue bonds of the corporation, payable solely from revenues, for the purpose of paying all or any part of the cost of a project or projects.

(*g*) To invest any funds not required for immediate use or disbursement in certificates of deposit or in obligations of the government of the United States or in obligations the payment of the principal of, and interest on, which is guaranteed by the government of the United States.

(*h*) To provide such advisory services and technical assistance as may be desirable to carry out the purposes of the act.

(*i*) To prepare or cause to be prepared plans, designs, drawings, specifications and estimates of cost for the construction, reconstruction, development, redevelopment, rehabilitation, remodeling, alteration or repair of economic development projects and from time to time modify such plans, designs, drawings, specifications and estimates.

(*j*) Subject to the approval of the city council and of the mayor, to designate areas of the city as economic development areas.

(*k*) To acquire and hold by bequest, devise, grant, gift, purchase, exchange, lease, judicial order or decree, or otherwise, for any of its objects and purposes, any property, either real or personal, or any interest therein; and, without limiting the generality of the foregoing, 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 in accordance with the provisions of chapter seventy-nine or chapter eighty A of the General Laws insofar as such provisions may be applicable, such private lands, or any interest therein, as it may deem necessary for carrying out the provisions of this act or for providing for the relocation of persons and businesses displaced as a result of carrying out an economic development plan. The provisions of section forty of said chapter seventy-nine shall apply to any taking by the corporation, except that the security therein required shall be deposited with the collector-treasurer of the city and shall be in an amount at least twenty-five per cent higher than the aggregate average assessed valuations in the three previous calendar years of all real estate to be taken by eminent domain. Prior to the approval of an economic development plan by the city council and the mayor, the corporation shall neither acquire any property nor institute any proceeding under chapter eighty A, except for purposes of relocation; provided, however, that if an economic development plan contemplates the taking by eminent domain of lands particularly described therein, and if said plan is approved by the city council and

the mayor, the date as of which the value of such lands shall be determined for eminent domain purposes shall be the date on which said economic development plan was first submitted to the city council.

(*l*) To make relocation payments to persons and businesses displaced as a result of carrying out an economic development plan, including such payments on a pro tanto basis.

(*m*) To procure insurance against any loss in connection with its property and other assets and operations in such amounts and from such insurers as it deems desirable.

(*n*) To clear and improve property acquired by it and to engage in or contract for the construction, reconstruction, development, redevelopment, rehabilitation, remodeling, alteration or repair thereof.

(*o*) To arrange or contract with the city for the planning, replanning, opening, grading or closing of streets, roads, alleys or other places or for the furnishing of facilities or for the acquisition by the city of property or property rights or for the furnishing of property or services in connection with a project or projects.

(*p*) To sell, convey, mortgage, lease, transfer, option, exchange or otherwise dispose of any property, either real or personal, or any interest therein, as the objects and purposes of the corporation may require, subject to such limitations as may be prescribed by law.

(*q*) To loan on mortgages, including purchase money mortgages, on real estate and personal property within economic development areas, to foreclose the same when in default and to bid for and purchase property at any foreclosure or other sale; and, in such event, to deal with such property, in such manner as may be necessary or desirable to protect the interests of the corporation therein.

(*r*) To manage any project whether owned or leased by the corporation and to enter into agreements with the commonwealth or the city or any agency or instrumentality thereof or with any person, firm, partnership or corporation either public or private for the purpose of causing any project to be managed.

(*s*) To act with respect to one or more projects as a corporation organized under section three or section eighteen B of chapter one hundred and twenty-one A of the General Laws; provided that the accounts for each project shall be kept separately and the income of one project shall not be expended upon or for the benefit of another project.

(*t*) To do all acts and things necessary or convenient to carry out the powers expressly granted in this act.

The corporation is hereby directed to pay the reasonable relocation costs of persons and businesses displaced as a result of carrying out an economic development plan as authorized by clause (1) of this section; provided, that the corporation shall not be required hereby to pay or contribute to the payment of such costs of any relocatee in excess of twenty-five thousand dollars.

SECTION 6. *Economic Development Plan.* No economic development project shall be undertaken until (*a*) a public hearing relating to the economic development plan covering such project has been held by the corporation after due notice and (*b*) the economic development plan has been approved by the city council and the mayor, except

that if within ninety days after the submission of an economic development plan to the city council for approval, the city council has not voted to disapprove it, such plan shall be deemed to have been approved by the city council. If no economic development project covered by an economic development plan is commenced within seven years after the approval of such plan, the approval of such plan shall lapse.

Every economic development plan submitted to the city council for approval under this act (*i*) shall require that every person occupying the whole or any part of the economic development area covered by such plan during the period of forty years after the approval of such plan shall make every reasonable effort, in employing persons in his business, to give to the fullest practicable extent preference to residents of the city and (*ii*) shall be accompanied by a report on such plan by the planning agency of the city to whom such plan shall have been submitted before its submission to the city council, by a statement of the proposed method for financing each project covered by such plan, by a comprehensive relocation plan and by such other information as the corporation deems advisable.

Notice of the public hearing required by the first paragraph of this section shall be given by the corporation to (1) such persons, groups and organizations as have requested in writing that such notice be given them, (2) every public agency, whether of the city or of the commonwealth, likely in the judgment of the corporation to have an actual or potential interest in the economic development plan, (3) the senator for every senatorial district of the commonwealth, and the representative for every representative district thereof, within which the economic development area or any part thereof lies, and (4) each publicly appointed or elected local advisory committee, and each community group supported in whole or in part by public funds, whose territory covers all or part of the economic development area. In the course of preparing an economic development plan, the corporation shall consult with each of the aforesaid sofar as in the judgment of the corporation it is practicable.

If an economic development plan is approved by the city council and the mayor, the corporation shall have the powers and duties imposed by this act to undertake and carry out the economic development projects covered by such plan. The corporation shall not be required to submit an economic development plan so approved to the department of community affairs of the commonwealth for further approval.

SECTION 7. *Rents and Charges.* Rents and charges for services or facilities furnished or supplied by the corporation shall not be subject to supervision or regulation by any department, division, commission, board, bureau or agency of the commonwealth or any political subdivision thereof and, if derived from a project in connection with which revenue bonds have been issued, shall, with all other revenues derived from the project, except such part thereof as may be necessary to pay such cost of maintenance, repair and operation and to provide such reserves therefor as may be provided for in the resolution authorizing the issuance of the bonds or in the trust agreement, but including such part thereof as may be necessary to provide such

reserves for the payment of the principal of and the interest on said revenue bonds as may be provided for in such resolution or trust agreement, and including also the proceeds of any and all sales by the corporation of property within the project area, be set aside at such regular intervals as may be provided for in such resolution or trust agreement, in a sinking fund which is hereby pledged to and charged with the payment of (1) the interest upon such bonds as such interest shall fall due, (2) the principal of the bonds as the same shall fall due, (3) the necessary charges of paying agents for paying principal and interest and (4) the redemption price or the purchase price of bonds retired by call or purchase as therein provided.

SECTION 8. *Liability of the Corporation.* The corporation shall be liable in contract or in tort in the same manner as a private corporation. The members, employees, officers and agents of the corporation shall not be liable as such on its contracts or for torts not committed or directly authorized by them. The property or funds of the corporation shall not be subject to attachment or to levy and sale on execution, but if the corporation 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 corporation is situated, may, by writ of mandamus, direct the treasurer of such agency to pay such judgment. The real estate of the corporation shall not be subject to liens under chapter two hundred and fifty-four of the General Laws, but the provisions of sections twenty-eight and twenty-nine of chapter one hundred and forty-nine of the General Laws shall be applicable to any construction work by the corporation.

SECTION 9. *Exemption from Taxation; Payments in Lieu of Real Property Taxes.* The real estate and tangible personal property of the corporation 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, the city may determine a sum to be paid to the city 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 then 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.

The city may, however, agree with the corporation upon the payments to be made to the city or the corporation may make and the city 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 of the General Laws shall, sofar as apt, be applicable to payments under this section.

Nothing in this act 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 the corporation for an economic development project and sold by it, or the taxation to the same extent and in the same manner as real estate of the commonwealth is taxed, of real estate so acquired by the corporation and leased by it; provided,

however, that real estate so acquired by the corporation and sold or leased to an urban redevelopment corporation or other entity operating under chapter one hundred and twenty-one A of the General Laws, 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.

The corporation and the debentures, revenue bonds and revenue refunding bonds issued under the provisions of this act, their transfer and the income therefrom, including any profit made on the sale thereof, shall at all times be free from taxation by the commonwealth or any subdivision thereof.

SECTION 10. *Debentures.* To provide funds for the general purposes of the corporation, including working capital, the corporation may from time to time issue debentures; provided, however, that such debentures outstanding at any one time shall not exceed five million dollars. Such debentures shall not be deemed to constitute a debt of the commonwealth or of the city or a pledge of the faith and credit of the commonwealth or of the city and shall be subordinated to all other obligations of the corporation and shall be payable at such time or times and in such installments, if any, as the corporation shall determine, but solely out of the net assets of the corporation; and the holders thereof shall be entitled to interest thereon but only out of the net earnings of the corporation and in no event at a rate higher than the rate specified therein.

Such debentures may be secured by a trust agreement by and between the corporation and a corporate trustee, which shall be located within the commonwealth and shall be a trust company or bank having the powers of a trust company. Such trust agreement shall contain such provisions for protecting and enforcing the rights and remedies of the debentureholders as may be reasonable and proper and not in violation of law. It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth which may act as depository under such trust agreement to furnish such indemnifying bonds or to pledge such securities as may be required by the corporation. Such trust agreement shall set forth the rights and remedies of the debentureholders and of the trustee and may restrict the individual right of action by debentureholders. In addition to the foregoing, such trust agreement may contain such other provisions as the corporation may deem reasonable and proper for the security of the debentureholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as an item of current expense.

Debentures may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth or of any political subdivision thereof and without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions or things which are specifically required by this act.

SECTION 11. *Financial Aid from the City.* The city may raise and appropriate or may borrow or may agree with the corporation or with the federal government or the commonwealth to raise and appropriate or to borrow, in aid of the corporation, such sums as may be necessary

to carry out the purposes and powers of the corporation including defraying part of the development, acquisition and operating costs of any project; provided, however, that the city shall not borrow, nor agree to borrow, as aforesaid unless authorized by a vote of two thirds of all the city councillors passed only after two separate readings and by two separate votes, the second of such readings and votes to be had not less than fourteen days after the first. Indebtedness of the city authorized under this section shall be outside the limit of indebtedness prescribed in section ten of chapter forty-four of the General Laws and shall be payable within twenty years and otherwise subject to sections sixteen to twenty-seven, inclusive, of said chapter forty-four; provided, however, that the total amount of indebtedness of the city outstanding at any one time under this section and clauses (1), (2) and (4) of section twenty of chapter one hundred and twenty-one B of the General Laws shall not exceed five per cent of the city's equalized valuation as defined in section one of said chapter forty-four. Indebtedness incurred under this act shall be subject to approval under section twenty-two of said chapter one hundred and twenty-one B in like manner as indebtedness incurred under said section twenty.

SECTION 12. *Revenue Bonds.* The corporation is hereby authorized to provide by resolution, at one time or from time to time, for the issuance of revenue bonds of the corporation for the purpose of paying all or any part of the cost of a project or projects. The principal of and interest on such bonds shall be payable solely from the funds herein provided for such payment. The bonds of each issue shall be dated, shall bear interest at such rates, and shall mature at such time or times not exceeding forty years from their date or dates, as may be determined by the corporation, and may be made redeemable before maturity, at the option of the corporation, at such price or prices and under such terms and conditions as may be fixed by the corporation prior to the issuance of the bonds. The corporation shall determine the form of the bonds, including any interest coupons to be attached thereto, and the manner of execution of the bonds, and shall fix the denomination or denominations of the bonds and the place or places of payment of principal and interest, which may be at any bank or trust company within or without the commonwealth. In case any officer whose signature or a facsimile of whose signature shall appear on any bonds or coupons shall cease to be such officer before the delivery of such bonds, such signature or such facsimile shall nevertheless be valid and sufficient for all purposes the same as if he had remained in office until such delivery. The bonds may be issued in coupon or registered form, or both, as the corporation may determine and provision may be made for the registration of any coupon bonds as to principal alone and also as to both principal and interest, and for the reconversion into coupon bonds of any bonds registered as to both principal and interest. The corporation may sell such bonds in such manner, either at public or at private sale, and for such price, as it may determine to be for the best interests of the corporation.

The proceeds of such bonds shall be used solely for the payment of the cost of the project or projects and shall be disbursed in such manner and under such restrictions, if any, as the corporation may provide. Prior to the preparation of definitive bonds, the corporation may, under

like restrictions, issue interim receipts or temporary bonds, with or without coupons, exchangeable for definitive bonds when such bonds have been executed and are available for delivery. The corporation may also provide for the replacement of any bonds which shall become mutilated or shall be destroyed or lost. Revenue bonds may be issued under the provisions of this act without obtaining the consent of any department, division, commission, board, bureau or agency of the commonwealth or of any political subdivision thereof and without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions or things which are specifically required by this act.

The corporation is hereby authorized to provide by resolution for the issuance of revenue refunding bonds of the corporation for the purpose of refunding any revenue bonds then outstanding and issued under the provisions of this act, including the payment of any redemption premium thereon and any interest accrued or to accrue to the date of redemption of such bonds, and, if deemed advisable by the corporation, for the additional purpose of constructing or reconstructing any extensions or improvements of the project. The issue of such bonds, the maturities and other details thereof, the rights of the holders thereof, and the duties of the corporation in respect of the same shall be governed by the provisions of this act insofar as the same may be applicable.

While any bonds issued by the corporation remain outstanding, the powers, duties or existence of the corporation shall not be diminished or impaired in any way that will affect adversely the interests and rights of the holders of such bonds.

Revenue and revenue refunding bonds issued under the provisions of this section shall not be deemed to constitute a debt of the commonwealth or of the city or a pledge of the faith and credit of the commonwealth or of the city, but such bonds shall be payable solely from the funds herein provided therefor from revenues. All such revenue and revenue refunding bonds shall contain on the face thereof a statement to the effect that neither the corporation nor the commonwealth nor the city shall be obliged to pay the same or the interest thereon except from revenues and that neither the faith and credit nor the taxing power of the commonwealth or of the city is pledged to the payment of the principal of or the interest on such bonds.

All revenue and revenue refunding bonds issued under the provisions of this act shall have and are hereby declared to have all the qualities and incidents of negotiable instruments as defined in section 3–104 of the Uniform Code of this commonwealth.

SECTION 13. *Trust Agreement.* In the discretion of the corporation such revenue bonds or revenue refunding bonds may be secured by a trust agreement by and between the corporation and a corporate trustee, which may be any trust company or bank having the powers of a trust company within the commonwealth. Such trust agreement may pledge or assign the revenues to be received, but shall not convey or mortgage any project or part thereof.

Either the resolution providing for the issuance of bonds or such trust agreement may contain such provisions for protecting and en-

forcing the rights and remedies of the bondholders as may be reasonable and proper and not in violation of law, including (without limiting the generality of the foregoing) provisions defining defaults and providing for remedies in the event thereof (which may include the acceleration of maturities) and covenants setting forth the duties of, and limitations on, the corporation in relation to the acquisition, construction, improvement, enlargement, alteration, equipping, furnishing, maintenance, operation, repair, insurance and disposition of property, the custody, safeguarding, investment and application of moneys, the use of any surplus bond or note proceeds and the establishment of reserves. Such resolution or trust agreement may also contain covenants by the corporation in relation to, among other things, (*a*) the establishment, revision and collection of such rents and charges for services or facilities furnished or supplied by the corporation as shall provide revenues sufficient with other revenues of the project, if any, to pay (i) the cost of maintaining, repairing and operating the project and of making renewals and replacements in connection therewith, (ii) the principal of and the interest on said revenue bonds as the same shall become due and payable, (iii) payments in lieu of taxes, betterments, and special assessments, and (iv) reserves for all of such purposes, (*b*) the purpose or purposes for which the proceeds of the sale of the bonds will be applied and the use and disposition thereof, (*c*) the use and disposition of the gross revenues of the corporation from the project, any additions thereto and extensions and improvements thereof, including the creation and maintenance of funds for working capital and for renewals and replacements to the project, (*d*) the amount, if any, of additional revenue bonds payable from the revenues of the project and the limitations, terms and conditions on which such additional revenue bonds may be issued, and (*e*) the operation, maintenance, management, accounting and auditing of the project and of the income and revenues of the corporation. It shall be lawful for any bank or trust company incorporated under the laws of the commonwealth to act as depository of the proceeds of bonds or of revenues and to furnish such indemnifying bonds or to pledge such securities as may be required by the corporation. Such trust agreement may set forth the rights and remedies of the bondholders and of the trustee and may restrict the individual right of action by bondholders as is customary in trust agreements or trust indentures securing bonds and debentures of corporations. In addition to the foregoing, such trust agreement may contain such other provisions as the corporation may deem reasonable and proper for the security of the bondholders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as a part of the cost of the operation of the project. The pledge by any such trust agreement or resolution shall be valid and binding from the time when the pledge is made; the revenues or other moneys so pledged and then held or thereafter received by the corporation shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act; and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the corporation, irrespective of whether such parties have notice thereof. Neither the resolution nor

any trust agreement by which a pledge is created need be filed or recorded except in the records of the corporation, and no filing need be made under the Uniform Commercial Code.

SECTION 14. *Bonds Eligible for Investment.* Revenue bonds and revenue refunding bonds issued under the provisions of this act are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section fifty-four of chapter one hundred and seventy-two of the General Laws, banking associations, investment companies, executors, trustees and other fiduciaries, and all other persons whatsoever who are now or may hereafter be authorized to invest in bonds or other obligations of a similar nature may properly and legally invest funds, including capital in their control or belonging to them; and such bonds are hereby made obligations which may properly and legally be made eligible for the investment of savings deposits and the income thereof in the manner provided by section fifty of chapter one hundred and sixty-eight of the General Laws. Such 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 15. *Remedies.* Any holder of bonds or debentures issued under the provisions of this act or of any coupons appertaining thereto, and the trustee, except to the extent the rights herein given may be restricted by the trust agreement, may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights under the laws of the commonwealth or granted hereunder or under the trust agreement, and may enforce and compel the performance of all duties required by this act or by the trust agreement to be performed by the corporation or by any officer thereof.

SECTION 16. *Inconsistent Provisions of Other Laws Superseded.* Insofar as the provisions of this act are inconsistent with the provisions of any other law, general or special, excluding the Boston Building Code and the Boston Zoning Code, the provisions of this act shall be controlling.

SECTION 17. *Separability.* The provisions of this act are severable; and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 18. *Construction of Act.* This act, being necessary for the welfare of the city and its inhabitants, shall be liberally construed to effect the purpose thereof; and nothing in this act shall be construed to render chapter forty D of the General Laws inapplicable to the city.

Approved November 15, 1971.

Chap. 1098. AN ACT EXEMPTING CERTAIN GROUP RESIDENCES FROM THE REQUIREMENTS OF CERTAIN INSTITUTIONAL BUILDING STANDARDS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 143 of the General Laws is hereby amended by inserting after the definition of "Day care service for children" the following definition: —

"Group residence", a premises, licensed or operated by a department or agency of the commonwealth, for the residential care in any single building of not more than twelve unrelated persons between the ages of seven and fifteen, inclusive, or of not more than the number of persons sixteen years of age or over as may be approved by the licensing or operating department or agency, who are capable of self-preservation as certified in accordance with procedures established by the secretary of human services.

SECTION 2. The definition of "Institution" in said section 1 of said chapter 143, as most recently amended by section 20 of chapter 888 of the acts of 1970, is hereby further amended by adding the following words: — ; provided, however, that no group residence shall be considered an institution.

SECTION 3. Section 15 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 779 of the acts of 1971, and inserting in place thereof the following sentence: — No building which is designed to be used, or in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as a public building, a public or private school, a hotel or family hotel, or as a factory, workshop or mercantile or other establishment, and which has accommodations for ten or more employees, or as a clinic, hospital, sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary or rest home housing three or more patients, charitable home for the aged, a group residence, or as a day care service for children, licensed by and under the supervision of the department of public health, grandstand, stadium, bleacher or arena, or for the purpose of providing group care therein by a children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen and no building more than two stories in height designed to be used above the second story, or in which alteration shall be made for the purpose of using it, or continuing its use, in whole or in part, as an office building, dormitory, apartment house, boarding house, lodging house or tenement house, and to have eight or more rooms above said story, shall be erected, and no alteration shall be made therein, until a copy of the plans and specifications thereof has been deposited with a supervisor of plans by the person causing its erection or alteration or by the architect thereof.

SECTION 4. Section 21 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 3 of said chapter 779, and inserting in place thereof the following sentence: — The owner, lessee or mortgagee in possession of any building, in whole or in part, used as a public building, hotel or family hotel, or as a factory, workshop, mercantile or other establishment, and which has accommodations for ten or more employees, or of a clinic, hospital,

sanatorium, convalescent or nursing home, infirmary maintained in a city or town, private infirmary, rest home, charitable home for the aged, a group residence, or of a day care service for children, licensed by and under the supervision of the department of public health, building used or occupied for the purpose of providing group care therein by any children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen, a grandstand, stadium, bleacher or arena, or of an office building, dormitory, apartment house, boarding house, lodging house or tenement house which has eight or more rooms above the second story, or in which ten or more persons are accommodated, lodge or reside above the second story, to which building sections fifteen to sixty, inclusive, apply, shall provide such building with proper egresses or other means of escape from fire sufficient for the use of all persons employed, lodged or resident therein; provided, that in all buildings subject to this section, other than mercantile establishments, hotels and buildings used solely for office purposes, such egresses or means of escape from fire shall also be sufficient for the use of all persons accommodated or assembled therein; and, in such mercantile establishments, hotels and buildings used solely for office purposes, shall be sufficient, to the greatest extent compatible, in the opinion of the inspector, with the reasonable use thereof, for the use of all persons accommodated or assembled therein; and provided, further, that no owner, lessee or mortgagee in possession of a building subject to any provision of this section shall be deemed to have violated this provision unless he has been notified in writing by an inspector as to what additional egresses or means of escape from fire are necessary, and for thirty days has neglected or refused to provide the same.

SECTION 5. Said chapter 143 is hereby further amended by striking out section 33, as most recently amended by section 4 of said chapter 779, and inserting in place thereof the following section: —

Section 33. In every city, town and district wherein there is in force a building code, so-called, established under authority of section three or corresponding provisions of earlier law or established by or under authority of any other provision of law, the provisions of sections fifteen, seventeen, twenty, twenty-one, twenty-one A, twenty-one B, twenty-one C, twenty-four, twenty-five, twenty-eight, twenty-nine, thirty, thirty-one, forty-two, forty-three, forty-nine, fifty-one, fifty-two, fifty-three, fifty-four, fifty-seven and fifty-nine relative to buildings other than churches, theatres, special halls, public halls, schoolhouses and buildings owned or occupied by the commonwealth or by any county, or other than clinics, hospitals, sanatoria, convalescent or nursing homes, infirmary maintained in a city or town, private infirmaries, rest homes or charitable homes for the aged, licensed by and under the supervision of the department of public health, buildings used or occupied for the purpose of providing group care therein by any children's foster care agency licensed by the department of public welfare under the provisions of section fifteen of chapter one hundred and nineteen, hotels, family hotels, grandstands, stadia, bleachers, arenas, or group residences licensed or operated by a department or agency of the commonwealth shall, unless otherwise provided, be enforced by the inspector of buildings of such city, town or district and the terms "super-

visor of plans", "chief of inspections" and "inspector", as used in said sections and in sections fifty-five and fifty-six, shall include an inspector of buildings of such city, town or district, and shall be enforced in accordance with the regulations authorized by section fifty-four; in all other cities and towns the provisions of said sections shall be enforced in accordance with their specific terms. *Approved November 15, 1971.*

Chap. 1099. AN ACT PROVIDING FOR THE APPOINTMENT OF REPRESENTATIVES OF THE PUBLIC ON CERTAIN BOARDS OF REGISTRATION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 13 of the General Laws is hereby amended by inserting after section 9A the following section:—

Section 9B. (*a*) A public member or a lay member of any board shall not be, nor shall he have been within the period of five years immediately preceding his appointment, any of the following:—

(1) An employer, or an officer, director, or substantially full-time representative of an employer or group of employers, of any licentiate of such board, except that this shall not preclude the appointment of a person who maintains infrequent employer status with such licentiate, or maintains a client, patient, or customer relationship with any such licentiate which does not constitute more than two per cent of the practice or business of the licentiate.

(2) A person maintaining a contractual relationship with a licentiate of such board, which would constitute more than two per cent of the practice or business of any such licentiate, or an officer, director, or substantially full-time representative of such person or group of persons.

(3) An employee of any licentiate of such board, or a representative of such employee, except that this shall not preclude the appointment of a person who maintains an infrequent employee relationship or a person rendering professional or related services to a licentiate if such employment or service does not constitute more than two per cent of the employment or practice of the member of the board.

(4) A spouse, parent, grandparent, stepmother, stepfather, stepson, stepdaughter, child, grandchild, brother, sister, half brother, half sister, son-in-law, daughter-in-law, father-in-law, mother-in-law, brother-in-law, sister-in-law, niece, nephew, uncle, aunt, of a licentiate of such board.

(*b*) A public member, or a lay member, shall not have been engaged at any time within five years immediately preceding his appointment in pursuits which lie within the field of the industry or profession regulated by the board of which he is a member, nor shall he engage in any such pursuits during his term of office.

(*c*) If any board shall as a part of its functions delegate any duty or responsibility to be performed by a single member of such board, such delegation shall not be made solely to any public member or any lay member of the board in any of the following instances:

(1) The actual preparation of, the administration of, and the grading of, examinations.

(2) The inspection or investigation of licentiates, the manner or method of practice or doing business, or their place of practice or business.

(*d*) Nothing in this section shall be construed as precluding a public member or a lay member from participating in the formation of policy relating to the scope of the activities set forth in subdivisions (1) and (2) of paragraph (*c*) of this section or in the approval, disapproval or modification of the action of its individual members, nor preclude such member from participating as a member of a subcommittee consisting of more than one member of the board in the performance of any duty.

(*e*) "Board", as used in this section, includes a board, commission, examining committee or other similarly constituted body exercising powers under this chapter. "Licentiate" as used in this section means any person authorized by a license, certificate, registration or other means to engage in a business or profession regulated by this chapter.

SECTION 2. Said chapter 13 is hereby further amended by striking out section 10, as most recently amended by chapter 188 of the acts of 1960, and inserting in place thereof the following section:—

Section 10. There shall be a board of registration in medicine, in the two following sections called the board, consisting of seven persons, residents of the commonwealth, six of whom shall be registered as qualified physicians under section two of chapter one hundred and twelve, or corresponding provisions of earlier laws, who shall have been for ten years actively engaged in the practice of their profession, and one of whom shall be a representative of the public, subject to the provisions of section nine B. One member thereof shall annually in June be appointed by the governor, for seven years from July the first following.

SECTION 3. Said chapter 13 is hereby further amended by striking out section 12A, as most recently amended by section 2 of chapter 443 of the acts of 1970, and inserting in place thereof the following section:—

Section 12A. There shall be a board of registration in podiatry, to be appointed by the governor, in this and in the following two sections called the board, consisting of five members, citizens of the commonwealth, three of whom shall have had at least seven years of practice in podiatry in this commonwealth. The fourth member shall be a registered physician who shall have had at least seven years of practice in medicine in this commonwealth. The fifth member shall be a representative of the public, subject to the provisions of section nine B. No member of the board shall be connected in any way with a school of podiatry or be financially interested in any manufacturing, wholesale or retail business, pertaining to podiatry in any form whatsoever. As the term of a member expires, his successor shall be appointed by the governor, to serve for five years.

SECTION 4. Section 13 of said chapter 13 is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 693 of the acts of 1960, and inserting in place thereof the following two sentences:—There shall be a board of registration in nursing, in this section and in sections fourteen to fifteen D, inclusive, called the

board, consisting of thirteen members, each a resident of the commonwealth, to be appointed by the governor. One member of the board shall be a representative of the public, subject to the provisions of section nine B.

SECTION 5. Section 16 of said chapter 13, as appearing in the Tercentenary Edition, is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences:— There shall be a board of registration in optometry, in the two following sections called the board, consisting of five members, citizens of the commonwealth, four of whom shall have been actually engaged in the practice of optometry as defined in section sixty-six of chapter one hundred and twelve for the five years next preceding their appointment, and one of whom shall be a representative of the public, subject to the provisions of section nine B. One member shall annually, in September, be appointed by the governor, for five years.

SECTION 6. Said chapter 13 is hereby amended by striking out section 19, as so appearing, and inserting in place thereof the following section:—

Section 19. There shall be a board of dental examiners, in the two following sections called the board, consisting of five persons, each of whom shall be a legal resident of the commonwealth. Four of such persons shall each be a graduate of a reputable dental college and a reputable dentist with an actual practice in dentistry in the commonwealth for the ten years next preceding his appointment. The fifth person shall be a representative of the public, subject to the provisions of section nine B. No member shall be a member of the faculty or a trustee of any institution engaged in educating dentists or having power to confer degrees in dentistry. One member thereof shall annually in April be appointed by the governor, for a term of five years. No member shall serve more than two full terms.

SECTION 7. Said chapter 13 is hereby further amended by striking out section 22, as so appearing, and inserting in place thereof the following section:—

Section 22. There shall be a board of registration in pharmacy, in the three following sections called the board, consisting of five persons, who shall be residents of the commonwealth. Three of these persons shall be registered pharmacists and shall have had at least ten consecutive years of practical experience in the compounding and dispensing of physicians' prescriptions and shall actually be engaged in the drug business. One person shall be a registered pharmacist and shall have had at least ten years of experience in the compounding and dispensing of physicians' prescriptions and shall actually be engaged as a pharmacist in a public, nonprofit hospital in the commonwealth. One member shall be a representative of the public, subject to the provisions of section nine B. No more than one member shall reside in the same senatorial district. One member shall annually in November be appointed by the governor, for five years from December the first following.

SECTION 8. Said chapter 13 is hereby amended by striking out section 26, as most recently amended by section 1 of chapter 533 of the acts of 1958, and inserting in place thereof the following section:—

Section 26. There shall be a board of registration in veterinary medicine, in sections twenty-seven and twenty-eight called the board, consisting of four veterinarians, and one representative of the public, subject to the provisions of section nine B. Each member of said board shall be a legal resident of the commonwealth. Each veterinarian member of said board shall be licensed to practice veterinary medicine in the commonwealth, a graduate of a school or college teaching veterinary medicine and approved by the approving authority, and shall have had at least five years experience in the active practice of veterinary medicine, surgery and dentistry prior to his appointment. No member shall be a member of any faculty in any institution having the power to confer degrees in veterinary medicine. One member thereof shall annually before December the first be appointed by the governor, for five years from January the first following.

SECTION 9. Section 29 of said chapter 13 is hereby amended by striking out the first paragraph, as appearing in section 1 of chapter 653 of the acts of 1954, and inserting in place thereof the following paragraph:—

There shall be a board of registration in embalming and funeral directing, in this and the following two sections called the board, consisting of five members, citizens and residents of the commonwealth, four of whom shall have had at least five years practical experience in embalming dead human bodies and in funeral directing. One member shall be a representative of the public, subject to the provisions of section nine B. Each member of the board shall be appointed by the governor for a term of five years. Each member shall continue to serve until the qualification of his successor. The governor may also fill any vacancy in the board for the unexpired term.

SECTION 10. Section 32 of said chapter 13 is hereby amended by striking out the first sentence, as most recently amended by chapter 440 of the acts of 1971, and inserting in place thereof the following three sentences:—The state examiners of electricians, hereinafter called the board, shall consist of the director of civil service, the state fire marshal, the associate commissioner for the division of occupational education in the department of education, ex officiis, and four persons to be appointed for terms of three years each by the governor. One of said appointees shall be a representative of the public, subject to the provisions of section nine B. One of said appointees shall be a local wiring inspector who shall be an electrician licensed under chapter one hundred and forty-one.

SECTION 11. Section 33 of said chapter 13, as amended by chapter 663 of the acts of 1963, is hereby further amended by striking out the first six paragraphs and inserting in place thereof the following paragraphs:—

(*a*) There shall be a board of public accountancy, in this section and in sections thirty-four and thirty-five called the board, consisting of five members, to be appointed by the governor. Each member shall be a citizen of the commonwealth. Four of the members shall hold a valid biennial permit issued under section eighty-seven B of chapter one hundred and twelve and shall have been actively engaged on his own account or as a member of a partnership in the practice of public

accountancy for at least seven years. Three of the members shall be certified public accountants holding certificates issued under section eighty-seven A of chapter one hundred and twelve, or under prior laws of the commonwealth, and the fourth member shall be a public accountant registered under the laws of the commonwealth. The fifth member shall be a representative of the public, subject to the provisions of section nine B.

Upon the expiration of the term of a member his successor, qualified as aforesaid, shall be appointed by the governor for a term of five years.

The governor shall remove from the board any accountant member whose certificate of registration has become void, or has been revoked or suspended.

In any matter exclusively concerning or dealing with a certified public accountant, only the members of the board who are certified public accountants and representative of the public shall act; in all other matters the full board shall act.

(*b*) There shall be a public accountants administrative committee, hereinafter and in sections thirty-four and thirty-five called the "committee", consisting of the public accountant member of the board, who shall be a member ex officio, the representative of the public member of the board, and three members to be appointed by the board. Each appointive member of the committee shall be a citizen of the commonwealth, a public accountant registered under the laws of the commonwealth, and the holder of a valid biennial permit issued under section eighty-seven B of chapter one hundred and twelve, and shall have been actively engaged on his own account or as a member of a partnership in the practice of public accountancy for at least five years.

Each appointive member of the committee shall serve for a term of three years. Vacancies occurring during a term shall be filled by appointment for the unexpired term. Upon the expiration of his term of office a member shall continue to serve until his successor shall have been appointed and shall have qualified. The board shall remove from the committee any member whose registration or biennial permit has become void, or has been revoked or suspended, and may, after hearing, remove any member of the committee for just cause. Before entering office, each member shall be sworn to the faithful performance of his duties.

SECTION 12. Section 36 of said chapter 13 is hereby further amended by striking out the first paragraph, as most recently amended by chapter 191 of the acts of 1963, and inserting in place thereof the following paragraph:—

There shall be a board of state examiners of plumbers, in sections thirty-seven and thirty-eight called the examiners, consisting of five members, citizens of the commonwealth, of whom one shall have had at least ten years continuous practical experience as a master plumber, one shall be a sanitary engineer, one shall be a journeyman plumber of at least ten years practical experience, who is a wage earner, one shall be the commissioner of public health or his designee, and one shall be a representative of the public, subject to the provisions of section nine B. As the term of office of a member expires, his successor

shall be appointed by the governor to serve for three years. The governor shall designate the chairman of the board and may at any time change such designation. When making an appointment to the board, the governor shall designate the appointee as the master plumber, sanitary engineer, journeyman plumber or public member of the board.

SECTION 13. Said chapter 13 is hereby further amended by striking out section 44A, as appearing in section 1 of chapter 696 of the acts of 1941, and inserting in place thereof the following section:—

Section 44A. There shall be in the department of civil service and registration a board of registration of architects, in this and the following three sections called the board, to be appointed by the governor, consisting of five members, citizens of the commonwealth, four of whom shall each have been engaged in the practice of architecture for a period of ten years or more prior to his appointment, and shall be registered architects. The fifth member shall be a representative of the public, subject to the provisions of section nine B. As the term of office of a member of the board expires, his successor, qualified as aforesaid, shall be appointed by the governor, to serve for five years. Each member shall continue to serve until the qualification of his successor. The governor may also fill any vacancy in the board for the unexpired portion of the term.

SECTION 14. Said chapter 13 is hereby further amended by striking out section 45, as most recently amended by section 1 of chapter 707 of the acts of 1970, and inserting in place thereof the following section:—

Section 45. There shall be a board of registration of professional engineers and of land surveyors, in this section and in sections forty-six and forty-seven called the board, consisting of six registered professional engineers and one representative of the public, subject to the provisions of section nine B, who are citizens of the United States and residents of the commonwealth, appointed by the governor. Of the professional engineer members of said board, one shall be a civil engineer, one shall be a mechanical engineer, one shall be an electrical or electronics engineer, one shall be a chemical engineer, one shall be both a civil engineer and a registered land surveyor and the sixth member shall represent any technical branch or specialty of engineering other than those listed above. Each member of the board except the member who is both a civil engineer and a registered land surveyor and the member who is a representative of the public shall have been actively engaged in the practice of engineering for at least twelve years and shall have been in responsible charge of important engineering work or in engineering teaching, or both, for at least five years. The member of the board who is both a civil engineer and a registered land surveyor shall have been actively and principally engaged in the practice of land surveying for at least twelve years and shall have been in responsible charge of land surveying work for at least five years. Upon the expiration of the term of a member of the board his successor, qualified as aforesaid and representative of the same branch of engineering or the public, as the case may be, shall be appointed for a term of five years by the governor. All professional engineer members of the board shall be in active practice of their

profession at the time of their appointment. In the event of a vacancy in the board caused otherwise than by expiration of the term of office of a member qualified as above and similarly representative shall in like manner be appointed for the remainder of the unexpired term and until the qualification of his successor.

SECTION 15. Section 48 of said chapter 13, as appearing in section 1 of chapter 688 of the acts of 1955, is hereby amended by striking out the last sentence and inserting in place thereof the following two sentences:—The fifth member shall be a representative of the public, subject to the provisions of section nine B. One member shall annually in January be appointed by the governor, for a term of five years.

SECTION 16. Said chapter 13 is hereby further amended by striking out section 51, as appearing in section 1 of chapter 673 of the acts of 1957, and inserting in place thereof the following section:—

Section 51. There shall be a board of registration of sanitarians, hereafter in this section and in sections fifty-two and fifty-three referred to as the board, consisting of seven members to be appointed by the governor, of whom one shall be an employee of the department of public health, one shall be an educator in the field of sanitary science, four of whom shall be registered sanitarians, with at least five years experience in the field of environmental sanitation, and one of whom shall be a representative of the public, subject to the provisions of section nine B. Each member shall serve for a term of three years.

SECTION 17. Said chapter 13 is hereby further amended by striking out section 58, as appearing in section 1 of chapter 625 of the acts of 1958, and inserting in place thereof the following section:—

Section 58. There shall be a board of registration of electrologists consisting of five persons, residents of the commonwealth, of whom three shall be licensed electrologists who have been engaged in the practice of electrolysis in the commonwealth for at least five years, one of whom shall be a physician registered under the laws of the commonwealth, and one of whom shall be a representative of the public, subject to the provisions of section nine B. No member of the board, while in office, shall have any financial interest, direct or indirect, in the manufacture or sale of equipment and supplies used in the practice of electrolysis or shall engage in the teaching of electrolysis. A member of said board shall be appointed in January of each year by the governor, for a term of three years from the first day of the following February.

SECTION 18. Section 61 of said chapter 13, as appearing in section 1 of chapter 604 of the acts of 1963, is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences:—One person shall be a representative of the public, subject to the provisions of section nine B. The members of said board shall be appointed by the governor for a term of three years.

SECTION 19. Section 64 of said chapter 13, as appearing in section 1 of chapter 409 of the acts of 1966, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—There shall be a board of registration of chiropractors, in this section and in sections sixty-five and sixty-six called the board, consisting of seven members to be appointed by the governor, who

shall be residents of the commonwealth, four of whom shall be registered chiropractors, two of whom shall be registered physicians, and one of whom shall be a representative of the public, subject to the provisions of section nine B.

SECTION 20. Section 66A of said chapter 13, inserted by section 1 of chapter 781 of the acts of 1970, is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences:—The board shall consist of the chairman of the water resources commission or his designee, who shall be designated chairman, the commissioner of public health, or his designee, and seven members to be appointed by the governor. Of the appointive members of the board, one shall be a faculty member of an accredited school of engineering, one a registered professional engineer engaged in the practice of sanitary engineering, one a member of the Associated Industries of Massachusetts, one a member of the Massachusetts State Labor Council, AFL-CIO, one to be appointed from a list of qualified operators of waste water treatment facilities in the commonwealth which has been recommended by the executive committee of the New England Water Pollution Control Association, one to be appointed from a list of qualified persons recommended by the Massachusetts Waste Water Treatment Plant Operators Association, and one who shall be a representative of the public, subject to the provisions of section nine B.

SECTION 21. Section 67 of said chapter 13, as appearing in section 1 of chapter 473 of the acts of 1968, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—There shall be a board of registration of landscape architects, in this section and in sections sixty-eight and sixty-nine called the board, consisting of five members to be appointed by the governor, citizens of the commonwealth, four of whom shall have been engaged in the practice of landscape architecture for a period of ten years or more prior to their appointment, and shall be registered landscape architects, and one of whom shall be a representative of the public, subject to the provisions of section nine B.

SECTION 22. Said chapter 13 is hereby amended by striking out section 70, inserted by chapter 521 of the acts of 1970, and inserting in place thereof the following section:—

Section 70. There shall be a board of certification of health officers, in this section and sections seventy-one and seventy-two called the board, consisting of nine members to be appointed by the governor, one of whom shall be an educator in the field of public health administration, one of whom shall be a member of the department of public health in an administrative capacity, five of whom shall be certified local health officers with at least five years experience in public health administration and who shall provide broad geographical representation to the board, one of whom shall be a member of a nongovernmental voluntary health agency with at least five years of public health administrative experience, and one of whom shall be a representative of the public, subject to the provisions of section nine B. Each member shall serve for a term of four years.

SECTION 23. Section 73 of said chapter 13, inserted by section 1 of chapter 865 of the acts of 1970, is hereby amended by striking out the

second sentence and inserting in place thereof the following sentence: —One member shall be an educator actively engaged in the field of health care administration, one shall be a medical doctor or a registered nurse, one shall be a hospital administrator actively engaged in long term health care administration, and one shall be a representative of the public, subject to the provisions of section nine B.

SECTION 24. The requirements for membership on the boards of registration prescribed by sections two to twenty-three, inclusive, of this act shall only be complied with as vacancies occur or as terms of the members of said boards expire, except that any additional positions created by this act may be filled upon the effective date of this act. *Approved November 15, 1971.*

Chap. 1100. AN ACT RELATIVE TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY FARES FOR CERTAIN PUPILS AND CHILDREN.

Be it enacted, etc., as follows:

Section 5 of chapter 161A of the General Laws is hereby amended by inserting after subsection (*e* ½) the following subsection: —

(*e* ¾) The board of directors shall not fix a fare for pupils of public day or evening schools and pupils of private day schools or private evening schools or industrial day or evening schools, giving substantially the same character and grade of instruction as the schools conducted at public expense and of a not higher grade than a high school for transportation between such schools and their homes, or for children between the ages of five and eleven years, inclusive, in excess of one half the regular adult cash fare with free transfer privileges.

Approved November 15, 1971.

Chap. 1101. AN ACT DIRECTING THE TREASURER OF THE COUNTY OF HAMPSHIRE TO PAY A SUM OF MONEY TO LUKE F. RYAN, JUSTICE OF THE DISTRICT COURT OF HAMPSHIRE.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary and in order to discharge a moral obligation of the county of Hampshire, the treasurer of said county shall pay from any available funds to Luke F. Ryan, justice of the district court of Hampshire, the amount of money which was deducted from his salary because of his being absent due to illness.

Approved November 15, 1971.

Chap. 1102. AN ACT INCREASING THE SALARY OF THE DIRECTOR OF CIVIL SERVICE AND THE SALARIES OF THE DEPUTY COMMISSIONERS IN THE DEPARTMENT OF CORRECTION.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 2 of chapter 27 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 39 of chapter 116 of the acts of 1971,

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 eighteen thousand seven hundred dollars and each shall devote his full time during business hours to the duties of his office.

SECTION 2. 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 11 of chapter 766 of the acts of 1969, and inserting in place thereof the following sentence: — Said director shall receive a salary of twenty-eight thousand one hundred and eighty-nine dollars and shall devote his full time during business hours to the duties of his office. *Approved November 15, 1971.*

Chap. 1103. AN ACT PERMITTING CITIES AND TOWNS TO AUTHORIZE THE INSTALLATION AND OPERATION OF COMMUNITY ANTENNA TELEVISION SYSTEMS AND PROVIDING FOR THE REGULATION THEREOF.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the installation of community antenna television systems in cities and towns of the commonwealth and to provide for the regulation thereof by such cities and towns and the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 166 the following chapter:—

CHAPTER 166A.

COMMUNITY ANTENNA TELEVISION SYSTEMS.

Section 1. The following terms as used in this chapter shall, unless the context requires otherwise, have the following meanings:—

(*a*) "Commission", the community antenna television commission established under section two, or the issuing authority prior to the establishment thereof.

(*b*) "Community antenna television system" or "CATV system", a facility which receives and amplifies the signals broadcast by one or more television stations and redistributes such signals to subscribing members of the public for a fixed or periodic fee, employing wires or cables passing along, over, under, across and upon streets, ways, lanes, alleys, parkways, bridges, highways and other public places, including property over which a city or town has an easement or right-of-way, and including facilities which in addition to providing such reception, amplification and redistribution, are also used to originate and distribute program or other material to such subscribers.

(*c*) "CATV operator" or "Operator", a person operating a CATV system.

(*d*) "Issuing Authority", the city manager of a city having a plan D or E charter, the mayor of any other city, or the board of a selectmen of a town.

(*e*) "Licensee", a person who is issued a license pursuant to section three, such term excluding television broadcast stations as defined in part 74, subpart K, section 74.1131 of the Federal Communications Commissions' Rules and Regulations and newspaper media and their affiliates in their major circulation areas.

(*f*) "Area or areas to be served", may include a municipality or a portion of a municipality in order to reflect within municipal boundaries, the various economic, cultural, geographic and community interests of the citizens residing therein.

Section 2. There shall be established in the executive office of consumer affairs a community antenna television commission which is authorized to call on the staff of the department of public utilities or any other state or federal agency for administrative and investigatory services and technical advice. Said commission shall consist of seven members who shall be appointed by the governor for a term coterminous with that of the governor, one of whom shall be an expert in digital computer application, one shall be a member of the Consumers' Council, one shall be an expert in the field of telecommunications, one shall be an attorney and a member of the Massachusetts bar, one shall be an educator with some experience in telecommunications and two shall be residents of the commonwealth, one of the two from a city having a population of more than one hundred and fifty thousand persons and the other from a city or town of less than one hundred and fifty thousand persons, determined by reference to the most recent decennial census conducted by the United States Bureau of the Census. All the members of said commission shall be registered voters in the commonwealth.

Not more than two members of said commission shall be of the same political party. The governor shall designate one of said members as chairman. The commission shall appoint an executive director who shall not be subject to chapter thirty-one and who shall be knowledgeable in the field of telecommunication. He shall be responsible for informing the commission and the public of matters relating to community antenna television, and shall perform such other duties as the commission requires. Said executive director shall serve at the pleasure of the commission who shall determine his rate of compensation. The members shall be compensated at the rate of thirty dollars for each day spent in the performance of their duties. The commission may expend such sums for quarters and clerical and other assistance as may be appropriated therefor.

Section 2A. The chairman of the commission shall preside at all hearings at which he is present and shall designate a member to act as chairman in his absence. All commissioners shall, if so directed by the chairman, participate in the hearing and decision of any matter coming before the commission. The consumers' council shall have the authority to represent the people of the commonwealth in all such hearings and shall be deemed an aggrieved party for the purposes of judicial or administrative review of any decision or ruling in such proceedings. In the hearing of matters other than those of formal or

administrative character coming before the commission, one or more commissioners shall participate and in the decision of all such matters two commissioners shall participate; provided that any such matter may be heard, examined and investigated by an employee of the department designated and assigned thereto by the chairman, with the concurrence of one other commissioner. Such employee shall make a report in writing on every such matter to the commission for its decision thereon. For the purposes of hearing, examining and investigating any such matter such employee shall have all of the powers conferred upon a commissioner by section seventeen, and all pertinent provisions of said section shall apply to such proceedings. In every such case the concurrence of a majority of the commissioners participating in the decision shall be necessary therefor.

Section 3. No person shall construct, commence construction, or operate a CATV system in any city or town by means of wires and cables of its own or of any other person, without first obtaining as herein provided a written license from each city or town in which such wires or cables are installed or are to be installed, a copy of which shall be forwarded to the commission. Such license must be nonexclusive. Each such license shall contain the following provisions:—

(*a*) The area or areas to be served;

(*b*) The completion date of the installation of all equipment, wires and cables necessary to serve the named area or areas;

(*c*) The date service shall be available to the named area or areas;

(*d*) The term of the license, which shall not be more than fifteen years; and

(*e*) Such other terms and conditions as have been authorized by the commission.

Section 4. No such license or renewal thereof shall be issued except upon written application to the appropriate issuing authority on an application form prescribed by the commission. Such form shall contain such information as the commission may prescribe as to the citizenship and character of the applicant and the financial, technical and other qualifications of the applicant to operate the system; complete information as to its principals and ultimate beneficial owners, including, in the case of corporations, all stockholders, both nominal and beneficial, owning one per cent or more of the issued and outstanding stock, and, in the case of unincorporated associations, all members and ultimate beneficial owners, however designated; complete information on the extent and quality of service, number of channels, hours of operation, variety of programs, local coverage, safety measures, installation and subscription fees; and such other information as the commission may deem appropriate or necessary. Such application shall be signed by the applicant or by a duly authorized representative, evidence of whose authority shall be submitted with the application. Each applicant shall make full disclosure of the true ownership of the applicant and of the equipment to be employed in rendering service and of the source of funds for the purchase, lease, rental and installation of such equipment. Each applicant shall set forth as completely as possible the equipment to be employed, the routes of the wires and cables, the area or areas to be

served, the approximate starting and completion dates of construction of the system and the date service will actually be available to the areas named. Additional areas to be served may be added to the license from time to time by subsequent supplementary applications or after hearing by direction of the issuing authority, under the provisions of this section and section six.

Section 5. Such form shall also require that in the event a license is issued, the applicant shall agree to the following:

(*a*) In installing, operating and maintaining equipment, cable and wires, it shall avoid all unnecessary damage and injury to trees, structures and improvements in and along the routes authorized by the issuing authority.

(*b*) It shall indemnify and hold the city or town harmless at all times during the term of the license from any and all claims for injury and damage to persons or property, both real and personal, caused by the installation, operation or maintenance of any structure, equipment, wire or cable authorized to be installed pursuant to the license. Upon receipt of notice in writing from the issuing authority it shall at its own expense defend any action or proceeding against the city or town in which it is claimed that personal injury or property damage was caused by activities of the licensee in the installation, operation or maintenance of its system.

(*c*) It shall carry insurance in companies satisfactory to the issuing authority indemnifying the city or town and itself from and against any and all claims for injury or damage to persons or property, both real and personal, caused by the construction, installation, operation, or maintenance of any structure, equipment, wires or cables authorized or used pursuant to the license. The amount of such insurance against liability for damage to property shall not be less than two hundred thousand dollars as to any one accident. The amount of such insurance for liability for injury or death to persons shall not be less than one hundred thousand dollars on account of injury to or death of any one person and three hundred thousand dollars on account of injury to or death of any number of persons in any one accident.

(*d*) It shall not engage directly or indirectly in the business of selling or repairing television or radio sets.

(*e*) It shall provide a cable drop and an outlet along its cable routes at no cost to public schools, police and fire stations, public libraries and other public buildings designated in writing by the issuing authority.

(*f*) Upon termination of the period of the license or of any renewal thereof by passage of time or otherwise, it shall remove its supporting structures, poles, transmission and distribution systems and other appurtenances from the streets, ways, lanes, alleys, parkways, bridges, highways and other public places in, over, under or along which they are installed and shall restore the areas to their original condition. If such removal is not completed within six months of such termination, the issuing authority may deem any property not removed as having been abandoned.

(*g*) Whenever it takes up or disturbs any pavement, sidewalk or other improvement of any public way or public place, the same shall be replaced and the surface restored in as good condition as before

entry as soon as practicable. If the licensee fails to make such restoration within a reasonable time, the issuing authority may fix a reasonable time for such restoration and repairs and shall notify the licensee in writing of the restoration and repairs required and the time fixed for performance thereof. Upon failure of the licensee to comply within the time specified, the issuing authority may cause proper restoration and repairs to be made and the expense of such work shall be paid by the licensee upon demand by the issuing authority.

(*h*) It shall not remove any television antenna of any subscriber but shall, at cost, offer to him and maintain an adequate switching device to allow the subscriber to choose between cable and noncable reception.

(*i*) Whenever it transposes any television signal from the channel on which it was originally broadcast so that it is received on a different channel on the receiving sets of subscribers, it shall at least one month prior to such transposition notify its subscribers in writing of such transposition and provide them with a marker suitable for mounting on television receivers indicating the fact of such transposition.

(*j*) If it permits any person who is a legally qualified candidate for any public office to employ the facilities of its system or originate and disseminate political campaign material, it shall afford equal opportunities to all other such candidates for the same office to use such facilities to originate and disseminate any views concerning a controversial issue of public importance and shall afford reasonable opportunity for the presentation over its facilities of contrary points of view. The commission shall be guided by and its decisions shall be consistent with those of the Federal Communications Commission under similar provisions of the Communications Act of 1934, as amended, and of policies established by the Federal Communications Commission.

(*k*) Before commencing construction it shall submit to the issuing authority a bond, with corporate surety satisfactory to such authority. The conditions and terms of said bond shall be:

(1) the satisfactory completion of installation and operation of the system in accordance with the provisions of subsections (*a*), (*m*) and (*n*);

(2) the indemnity of the city or town in accordance with the provisions of subsection (*b*);

(3) the satisfactory removal of its system in accordance with the provisions of subsection (*f*);

(4) the satisfactory restoration of pavements, sidewalks and other improvements in accordance with the provisions of subsection (*g*).

(*l*) In the event its service to any subscriber is interrupted for twenty-four or more consecutive hours, it will grant such subscriber a pro rata credit or rebate.

(*m*) The area or areas to be served as set out in the license according to subsection (*a*) of section three shall annually be wired and provided service in not less than ten per cent of the area or areas specified until said service is complete and available in said area or areas in compliance with the provisions of subsection (*n*).

(*n*) The completion of construction within six years after the license is granted under the provisions of this chapter.

(*o*) The maintenance of local offices or local telephone connections in the communities served.

Section 6. No license issued under section three shall be granted until the issuing authority has held a public hearing thereon, first causing notice of the time and place of such hearing and of the subject matter sufficient for identification, to be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication being not less than fourteen days before the day of such hearing, or if there is no such newspaper in such city or town then by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of such hearing. In the event more than one application is filed in any city or town, the issuing authority shall choose that applicant or those applicants which in its opinion will best serve the public interest. The issuing authority shall issue a public statement in writing containing the reasons for its acceptance or rejection of any or all applications, which reasons shall relate to the information the applicant furnished pursuant to section four.

Section 7. No control of a license shall be transferred or assigned without the approval of the issuing authority. The decision of said authority may be appealed to the commission under section fourteen.

Section 8. Each licensee shall install its CATV system and maintain the quality of the signals transmitted over its system to its subscribers in accordance with standards to be prescribed by the Federal Communications Commission. With relation to each license that it holds in the commonwealth, each such licensee shall file annually with the commission and the issuing authority on forms to be prescribed by the commission, an audited and sworn statement of its revenues and expenses and a statement disclosing its ownership for official use only. In addition, each such licensee shall also file with the commission and the issuing authority, on forms to be prescribed by the commission, a financial balance sheet and statement of ownership which shall be open to public inspection.

Section 9. No application for a license to operate a CATV system or for renewal or assignment of such a license shall be considered by an issuing authority unless it is accompanied by an application fee of one hundred dollars payable to the city or town. A licensee, on or before the anniversary date of the license during the period within which it is in force, shall annually pay to the commonwealth and the issuing authority, each, a license fee equal to fifty cents per subscriber served, but not less than two hundred and fifty dollars.

Section 10. Complaints by any person as to the operation of any CATV system may be filed in writing with the commission or with the issuing authority, each of which shall within ten days forward copies of such complaints to the other. The issuing authority and the commission shall be notified by the licensee on forms to be prescribed by the commission not less than every three months, of the complaints of subscribers received during the reporting period and the manner in which they have been met, including the time required to make any necessary repairs or adjustments.

Section 11. Any license issued hereunder may after hearing be revoked by the issuing authority or the commission for any of the following reasons:—

(*a*) for false or misleading statements in or material omissions from any application submitted under section four, five or any annual return under section eight;

(*b*) for failure to file and maintain a bond as required under subsection (*k*) of section five or to maintain insurance as required under subsection (*c*) of said section;

(*c*) for repeated violations, as determined by the commission, of commitments of a licensee set forth in subsection (*j*) of section five;

(*d*) for repeated failure, as determined by the commission, to maintain signal quality under the standards provided for in section sixteen;

(*e*) for any assignment without consent in violation of section seven;

(*f*) for repeated violations of other obligations of the licensee set forth in section five, except subsection (*j*) or of the terms of its license;

(*g*) for failure to complete construction in accordance with the provisions of subsection (*n*) of section five.

Section 12. The commission and the consumers' council shall have the right to institute or to intervene as a party in any action in any court of competent jurisdiction seeking mandamus, injunctive or other relief to compel compliance with any provision of this chapter or any rule, regulation or order adopted thereunder, or to restrain or otherwise prevent or prohibit any illegal or unauthorized conduct in connection therewith.

Section 13. Any permit issued hereunder may be renewed after hearing by the issuing authority for additional periods each not to exceed ten years. No initial or renewed license may be assigned without the prior written consent of the issuing authority, which consent shall not be arbitrarily or unreasonably withheld. Such consent shall be given only upon a written application therefor on forms to be prescribed by the commission. Such forms shall set forth such facts as the commission may prescribe as to the citizenship and character of the proposed assignee and his or its financial, technical and other qualifications to operate the system and complete information as to its principals and ultimate beneficial owners, including, in the case of corporations, all stockholders both nominal and beneficial owning one per cent or more of the issued and outstanding stock and in the case of unincorporated associations all members and ultimate beneficial owners however designated, in order that each assignee shall make full disclosure as to its true ownership and as to the source of the funds to be used for the purpose and operation of the system. The application for consent to an assignment shall be signed by the licensee and by the proposed assignee or by their representatives, evidence of whose authority shall be submitted with the application. The consent of an issuing authority shall not be given to an assignment if it appears from the application or from subsequent investigation or otherwise that the consideration being paid in the proposed transaction includes a substantial payment for the license issued hereunder.

Section 14. Any applicant for a license who is aggrieved by a denial by the issuing authority of its application, or by its failure to

act within the period of fourteen days, or any applicant who is aggrieved by the action of any such authority in modifying, suspending, cancelling, revoking, declaring forfeited or assigning the same may appeal therefrom to the commission within thirty days following notice of such action or following the expiration of said period, by a petition in writing, setting forth all the material facts in the case.

The commission shall hold a hearing upon each such appeal, requiring due notice to be given to all interested parties.

If the commission approves the action of the issuing authority it shall issue notice to them to that effect, but if the commission disapproves of their action it shall issue a decision in writing advising said issuing authority of the reasons for its decision and ordering the issuing authority to conform with such decision. The commission shall not, in any event, order a license to be issued until the application for said license has been granted by the issuing authority.

Upon the petition of ten per cent of the subscribers who are taxpayers of the city or town in which a license has been granted by such authority or who are registered voters in the voting precinct or district in the area or areas to be served as set out in the license, or the consumers' council, or upon its own initiative, the commission may investigate the granting, renewal or assignment of such a license or the conduct of the business being done thereunder and may, after a hearing, modify, suspend, revoke or cancel such license for cause.

If the issuing authority fails to suspend, revoke, cancel or declare forfeited a license or to perform any other disciplinary act when lawfully ordered so to do by the commission upon appeal or otherwise, within such reasonable time as it may prescribe, the commission may itself revoke such license or perform such act, with the same force and effect as if issued or performed by the issuing authority, but no license shall be issued by the commission except in ratification of a prior issuance to the same party by the issuing authority. In case the issuing authority is unwilling to issue a license to any of the applicants before it, then such issuance shall be withheld pending further applications, and no application by the same applicant to be exercised on the same premises shall be received within one year of the date of his last prior application.

Section 15. For a period of three years from the effective date of this chapter, the commission shall study the necessity and desirability of rate regulation, and thereafter it may, upon its own motion or upon request of any issuing authority or licensee, after due hearing and investigation, fix and establish individually, for each community antenna television system in the commonwealth, a fair and reasonable rate of return from subscription rates charged to subscribers, said rates to be adequate, just, reasonable and nondiscriminatory.

The commission shall cause notice of the time and place of every such hearing to be published in at least one newspaper of general circulation in each of the cities of Boston, Worcester, Springfield, Newburyport, Gloucester, Pittsfield, Fall River, New Bedford, Haverhill, Holyoke and Lawrence at least ten days prior to said date, and such notice shall contain a schedule clearly and precisely setting forth the rates proposed to be fixed and established for the ensuing calendar year. Such notice and schedule shall be in such form as the commission may deem expedient.

The commission may make, and, at any time, alter or amend, reasonable rules and regulations to facilitate the operation of this section and enforce the application of the rates fixed and established by them, may conduct hearings and investigations under this section and may at any time require any company to file with them such data, statistics, schedules or information as they may deem proper or necessary to enable them to fix and establish or secure and maintain fair and reasonable rates. They may issue such orders as they find proper, expedient or necessary to enforce and administer the provisions of this section, to secure compliance with any rules or regulations made thereunder, and to enforce adherence to the rates fixed and established by them. The superior court for the county of Suffolk shall have jurisdiction in equity upon the petition of the commission and, after a summary hearing, to enforce all lawful orders of the commission. Memoranda of all actions, orders, findings and decisions of the commission shall be signed by them and filed in their office as public records open to public inspection.

Any person or company aggrieved by any action, order, finding or decision of the commission under this section may, within ninety days from the filing of such memorandum thereof with the commission, file a petition in the superior court for the county of Suffolk for a review of such action, order, finding or decision. An order of notice returnable not later than seven days from the filing of such petition shall forthwith issue and be served upon the commission. Within ten days after the return of said order of notice, the petition shall be assigned for a speedy and summary hearing on the merits. The action, order, finding or decision of the commission shall remain in full force and effect pending the final decision of the court unless the court or a justice thereof, after notice to the commission, shall otherwise order. The court shall have jurisdiction in equity to modify, amend, annul, reverse or affirm such action, order, finding or decision, shall review all questions of fact and of law involved therein and may make any appropriate order or decree. The decision of the court shall be final and conclusive on the parties. The court may make such order as to costs as it deems equitable. The court shall make such rules or orders as it deems proper to secure prompt and speedy hearings and to expedite final decisions thereon.

Section 16. The commission may after hearing issue such standards and regulations as it deems appropriate to carry out the purpose of this chapter for which purpose it may employ such expert assistants as it deems necessary. The commission shall have the authority to mediate between cities and towns and after appropriate notice and hearing to make a final decision, in the event of conflict in the exercise of jurisdiction to authorize or regulate CATV systems. The commission shall also represent the interests of the citizens of the commonwealth before the Federal Communications Commission and shall certify the performance of the CATV operators under its jurisdiction to appropriate federal, state and local authorities.

Section 17. The commission or its employees may visit the places of business and other premises and examine the records and facilities of all CATV companies to ascertain if all rules and regulations and orders of the commission have been complied with, and any cases of

noncompliance shall be reported by it to the issuing authority. The commission shall also have the power to issue subpoenas to compel the attendance of witnesses and the production of documents, papers, books, records and other evidence before it in any matter over which it has jurisdiction, control or supervision. The commission shall have the power to administer oaths and affirmations to persons whose testimony is required.

Section 18. Any person or the officer, agent or employee of any organization who willfully violates any provision of this chapter or of any rule, regulation or order adopted thereunder or who willfully procures, aids or abets any violation of such a provision shall be punished by a fine of not less than one hundred dollars nor more than one thousand dollars or by imprisonment in a jail or house of correction for not more than six months, or by both such fine and imprisonment.

Section 19. The hearing provided for in sections fourteen, fifteen and sixteen shall be subject to the provisions of chapter thirty A. No other hearing provided for or required by any section of this chapter shall be subject to chapter thirty A but all such hearings shall be public.

Section 20. Any city or town may construct, purchase and operate a CATV system, but such operation shall be subject to this chapter as if the system were privately owned and operated.

SECTION 2. Until such time as the community antenna television commission acts to determine rates and charges to subscribers under the provisions of chapter one hundred and sixty-six A of the General Laws, inserted by section one of this act, the issuing authority, as defined in clause (d) of section one of said chapter one hundred and sixty-six A, shall be authorized to make such determinations provided that the monthly charge to subscribers shall not exceed seven dollars.

SECTION 3. Prior to the appointment of said commission under the provisions of section two of said chapter one hundred and sixty-six A, said issuing authority shall prescribe the form of application, and such form shall contain all the provisions of sections four and five of said chapter one hundred and sixty-six A.

SECTION 4. The provisions of said chapter one hundred and sixty-six A and all rules, regulations, orders and promulgations of said commission pursuant to said chapter shall apply to all community antenna television systems authorized or constructed prior to the effective date of said chapter one hundred and sixty-six A, provided that nothing therein shall prevent any person who, prior to the effective date of said chapter one hundred and sixty-six A, has received a license or permit for construction and operation of a community antenna television system or has commenced construction or operation of such a community antenna television system in any city or town from continuing such construction or operation therein without applying for a license thereunder or paying an application fee, but such person shall within thirty days of the effective date of said chapter one hundred and sixty-six A submit to the issuing authority a bond in accordance with subsection (*k*) of section five of said chapter one hundred and sixty-six A. Said person shall within ninety days furnish said issuing authority all other information

required by section four of said chapter one hundred and sixty-six A and shall comply with all other applicable sections of said chapter and shall receive from the issuing authority a license in conformity with section three of said chapter one hundred and sixty-six A which shall replace any prior permit or license, however designated. The term of such new license shall run from the date of its issuance for a term not more than fifteen years. Said new license may be renewed under the provisions of said chapter one hundred and sixty-six A.

SECTION 5. Any application for a license to operate a community antenna television system made prior to the effective date of said chapter one hundred and sixty-six A shall be transmitted by said licensing authority before which it is pending to the issuing authority established under said chapter one hundred and sixty-six A and shall be considered by said issuing authority as if it had been filed in accordance with the provisions of section four of said chapter one hundred and sixty-six A without the payment of an additional application fee.

SECTION 6. Nothing in this act shall prevent any said issuing authority from issuing a license under said chapter one hundred and sixty-six A before the appointment and qualification of the members of the community antenna television commission under said chapter one hundred and sixty-six A or before said commission prescribes an application form for such a license or authorizes terms and conditions therefor; provided that within ninety days after said commission prescribes an application form, the person issued such license shall file a substitute application on such prescribed form. If he does so, he shall receive from any said issuing authority a confirmatory license with such terms and conditions as said commission may have authorized. *Approved November 16, 1971.*

Chap. 1104. AN ACT RELATIVE TO THE TERRITORIAL WATERS OF THE COMMONWEALTH AND EXTENDING THE AUTHORITY OF THE DIRECTOR OF THE DIVISION OF MARINE FISHERIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith the extension of additional authority to the director of the division of marine fisheries in order to implement on an emergency basis certain rules and regulations relative to the marine resources of the commonwealth so as to avert an ecological crisis and prevent the possible annihilation of such resources, 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 17 of chapter 130 of the General Laws is hereby amended by inserting after subsection (9), added by section 1 of chapter 438 of the acts of 1968, the following subsection: —

(10) Notwithstanding any contrary provision of law, with the exception of chapter 130 of the General Laws of the commonwealth of Massachusetts, adopt, amend or repeal all rules and regulations, with the approval of the governor, necessary for the maintenance, preservation and protection of all marine fisheries resources between the mean

high water mark of the commonwealth and a straight line extension of the lateral boundaries of the commonwealth drawn seaward to a distance of 200 miles or to a point where the water depth reaches 100 fathom, whichever is the greatest. Any person, firm or corporation convicted of violating any rule or regulation authorized under the provisions of this paragraph shall be punished by a fine not to exceed ten thousand dollars ($10,000.). Violations may be prosecuted in any superior court within the commonwealth of Massachusetts.

Approved November 16, 1971.

Chap. 1105. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT A CENTRAL GARAGE AND PROVIDING FOR THE BORROWING OF MONEY FOR SAID PURPOSE.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission, is hereby authorized and directed to construct and originally equip a central garage to consolidate the servicing and purchasing of all vehicles, trucks, equipment, supplies and signs under the control of the commission. Said garage shall be constructed within the metropolitan district at such location as the commission may determine and shall serve the sewerage division, the water division, the division of parks engineering and the construction division of the commission and may, if the commission so determines, be used for civil defense purposes.

Said commission may, on behalf of the commonwealth, take by eminent domain in fee or otherwise, or acquire by purchase or otherwise, such public or private lands, as it may deem necessary or desirable for carrying out the provisions of this act; provided, that no payment shall be made for the purchase of such land until an independent appraisal of the value of the land has been made by a qualified disinterested appraiser.

For said purposes, the commission may expend such sums as may be necessary, not exceeding, in the aggregate, two million dollars.

SECTION 2. To meet the expenditure necessary in carrying out the provisions of section one of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding in the aggregate, the sum of two million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Metropolitan District Commission Central Garage Construction Loan, Act of 1971 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 pay-

able not later than one year from the date of issue thereof and the entire issue not later than June the thirtieth, nineteen hundred and ninety-five.

SECTION 3. All interest payments and payments of interest on account of such obligations shall be paid: one fourth by the metropolitan parks district; one fourth by the metropolitan water district; one fourth in equal parts by the north and south metropolitan sewer district; and one fourth as maintenance of boulevards by the commonwealth. The state treasurer shall include the amounts required of each town of said districts to meet said expenses in the sums assessed upon said towns and such amounts shall be paid by said towns to the commonwealth as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 4. Any federal funds made available for the project authorized by this act shall, if the bonds herein authorized have not been sold, be used to reduce the amount of bonds so authorized, and, if the bonds have been sold, said federal funds when received shall be used to meet payment of maturities and interest on the bonds issued under this act.

SECTION 5. This act shall take effect upon its passage.

Approved November 16, 1971.

Chap. 1106. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO ACQUIRE AND DEVELOP CERTAIN LAND ON RIVER STREET IN THE HYDE PARK DISTRICT OF THE CITY OF BOSTON FOR PARK AND RECREATION PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to acquire by eminent domain under the provisions of chapter seventy-nine of the General Laws, or by purchase, gift or otherwise, and thereafter develop and maintain for park and recreation purposes that area of land in the Hyde Park district of the city of Boston, located on the northerly side of River street and being comprised of four contiguous parcels of land containing a total of approximately two hundred and fourteen thousand five hundred and forty-eight square feet, more or less, being bounded and described as follows: —

PARCEL I

The lot shown on a Plan of Land in Boston, dated September 25, 1928 and recorded at Suffolk Deeds, Book 5052, Page 409, said parcel being bounded and described as follows:

SOUTHEASTERLY by River Street One Hundred Sixty-Eight and 40/100 (168.40) feet;

NORTHEASTERLY by land now or formerly of O'Donnell One Hundred Fourteen and 2/100 (114.02) feet;

NORTHWESTERLY by land now or formerly of Fallon One Hundred Twenty and 33/100 (120.33) feet; and

SOUTHWESTERLY by land now or formerly of Fallon One Hundred and 00/100 (100.00) feet.

PARCEL II

The lot shown as Lot A on "Plan of Land, Boston, Massachusetts (Hyde Park District), March 25, 1952, being a Revision of a plan by H. M. Fletcher dated February 11, 1950, M. A. Chisholm, Civil Engineer," being bounded and described as follows:

SOUTHEASTERLY by River Street One Hundred Ten and 00/100 (110.00) feet;

SOUTHWESTERLY by Lot B on the above-mentioned plan One Hundred and 00/100 (100.00) feet;

SOUTHEASTERLY by said Lot B and by land now or formerly of George T. Nedder Three Hundred Sixty-Nine and 20/100 (369.20) feet;

SOUTHWESTERLY by land now or formerly of the City of Boston by two lines measured together Two Hundred Eighty-Six and 62/100 (286.62) feet;

NORTHWESTERLY by land now or formerly of the City of Boston and by land now or formerly of N. G. & I. Granelis Five Hundred Three and 79/100 (503.79) feet;

NORTHEASTERLY by land now or formerly of said N. G. & I. Granelis by Hillside Street and by land now or formerly of the City of Boston Three Hundred Two and 38/100 (302.38) feet;

SOUTHEASTERLY by land now or formerly of J. & M. Abdallah One Hundred Twenty and 33/100 (120.33) feet; and

NORTHEASTERLY by land now or formerly of J. & M. Abdallah One Hundred and 00/100 (100.00) feet.

PARCEL III

The lot shown as Lot B on the plan hereinbefore referred to as to Parcel II hereunder, being bounded and described as follows:

SOUTHEASTERLY by a curved line as shown on said plan by River Street in three (3) dimensions, Seventy-One and 19/100 (71.19), One Hundred Twelve and 11/100 (112.11), Nine and 96/100 (9.96) feet, respectively;

SOUTHWESTERLY by land now or formerly of George T. Nedder as shown on said plan One Hundred Eight and 00/100 (108.00) feet, more or less; and

NORTHWESTERLY by Lot A as shown on said plan Two Hundred Nineteen and 20/100 (219.20) feet.

NORTHEASTERLY by Lot A again as shown on said plan, one hundred (100) feet.

PARCEL IV

BEGINNING at a point in the northerly line of River Street (50 feet wide) at the southwesterly corner of land now or formerly of Community Planning & Development Associates, Inc., which point is 9.96 feet westerly from a point of curvature in the northerly line of said River Street and approximately 700 feet westerly from Church Street and thence (1) running South 73 degrees 56 minutes 44 seconds West bounding southerly on said River Street 150 feet to a point at the southeasterly corner of land now or formerly of City of Boston, known as "Factory Hill Playground", which point is also the easterly corner of land now or formerly of Commonwealth of Massachusetts, known as

"Stony Brook Reservation"; thence (2) running North 44 degrees 14 minutes 16 seconds West bounding southwesterly on said land now or formerly of City of Boston 110.28 feet to a point at land now or formerly of said Community Planning & Development Associates, Inc.; thence (3) running North 73 degrees 56 minutes 44 seconds East bounding northerly on said land now or formerly of Community Planning & Development Associates, Inc., 150 feet to a point; thence (4) running South 44 degrees 14 minutes 16 seconds East bounding northeasterly on said land now or formerly of Community Planning & Development Associates, Inc., 110.28 feet to a point in the northerly line of said River Street, the place of beginning.

SECTION 2. Said commission may make application on behalf of the commonwealth for and use such federal funds or assistance, or both, as may be available for the planning and development of said area.

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

Approved November 16, 1971.

Chap. 1107. 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 seven hundred and nineteen of the acts of the current year, for the fiscal year ending June the thirtieth, nineteen hundred and seventy-two, 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.

Department of Natural Resources.

Division of Law Enforcement.

Item		
1020-0300	Hunter Safety training program	**$49,473**
	Inland Fisheries and Game Fund . 100.0%	

Department of Youth Services.

Bureau of After-care, Delinquency Prevention and Community Services.

1740-1000	For the commonwealth's share of delinquency prevention programs in certain cities and towns; provided that expenditures from this item shall be contingent upon the prior approval of the programs by the commissioner of administration and shall be expended with at least an equivalent amount of city or town or private funds for the purpose of this item; and, provided further, that no expenditure or commitment made pursuant to this item shall be incurred in excess of available funds which have been appropriated therefor in the current fiscal year	**$70,000**

Department of Mental Health.

Item		
5013–0000	For the office of the division of drug rehabilitation, including not more than seventeen permanent positions	**$450,000**

Region Three.

5363–0000	For the purchase of psychiatric services at the Waltham hospital	**$75,000**

Region Seven.

5721–0000	Item 5721–0000 of section two of chapter seven hundred and nineteen of the acts of the current year, as amended by chapter one thousand and two of the acts of the current year, is hereby further amended by striking out the word "two" and inserting in place thereof the word: — four	**$14,824**

Board of Education.

Division of Curriculum and Instruction.

7032–1001 }
7031–1001 } From the unexpended balance remaining in item 7032–1001 of section two of chapter seven hundred and nineteen of the acts of the current year, the sum of thirty thousand dollars is hereby transferred and made available for the purposes of the following item: —

7031–1001 For certain expenses of a health education program.

Southeastern Massachusetts University.

7310–0000	Item 7310–0000 of section two of chapter seven hundred and nineteen of the acts of the current year is hereby amended by striking out the word "thirty-five" and inserting in place thereof the word: — thirty-six.	

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

Approved November 16, 1971.

Chap. 1108. AN ACT RELATIVE TO THE SITE SELECTION OF THE JOHN A. RYDER SPORTS ARENA BY THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 724 of the acts of 1970 is hereby amended by striking out section 6 and inserting in place thereof the following section: —

Section 6. A public hearing shall be held by said commission on the question of site selection, and thereafter the final decision as to site selection shall be made by said commission. Upon selection of the site, said commission is authorized and directed to include an ice hockey forum within the John A. Ryder Sports Arena.

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

Approved November 16, 1971.

Chap. 1109. AN ACT AUTHORIZING MEMBERS OF THE CENTRAL BERKSHIRE REGIONAL SCHOOL DISTRICT SCHOOL COMMITTEE TO BE ELECTED AT LARGE AND VALIDATING CERTAIN PROCEEDINGS TAKEN IN SAID DISTRICT AND IN THE MEMBER TOWNS OF BECKET, CUMMINGTON, DALTON, HINSDALE, PERU, WASHINGTON AND WINDSOR.

Be it enacted, etc., as follows:

SECTION 1. Central Berkshire Regional School District consisting of the member towns of Becket, Cummington, Dalton, Hinsdale, Peru, Washington and Windsor may by amendment to its regional school district agreement provide that members of the regional district School Committee may be elected at large from the district at an annual district election called by said district. Said amendment may further provide for the duties to be performed by the clerks, registrars of voters and other officials of said member towns with respect to the annual district election, which duties may be the same as, or similar to, the duties performed for town elections.

SECTION 2. The amendment entitled "Amendment Number Two to the Central Berkshire Regional District School Agreement" providing for the nomination and election of members of the regional district school committee at large from the district is hereby validated.

SECTION 3. The proceedings taken at town meetings held in the town of Becket on June 9, 1971, town of Cummington on July 6, 1971, town of Dalton on June 3, 1971, town of Hinsdale on June 30, 1971, town of Peru on June 5, 1971, town of Washington on June 5, 1971 and town of Windsor on June 7, 1971 at which said amendment was considered are hereby validated and confirmed to the same extent as though this act had been in full force and effect at the time of said proceedings.

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

Approved November 16, 1971.

Chap. 1110. AN ACT PROVIDING CERTAIN EXEMPTIONS FROM REAL ESTATE TAXES FOR VARIOUS CATEGORIES OF INDIVIDUALS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out Clause Seventeenth, as most recently amended by chapter 270 of the acts of 1970, and inserting in place thereof the following clause: —

Clause Seventeenth. Real estate, to the value of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, of a widow, or of any minor whose father is deceased, occupied by such widow, or minor as her or his domicile, or a person or persons over the age of seventy who has owned and occupied it as a domicile for not less than ten years; provided, that the whole estate, real and personal, of such widow, person or minor does not exceed in value the sum of fourteen thousand dollars, exclusive of property otherwise exempt under the twelfth, twentieth and twenty-first clauses of this section and ex-

clusive of the value of the mortgage interest held by persons other than the person or persons to be exempted in such mortgaged real estate as may be included in such whole estate. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to such widow, person or minor to evade taxation. A widow, person or minor aggrieved by any such judgement may appeal to the county commissioners or to the appellate tax board within the time and in such manner allowed by section sixty-four or sixty-five, as the case may be. Where the whole estate, real and personal, of such widow, person or minor exceeds in value the sum of eight thousand dollars, exclusive of property otherwise exempt as aforesaid and exclusive of the value of the mortgage interest as aforesaid, this exemption shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected. Any exemption under this clause, to the value of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due may be apportioned among the persons whose title to the real estate was acquired under the provisions of section three of chapter one hundred and ninety and who qualify for an exemption under this clause.

SECTION 2. Clause Twenty-second of said section 5 of said chapter 59 is hereby further amended by striking out the first paragraph, as appearing in section 1 of chapter 359 of the acts of 1966, and inserting in place thereof the following paragraph: —

Real estate of the following classes of persons who are legal residents of the commonwealth and who are veterans, as defined in clause forty-three of section seven of chapter four, and whose last discharge or release from the armed forces was under other than dishonorable conditions and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemptions under this clause, hereinafter referred in this clause as soldiers and sailors, provided such real estate is occupied in whole or in part as his domicile by such person; and provided, further, that if the spouse of the soldier or sailor is also a soldier or sailor each shall receive the amount of exemption provided in this clause to the same extent as if unmarried, to the amount of two thousand dollars or the sum of one hundred seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due. No real estate shall be so exempt which the assessors shall adjudge has been conveyed to a soldier or sailor or to his wife, widow, father or mother to evade taxation.

SECTION 3. Said clause Twenty-second of said section 5 of said chapter 59 is hereby further amended by striking out paragraph (*e*), as appearing in section 1 of chapter 666 of the acts of 1962, and inserting in place thereof the following paragraph: —

(*e*) Fathers and mothers of soldiers or sailors who lost their lives in such wartime service, provided that only two thousand dollars or the sum of one hundred and seventy-five dollars, whichever wou d result in an abatement of the greater amount of actual taxes due, of the real estate of any such father or mother held jointly by them shall be exempted; provided, further, that the words "father and mother", as

appearing in this paragraph, shall be construed to include natural fathers and mothers and fathers and mothers by adoption and persons who stood in loco parentis to such soldiers and sailors.

SECTION 4. Said clause Twenty-second of said section 5 of said chapter 59 is hereby further amended by striking out paragraph (*f*), as most recently amended by section 2 of chapter 292 of the acts of 1969, and inserting in place thereof the following paragraph: —

(*f*) Widows of soldiers or sailors who served in the armed forces of the United States between April the sixth, nineteen hundred and seventeen and November the eleventh, nineteen hundred and eighteen, or who were awarded the World War I Victory Medal; provided such widows have remained unmarried and have resided in the commonwealth for five consecutive years next prior to the date of filing for exemption under this section; and provided, further, that the whole estate, real and personal, of such widow does not exceed in value the sum of ten thousand dollars, exclusive of the value of the mortgage interest held by persons other than such widow in such mortgaged real estate as may be included in such whole estate. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this paragraph will 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 5. Said section 5 of said chapter 59 is hereby further amended by striking out clause Twenty-second A, as most recently amended by section 2 of chapter 359 of the acts of 1966, and inserting in place thereof the following clause: —

Twenty-second A, Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth and who are veterans, as defined in clause forty-three of section seven of chapter four, and whose last discharge or release from the armed forces was under other than dishonorable conditions, and who were domiciled in Massachusetts for at least six months prior to entering such service or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this clause, who according to the records of the Veterans Administration or of any branch of the armed forces of the United States by reason of injury received or disease contracted while in such wartime service and in the line of duty, lost or have suffered permanent loss of use of one foot at or above the ankle or lost or have suffered permanent loss of use of one hand at or above the wrist, or who according to the records of the Veterans Administration by reason of injury received or disease contracted while in such service is receiving a statutory award from the Veterans Administration for such loss or loss of sight of one eye, or who have been awarded the congressional medal of honor, the distinguished service cross, the navy cross or the air force cross, to the amount of four thousand dollars or the sum of three hundred and fifty dollars whichever would result in an abatement of the greater amount, of actual taxes due, in the case of each person, provided that such real estate is occupied as his domicile by such person; and provided, further, that if said property be greater than a single family house, then only that value of so much of said house as is occupied by said person as his domicile or a proportionate part of three hundred and fifty dollars, whichever would result in an abatement

of the greater amount of actual taxes due, shall be exempted. After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been granted.

Two thousand dollars of this exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable, shall be borne by the city or town; the balance, up to two thousand dollars of exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 6. Said section 5 of said chapter 59 is hereby further amended by striking out clause Twenty-second B, as most recently amended by section 3 of said chapter 292 of the acts of 1969, and inserting in place thereof the following clause: —

Twenty-second B, Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth and who are veterans, as defined in clause forty-three of section seven of chapter four, and whose last discharge or release from the armed forces was under other than dishonorable conditions, and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for five consecutive years next prior to the date of filing for exemption under this clause, who according to the records of the Veterans Administration or of any branch of the armed forces by reason of such wartime service in the armed forces of the United States have suffered in the line of duty the loss or permanent loss of use of both feet at or above the ankle, or loss or permanent loss of use of both hands at or above the wrist or loss or permanent loss of use of one foot at or above the ankle and one hand at or above the wrist, or the loss of sight of both eyes as prescribed and certified by the Veterans Administration to the amount of eight thousand dollars or the sum of seven hundred dollars, whichever would result in an abatement of the greater amount of actual taxes due, provided, that such real estate is occupied as his domicile by such person; and provided, further, that if said property be greater than a single family house then only that value of so much of said house as is occupied by said person as his domicile or a proportionate part of seven hundred dollars whichever would result in an abatement of the greater amount of actual taxes due, shall be exempted.

After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

Two thousand dollars of this exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable, shall be borne by the city or town; the balance up to six thousand dollars of exemption or up to the sum of five hundred and twenty-five dollars, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 7. Said section 5 of said chapter 59 is hereby amended by striking out clause Twenty-second C, as amended by section 4 of chapter 292 of the acts of 1969, and inserting in place thereof the following clause: —

Twenty-second C, Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth who are veterans, as defined in clause forty-three of section seven of chapter four, and whose last discharge or release from the armed forces was under other than dishonorable conditions, and who were domiciled in Massachusetts for at least six months prior to entering such service, or who have resided in the commonwealth for five consecutive years next prior to date of filing for exemption under this clause, and who according to the records of the Veterans Administration by reason of such wartime service in the armed forces of the United States have suffered in the line of duty permanent and total disability, and who by reason of such disability have received assistance in acquiring "specially adapted housing" under laws administered by the Veterans Administration to the amount of ten thousand dollars or the sum of eight hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due; provided, that such real estate is occupied as his domicile by such person; and provided, further, that if said property be greater than a single family house then only that value of so much of said house as is occupied by said person as his domicile or a proportionate part of eight hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due, shall be exempted.

After the assessors have allowed an exemption under this clause, no further evidence of the existence of the facts required by this clause shall be required in any subsequent year in the city or town in which the exemption has been so allowed.

Two thousand dollars of this exemption or up to the sum of one hundred and seventy-five dollars, whichever basis is applicable, shall be borne by the city or town; the balance up to eight thousand dollars of exemption or up to the sum of seven hundred dollars, whichever basis is applicable, shall be borne by the commonwealth; and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected on account of this balance.

SECTION 8. Said section 5 of said chapter 59 is hereby further amended by striking out clause Twenty-second D, as inserted by chapter 881 of the acts of 1965, and inserting in place thereof the following clause: —

Twenty-second D, Real estate to the amount of two thousand dollars or the sum of one hundred and seventy-five dollars, whichever would result in an abatement of the greater amount of actual taxes due of the widows of soldiers or sailors who lost their lives in combat as members of the armed forces of the United States in military action at the islands of Quemoy and Matsu in the Pacific Ocean; provided, such widow has remained unmarried and has been domiciled in the commonwealth for five consecutive years next prior to the date for filing for exemption under this clause; and provided, further, that said real estate is occupied by such widow as her domicile. No real estate shall be so exempt which has been conveyed to such widow to evade taxation. The amount

of the exemption shall be borne by the commonwealth, and the state treasurer shall annually reimburse the city or town for the amount of the tax which otherwise would have been collected for this exemption.

SECTION 9. Said section 5 of said chapter 59 is hereby further amended by striking out clause Forty-second, as most recently amended by section 1 of chapter 267 of the acts of 1965, and inserting in place thereof the following clause: —

Forty-second, Real estate of the widow until she remarries, of a police officer or firefighter, killed in the line of duty as such police officer or firefighter to the amount of eight thousand dollars or the sum of seven hundred dollars; whichever would result in an abatement of the greater amount of actual taxes due; provided that such real estate is owned and occupied by her as her domicile; and provided, further, no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such widow to evade taxation.

SECTION 10. Said section 5 of said chapter 59 is hereby further amended by striking out clause Forty-third, as appearing in section 2 of chapter 267 of the acts of 1965, and inserting in place thereof the following clause: —

Forty-third, Real estate of the surviving minor children, including adopted children, of a police officer or firefighter killed in the line of duty as such police officer or firefighter, to the amount of eight thousand dollars or the sum of seven hundred dollars, whichever would result in an abatement of the greater amount of actual taxes due; provided that the mother of such children is deceased, that such real estate is owned and occupied by such children as their domicile; and provided, further, that no real estate shall be so exempt which the assessors shall adjudge has been conveyed to such children to evade taxation.

SECTION 11. This act shall apply to taxes levied for the year nineteen hundred and seventy-two and subsequent years.

Approved November 16, 1971.

Chap. 1111. AN ACT CORRECTING THE SALARY GRADE AND BENEFITS OF AN EMPLOYEE OF THE DEPARTMENT OF PUBLIC WELFARE.

Be it enacted, etc., as follows:

In order to promote the public good and to correct an existing inequity, Harold P. Hackett, an employee of the department of public welfare, shall, notwithstanding any contrary provision of law, be deemed to have been in Job Group 15 from July the first, nineteen hundred and sixty-eight to September the twenty-sixth, nineteen hundred and seventy, inclusive, for any of the purposes contained in chapters thirty, thirty-one and thirty-two of the General Laws; provided, however, that he shall first pay into the retirement system the amount which he would have paid into said system had he received the salary of said Job Group 15 from July the first, nineteen hundred and sixty-eight to September the twenty-sixth, nineteen hundred and seventy, inclusive, and provided, further, that he shall waive any claim that he may have to the difference in compensation between the classification position of Job Group 14 and the classification position of Job Group 15 to which he would have been entitled for said period.

Approved November 16, 1971.

Chap. 1112. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY TO BORROW MONEY TO CONSTRUCT AND EQUIP A BUILDING AND FACILITIES FOR THE COURTS AND VARIOUS DEPARTMENTS OF THE COUNTY AND FOR THE RENOVATION AND REEQUIPPING OF THE EXISTING SUPERIOR COURT BUILDING.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing new and adequate accommodations and facilities for the superior court, the district court of Springfield, the probate court, the registry of deeds, the registry of probate and various county departments, the county commissioners of Hampden county are hereby authorized to construct a building for said purposes and shall furnish and equip the same on land of said county, which land lies within the boundaries of State street, East Columbus avenue, Elm street and Court House place, in the city of Springfield and on additional land to be acquired by the county, which said land is bounded by Elm street, East Columbus avenue, State street and Court House place in said city of Springfield.

Said building shall contain court rooms and facilities for the superior court, the district court of Springfield and the probate court, shall house the offices of the clerk of courts, the register of probate, the register of deeds, 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 and other county offices and departments.

Said county commissioners are hereby authorized to demolish existing buildings, the hall of records and the so-called 52 State Street Building, for the purpose of erecting court house facilities and underground parking areas. The hall of records shall not be demolished until new facilities are constructed.

SECTION 2. Said county commissioners are hereby further authorized to renovate the existing superior court house building and to reequip and refurnish the same for the use of the juvenile court of Springfield or other county purposes.

SECTION 3. For the purposes authorized in sections one and two, the treasurer of Hampden county, with the approval of the county commissioners, may borrow from time to time on the credit of the county such sums as may be necessary, not exceeding, in the aggregate, fifteen million dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Hampden County Court House Building Loan, Act of 1971. Each authorized issue shall constitute a separate loan and such loans shall be payable not more than thirty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell 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 November 16, 1971.*

Chap. 1113. AN ACT FURTHER REGULATING THE AWARD OF CONTRACTS FOR BUILDING CONSTRUCTION BY COUNTY COMMISSIONERS AND PROVIDING FOR THE SUPERVISION OF SUCH CONSTRUCTION BY THE DIRECTOR OF BUILDING CONSTRUCTION.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 22 of chapter 6A of the General Laws, as appearing in section 3 of chapter 704 of the acts of 1969, is hereby amended by inserting after the word "commonwealth", in line 6, the words: — or by any county.

SECTION 2. The second paragraph of said section 22 of said chapter 6A, as so appearing, is hereby amended by inserting after the word "agency", in line 2, the words: — or county.

SECTION 3. The first paragraph of section 24 of said chapter 6A, as so appearing, is hereby amended by inserting after the word "and", in line 3, the words: — in the case of a project undertaken on behalf of the commonwealth.

SECTION 4. The third paragraph of said section 24 of said chapter 6A, as so appearing, is hereby amended by inserting after the word "contract", in line 11, the words: — on behalf of the commonwealth.

Approved November 16, 1971.

Chap. 1114. AN ACT RELATIVE TO STATE AIDED PUBLIC HOUSING AND PROVIDING FOR AN INCREASE IN THE BONDING AUTHORIZATION FOR THE ELDERLY HOUSING PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. Section 32 of chapter 121B of the General Laws, as appearing in section 1 of chapter 751 of the acts of 1969, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

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 decent, safe and sanitary dwelling accommodations at the lowest possible cost, and that no housing authority shall manage and 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 so that no tenant is required to pay a rental of more than twenty-five per cent of his income if heat, cooking fuel and electricity are provided by the authority or twenty per cent of his income if said utilities are not so provided. Any deficiency in the budget of a housing authority caused by such reduced rental shall be reimbursed by the commonwealth and paid to the housing authority in an amount equal to the difference between the tenant's rent and the prorated cost of operating that unit. The prorated cost of operations shall be computed on the basis of the operating budget of the housing authority as approved by the department with provisions for a full operating reserve. Said rentals together with all other available moneys, revenues, income and receipts of the authority, from whatever sources

derived, and together with the requisite annual contribution, 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.

SECTION 2. The first paragraph of subdivision (b) of section 34 of said chapter 121B, as appearing in section 2 of chapter 359 of the acts of 1970, is hereby amended by striking out, in lines 5 and 6, the words "five million six hundred and twenty-five thousand" and inserting in place thereof the words: — thirteen million five hundred thousand.

SECTION 3. The second paragraph of said subdivision (*b*) of said section 34 of said chapter 121B, as so appearing, is hereby amended by striking out, in line 5, the words "two and one half" and inserting in place thereof the word: — six.

SECTION 4. Said subdivision (*b*) of said section 34 of said chapter 121B, as so appearing, is hereby further amended by striking out the third, fourth and fifth paragraphs and inserting in place thereof the following two paragraphs: —

In addition to the provisions set forth in the preceding two paragraphs which shall apply to projects completed on or before July the 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 two million two hundred and fifty 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 six 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 the first, nineteen hundred and sixty-six.

SECTION 5. The first paragraph of section 41 of said chapter 121B, as appearing in section 5 of said chapter 359, is hereby amended by striking out, in line 9, the words "two hundred and sixty" and inserting in place thereof the words: — four hundred and ten, — and by striking out, in lines 13 and 14, the words "six million five hundred thousand" and inserting in place thereof the words: — twenty-four million six hundred thousand.

SECTION 6. Said section 41 of said chapter 121B, as so appearing, is hereby amended by striking out the second paragraph.

SECTION 7. Section 43 of said chapter 121B is hereby amended by adding the following sentence: — The department may contract with the authority to pay annual contributions under this section.

SECTION 8. Section 44 of said chapter 121B is hereby amended by striking out clause (b) and inserting in place thereof the following clause: —

(b) rentals payable by selected tenant families or persons shall not exceed twenty-five per cent of the income of the household, not including any student income, if heat, cooking fuel and electricity are provided by the landlord or twenty per cent of that income if said utilities are not so provided.

SECTION 9. Section four of chapter seven hundred and seven of the acts of nineteen hundred and sixty-six is hereby repealed.

SECTION 10. Notwithstanding the provisions of the second paragraph of subdivision (b) of section thirty-four of chapter one hundred and twenty-one B of the General Laws, the annual contribution for any one project shall be payable in an amount not exceeding six per cent of the cost of the project, as determined by the department of community affairs under the provisions of said subdivision (*b*).

Approved November 16, 1971.

Chap. 1115. AN ACT PROVIDING FOR PARTIAL REIMBURSEMENT BY THE COMMONWEALTH TO CITIES AND TOWNS WHICH PARTICIPATE IN EDUCATIONAL TELEVISION PROGRAMS.

Be it enacted, etc., as follows:

Section 13F of chapter 71 of the General Laws, as appearing in section 1 of chapter 567 of the acts of 1960, is hereby amended by inserting after the second sentence the following two sentences: — The state treasurer shall annually, on or before November the twentieth, reimburse each city or town which has shared the cost of such programs, as evidenced by the written agreement of each such city or town with the executive committee for educational television, a sum equal to fifty

per cent of the total share paid by such city or town for the then current fiscal year. Said reimbursement shall be subject to appropriation and shall not exceed a total reimbursement to the several such cities or towns of more than two hundred and fifty thousand dollars.

Approved November 16, 1971.

Chap. 1116. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO CONTROL AND MAINTAIN CERTAIN PLAYGROUNDS AND HIGHWAYS IN THE CITY OF BOSTON AND THE TOWN OF MILTON AND DESIGNATING THE SMITH POND PLAYGROUND AS THE EDMUND A. CONNELL FIELD.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized and directed to take over the control and maintenance, by transfer, deed, gift or, wherever necessary, by eminent domain, under the provisions of chapter seventy-nine of the General Laws, of the following described parcels of land and highways in the city of Boston and the town of Milton and to maintain said lands and highways for their respective purposes: —

(1) That portion of the Truman highway located partly in the town of Milton and partly in the Hyde Park district of the city of Boston beginning at the Neponset Valley parkway in said city and continuing into the town of Milton to Brush Hill road and then to the Blue Hills parkway in said town;

(2) A certain parcel of land under the control of the division of youth service, located in the Roslindale district of the city of Boston, bounded on the north by Canterbury street, on the east by Morton street, on the south by American Legion highway, and on the west by land transferred to the control of the youth service board by section two of chapter five hundred and eighty-two of the acts of nineteen hundred and fifty-three;

(3) The Factory Hill playground in the Hyde Park district of the city of Boston located on River street and containing 213,250 square feet of land, more or less;

(4) The Smith Pond playground located in said Hyde Park district of the city of Boston and being shown on a plan of land of the metropolitan district commission parks division entitled "Stony Brook Reservation Boston", being bounded and described as follows: —

Beginning at a point on the easterly line of Turtle Pond Parkway at land now or formerly of the Commonwealth of Massachusetts, thence running in a general northerly direction along said easterly line of Turtle Pond Parkway 1030 feet more or less to the intersection of Bold Knob Road; thence turning and running in a general southeasterly direction along the southerly line of said Bold Knob Road a distance of 600 feet more or less to a point; thence turning and running in a more southeasterly direction 90 feet to a point thence turning and running N 34° 34′ 14″ E 65 feet to a point; thence turning and running S 51° 10′ 41″ E 462 feet to a point; thence turning and running S 34° 15′ 19″ W 175 feet to a stone bound; thence running along a radius of 20 feet to a stone bound on Cleveland Street; thence turning and running N 55° 38′ 41″ W 59.97 feet to a stone bound on Brainard Street;

thence turning and running S 34° 17′ 13″ W 435 feet along the said Brainard Street to a point; thence turning and running N 55° 42′ 47″ W 190 feet to a point; thence turning and running S 34° 17′ 13″ W 145 feet to a point; thence turning and running N 66° 43′ 00″ W 335 feet more or less to the point of beginning, containing 564,973 square feet more or less. Upon the acquisition of said parcel of land by said commission, said Smith Pond playground shall be designated and known as the Edmund A. Connell field. *Approved November 16, 1971.*

Chap. 1117. AN ACT INCREASING THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS AND ESTABLISHING THEIR SALARIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out section 14, as most recently amended by section 1 of chapter 880 of the acts of 1967, and inserting in place thereof the following section: —

Section 14. District attorneys of the following districts may appoint the following officers, as herein specified, and may at their pleasure remove them: —

For the Suffolk district, thirty-three assistant district attorneys.
For the northern district, fifteen assistant district attorneys.
For the middle district, twelve assistant district attorneys.
For the eastern district, nine assistant district attorneys.
For the Norfolk district, nine assistant district attorneys.
For the western district, eight assistant district attorneys.
For the southern district, eight assistant district attorneys.
For the Plymouth district, seven assistant district attorneys.
For the northwestern district, five assistant district attorneys.

SECTION 2. Said chapter 12 is hereby further amended by striking out section 16, as most recently amended by section 2 of chapter 769 of the acts of 1969, 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; eight 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, three assistants, 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; three assistants, nine thousand five hundred dollars; and five assistants, eight thousand five hundred dollars.

For the middle district, one assistant, ten thousand five hundred dollars; five assistants, nine thousand five hundred dollars; and six assistants, eight thousand five hundred dollars.

For the Norfolk district, one assistant, ten thousand five hundred dollars; four assistants, nine thousand five hundred dollars; and four assistants, eight thousand five hundred dollars.

For the Plymouth district, one assistant, ten thousand five hundred dollars; three assistants, nine thousand five hundred dollars; and three assistants, eight thousand five hundred dollars.

For the southern district, one assistant, ten thousand five hundred dollars; three assistants, nine thousand five hundred dollars; and four assistants, eight thousand five hundred dollars.

For the western district, one assistant, ten thousand five hundred dollars; five assistants, nine thousand five hundred dollars; and two assistants, eight thousand five hundred dollars.

For the northwestern district, five assistants, seven thousand dollars.

Approved November 22, 1971.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, November 22, 1971

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 1117 of the Acts of 1971, entitled, "AN ACT INCREASING THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS AND ESTABLISHING THEIR SALARIES." and the enactment of which received my approval on November 22, 1971, 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 order that the administration of justice may be immediately improved by the appointment of persons to fill the positions authorized by this Act.

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

OFFICE OF THE SECRETARY, BOSTON, November 23, 1971.

I, John F. X. Davoren, Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachusetts at two o'clock and 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 one thousand one hundred and seventeen of the acts of nineteen hundred and seventy-one.

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

RESOLVES.

Chap. 1. 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, seventy of the resolves of nineteen hundred and sixty-three, sixty-five and one hundred and forty-three of the resolves of nineteen hundred and sixty-five, one hundred and twenty-six, one hundred and sixty-two and one hundred and sixty-four of the resolves of nineteen hundred and sixty-seven, ninety-seven of the resolves of nineteen hundred and sixty-eight, fifty-seven, sixty-one, sixty-two, seventy-seven, ninety-six and ninety-seven of the resolves of nineteen hundred and sixty-nine, nineteen, forty-nine, fifty-one, fifty-seven and seventy-one of the resolves of nineteen hundred and seventy are hereby revived and continued. *Approved February 4, 1971.*

Chap. 2. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR SPECIAL ADJUDICATION OF YOUTHFUL OFFENDERS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 1346, relative to providing for special adjudication of youthful offenders, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved February 17, 1971.

Chap. 3. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR UNIFORM PROVISIONS OF LAW CONCERNING PERSONS DISPLACED FROM THEIR HOMES, BUSINESSES OR FARMS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 279, providing for uniform provisions of law concerning persons displaced from their homes, businesses or farms, 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 26, 1971.*

Chap. 4. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE SUSPENSION OF LICENSES AND CERTIFICATES OF REGISTRATION OF MOTOR VEHICLES UNDER CERTAIN CIRCUMSTANCES WHEN JUDGMENT FOR PROPERTY DAMAGE AGAINST SUCH LICENSEES OR REGISTRANTS ARE NOT SATISFIED.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 809, relative to providing for the suspension of licenses and certificates of registration of motor vehicles under certain circumstances when judgment for property damage against such licensees or registrants are not satisfied, 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 8, 1971.

Chap. 5. RESOLVE PROVIDING THAT THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY OF THE OPERATION OF AND CONDITIONS AT BELCHERTOWN STATE SCHOOL AND MONSON STATE HOSPITAL MAY REPORT FROM TIME TO TIME.

Resolved, That the special commission established by chapter nineteen of the resolves of nineteen hundred and seventy and revived and continued by chapter one of the resolves of nineteen hundred and seventy-one may report from time to time. *Approved April 8, 1971.*

Chap. 6. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING COUNSEL TO BE PRESENT AT GRAND JURY PROCEEDINGS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 671, relative to authorizing counsel to be present at grand jury proceedings, 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 29, 1971.

Chap. 7. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO GIVING CONCURRENT JURISDICTION TO THE PROBATE COURTS WITH DISTRICT COURTS FOR THE CARE AND PROTECTION OF CERTAIN CHILDREN.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4211, relative to giving concurrent jurisdiction to the probate courts with district courts for the care and protection of certain children, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 6, 1971.

Chap. 8. 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 2648, relative to limiting the remarriage of divorced parties, 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 6, 1971.*

Chap. 9. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REQUIRING PRETRIAL CONFERENCES AND ESTABLISHING DEFENSE OF INABILITY TO PAY IN CONNECTION WITH COMPLAINTS OF NONSUPPORT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2239, relative to requiring pretrial conferences and establishing defense of inability to pay in connection with complaints of nonsupport, 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 6, 1971.

Chap. 10. RESOLVE REVIVING AND CONTINUING AND INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE AWARDING OF CONTRACTS FOR CONSTRUCTION AND MATERIALS BY COUNTIES, CITIES, TOWNS AND DISTRICTS.

Resolved, That the special commission established by chapter eighty-eight of the resolves of nineteen hundred and sixty-five and most recently revived and continued under the provisions of chapter three of the resolves of nineteen hundred and seventy is hereby further revived and continued. Said commission may file reports from time to time. The membership of said commission is hereby increased by one person to be appointed by the governor. Said person shall not be a general contractor, a subcontractor or a licensed architect.

Approved May 13, 1971.

Chap. 11. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING COMPLIANCE WITH A TESTATOR'S EXPRESSED DESIRE AS TO REPRESENTATION OF INTERESTS OF CERTAIN PERSONS IN PROBATE ACCOUNTS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 702, relative to permitting compliance with a testator's expressed desire as to representation of interests of certain persons in probate accounts, 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 13, 1971.

Chap. 12. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE ECONOMIC CONDITIONS OF THE COMMUNITIES LOCATED IN THE BLACKSTONE VALLEY AREA.

Resolved, That a special commission, to consist of four members of the senate, six members of the house of representatives, and nine persons to be appointed by the governor, one of whom shall reside in the town of Sutton, one in the town of Northbridge, one in the town of Douglas, one in the town of Uxbridge, one in the town of Millville, one in the town of Blackstone, one in the town of Mendon, and one in the town of Hopedale, is hereby established for the purpose of making an investigation and study of the economic conditions of the communities located in the Blackstone valley area, the economic conditions which directly affect such area and such other matters relative thereto which said commission deems relevant and proper.

Approved May 27, 1971.

Chap. 13. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE LIMITATION OF CERTAIN ACTIONS AND THE SATISFACTION OF JUDGMENTS IN SAID ACTIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2652, relative to the limitation of certain actions and the satisfaction of judgment in said actions, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 27, 1971.*

Chap. 14. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR PARTIAL SUSPENSION OF EXECUTION OF CERTAIN SENTENCES IN THE SUPERIOR COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3630, relative to providing for partial suspension of execution of certain sentences in the superior 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 27, 1971.*

Chap. 15. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROPOSING STATUTE ON ALLOCATION OF COUNSEL FEES AND EXPENSES IN CIVIL CASES.

Resolved, That the judicial council be requested to investigate the subject matter of current senate documents numbered 640, relative to proposing statute on allocation of counsel fees and expenses in civil

cases, and 665, relative to proposing statute on allocation of counsel fees and expenses in civil cases, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 27, 1971.*

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING THAT CERTAIN MEDICAL AND HOSPITAL REPORTS SHALL BE ADMISSIBLE IN EVIDENCE IN TORT ACTIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4418, relative to providing that certain medical and hospital reports shall be admissible in evidence in tort actions, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved May 27, 1971.*

Chap. 17. RESOLVE IN FAVOR OF CIESLA BROS. INC.

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 Ciesla Bros. Inc. the sum of one thousand one hundred and forty-eight dollars and forty cents for services rendered and materials delivered to the department of natural resources, project number 448-64, during the year nineteen hundred and sixty-five. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by Ciesla Bros. Inc. that the amount, if any, paid or to be paid for legal services in connection with the passage of this resolve shall not exceed ten per cent of said sum. *Approved June 10, 1971.*

Chap. 18. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE DANGER OF POLLUTION OF GROUND WATER SUPPLIES AND DESTRUCTION OF THE ENVIRONMENT BY THE USE OF CHLORIDES OR OTHER CHEMICALS TO REMOVE ICE FROM PUBLIC WAYS.

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 commissioner of public health or his designee, the commissioner of natural resources or his designee, and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the danger of pollution of ground water supplies and destruction of the environment by the use of chlorides or other chemicals to remove ice from public ways and other related problems and the advisability of prohibiting such use in certain areas by regulations or other means.

Approved June 10, 1971.

Chap. 19. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITING BANKS, TRUST COMPANIES AND SIMILAR CORPORATIONS FROM ADVERTISING FOR OR SOLICITING FIDUCIARY BUSINESS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2968, relative to prohibiting banks, trust companies and similar corporations from advertising for or soliciting fiduciary business, 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, 1971.*

Chap. 20. RESOLVE REVIVING AND CONTINUING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE WORKMEN'S COMPENSATION LAW.

Resolved, That the special commission, established by chapter seventy-nine of the resolves of nineteen hundred and sixty-nine and revived and continued under the provisions of chapter three of the resolves of nineteen hundred and seventy, is hereby further revived and continued. Said commission may report from time to time but shall file its final report on or before June the thirtieth, nineteen hundred and seventy-two. *Approved June 21, 1971.*

Chap. 21. 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 CERTAIN OTHER MATTERS RELATED THERETO.

Resolved, That the special commission established by chapter ninety-seven of the resolves of nineteen hundred and sixty-eight, and most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 596, regulating the provision of insurance to certain employees and members of certain employers, trade unions, associations of wage workers and other associations; and 597, making permissible the group marketing of property and liability insurance; and of current house documents numbered 392, outlawing coordination of benefits and subrogation clauses in accident and health policies; 953, making permissible the group marking of property and liability insurance; 1142, increasing limits of liability under compulsory motor vehicle liability insurance law; 2831, regulating the provision of insurance to certain employees and members of certain employers, trade unions, associations of wage workers and other associations; 2833, increasing compulsory motor vehicle liability insurance limits and providing for compulsory property damage coverage; 3046, relating to the personal injury protection provisions of the

compulsory insurance law; and 4596, relative to increasing compulsory motor vehicle liability insurance coverage, extending such coverage to property damage and establishing an appeals bureau.

Approved June 25, 1971.

Chap. 22. 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, as most recently revived and continued under the provisions of chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 145, providing that officers acting under a search warrant for narcotic drugs may break into premises without notice under certain conditions; 146, authorizing police officers to arrest without a warrant persons in possession of harmful drugs; 203, further defining "narcotic drug" under the narcotic drugs law; 989, repealing the requirement that physicians and hospitals report chronic users of narcotic drugs to the public authorities; 992, requiring treatment and furnishing of services to drug dependent persons and drug addicts; 994, amending the laws relating to marijuana; 995, regulating the manufacture, sale, distribution, possession, use and research of drugs; of the investigation and study proposed by current senate document numbered 1020, relative to the narcotic drugs law, the selling and dispensing of narcotic drugs and compounds thereof by prescription, and the sale of certain narcotic preparations without prescription; of current senate document numbered 1022, providing that cannabis shall not be considered a narcotic drug and providing special punishment for its sale or possession; of the investigation and study proposed by current senate document numbered 1024, relative to the effects of marijuana; of current senate documents numbered 1025, categorizing drugs and providing for the director of the division of food and drugs of the department of public health to add to the categories; 1038, to legalize and control harmful and dangerous drugs; of the investigation and study proposed by current house document numbered 189, relative to abuses of prescription drugs; of current house documents numbered 233, relative to arrest without a warrant of persons found in unlawful possession of harmful drugs; 234, relative to presence where narcotic drugs are unlawfully kept and reducing the penalty therefor; 235, relative to the seizure, forfeiture and disposition of vehicles used in, for, or in connection with the unlawful possession or use of any narcotic drug; 580, to punish the importation of heroin; 649, further defining the crime of being present where a narcotic drug is illegally kept; 650, providing a mandatory jail sentence for the first offense of selling certain narcotic drugs; 828, further regulating the sale of narcotics; 836, increasing the penalty for the sale of heroin and other narcotic drugs and certain related crimes in certain cases involving

minors; 1057, authorizing cities and towns to pay for certain services for treatment and rehabilitation of drug users or addicts, with full reimbursement by the commonwealth; 1234, reimbursing cities and towns for one half the cost of maintaining drug centers; 1734, permitting the treatment of minors for drug addiction without parental consent; 1904, permitting an arrest without a warrant for violations of certain drug laws committed in the presence of an officer; 1905, amending the narcotic drug laws by repealing the crime of presence with respect to marijuana and giving the court the option to treat possession of marijuana or conspiracy to violate the marijuana laws as either a felony or a misdemeanor; 1906, amending the narcotic drug laws by distinguishing the crime of sale of marijuana from the crime of gift of marijuana in terms of the severity of punishment, and by eliminating all minimum penalties; 1907, increasing the penalties for the illegal sale, possession with intent to sell and manufacture of harmful drugs; 1908, increasing the penalties for the illegal manufacture of narcotic drugs; 1909, equating the penalties for the illegal possession of harmful and narcotic drugs; 1913, requiring that prison sentences be imposed upon persons convicted of operating motor vehicles while under the influence of narcotic drugs or intoxicating liquor and specifying the manner in which said sentence shall be served; 1963, repealing the section of the mental health law which designates the department of mental health as the sole agency responsible for the care and treatment of drug dependent persons; 1964, providing for the distribution of funds by the attorney general to the chiefs of police of the commonwealth of Massachusetts to assist in the investigation, arrest and prosecution of persons violating the narcotic and harmful drug laws; 1965, establishing an undercover narcotic agent training program and a system whereby said agents shall be used throughout the commonwealth; 2104, designating the department of mental health as the coordinating agency for community drug education program; 2116, authorizing the department of public health to establish clinics for the treatment of users of harmful drugs in Suffolk county; 2235, to create civil liability for the sale of narcotic or dangerous drugs; 2298, concerning the commitment of drug-dependent persons; 2301, authorizing the establishment in the town of Framingham of a treatment center for persons addicted to the use of narcotics by the department of public health; 2493, establishing a coordinating agency for drug prevention within Massachusetts; 2499, making certain changes in the drug laws; 2503, authorizing the division of drug rehabilitation to gather relevant statistical and other information concerning drug use in Massachusetts; of the investigation and study proposed by current house document numbered 2508, relative to marijuana and the control of same by licensure; of current house document numbered 2657, providing for the forfeiture of implements, including motor vehicles, used in illicit drug traffic; of the investigation and study proposed by the current house document numbered 2736, relative to abuse of prescription drugs; of current house documents numbered 2853, to offer a reward for information leading to the conviction of drug peddlers; 2909, clarifying the status of residents in psychiatry; 2912, equating the penalties for the illegal possession of harmful and narcotic drugs and further defining the

exemptions under the act; 2913, authorizing certain payments to private groups organized to reduce drug abuse; 3299, establishing an act to regulate and punish the abuse of controlled dangerous substances; of the investigation and study proposed by current house document numbered 3301, relative to providing for scientific research in the area of drug effects and drug abuse; of current house documents numbered 3302, concerning the illegal sale of narcotic or harmful drugs; 3303, concerning the illegal sale of narcotic or harmful drugs; 3304, concerning the illegal sale of narcotic or harmful drugs; 3921, repealing the law as to being present where marijuana is found and making possession of marijuana a misdemeanor; 4083, providing for the construction of an institution for the rehabilitation of narcotic addicts in Worcester county; 4090, requiring the commonwealth to reimburse cities and towns for one half the cost of maintaining drug programs; 4091, relative to the penalty for the crime of possession of cannabis; 4092, establishing funds for undercover narcotic purchases and payment to informers; 4093, establishing funds for undercover narcotic purchases and payment to informers; 4281, establishing a board of trustees for the Topsfield Drug Rehabilitation Center; 4286, providing for the forfeiture of conveyances used for the illegal transportation or sale of narcotic or harmful drugs; 4289, reducing the penalty for being present where narcotic drugs are unlawfully kept; 4293, authorizing the state treasurer to provide matching funds to cities and towns which operate a drug control program; 4411, authorizing searches in cases of selling narcotic drugs; 4493, prohibiting the manufacture, sale or use of certain hallucinogenic drugs; 4494, prohibiting the manufacture, sale or use of certain hallucinogenic drugs; 4497, permitting the use of heroin in the treatment of certain drug dependent persons; 4498, revising the laws relative to narcotic and harmful drugs in the commonwealth; 4612, relative to the treatment of drug addicts who are defendants in a criminal trial; 4679, authorizing the department of mental health to establish a drug facility at Taunton State Hospital; 4689, establishing penalties for simple possession of a narcotic drug conditional discharge and expunging of record for first offense; 4878, revising the laws relative to narcotic and harmful drugs; 4883, modifying the penalties for sale of harmful and narcotic drugs; 4884, relative to criminal penalties for the sale of narcotic drugs; and 4886, prohibiting the sale, use or possession of amphetamine drugs. *Approved June 25, 1971.*

Chap. 23. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE LABOR LAWS OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of labor and industries or his designee, the commissioner of commerce and development or his designee, the attorney general or his designee, and eight persons to be appointed by the governor, two of whom shall be employers, a majority of whose employees are women and who shall be representatives of the Associated Industries

of Massachusetts, two of whom shall be members of a major union representing women in retail merchandising, the needle trades, or manufacturing and who shall be representatives of the Massachusetts State Labor Council, AFL:CIO, one shall be a professional woman active in a women's rights organization, one shall have been a member of the special commission established to make an investigation and study of the status of women in employment and other areas and two shall be representative of the general public, is hereby established for the purpose of making an investigation and study relative to updating, clarifying and modernizing the state labor laws as contained in the General Laws. Said commission shall specifically, but without limiting the generality of the foregoing, investigate and study said laws limiting and regulating the employment of females in the commonwealth, determine the effect of such laws on the health, safety and welfare of the commonwealth and evaluate the implications of Title VII of the U. S. Civil Rights Act of 1964 as well as other federal laws and the Constitution of the United States on such laws. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of 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 in the current year, provided, however, the commission may file interim reports and recommendations from time to time. *Approved June 30, 1971.*

Chap. 24. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO ESTABLISHING A COLLECTIVE BARGAINING COMMISSION.

Resolved, That the special commission established by chapter ninety-seven of the resolves of nineteen hundred and sixty-nine and most recently revived and continued under the provisions of chapter one of the resolves of nineteen hundred and seventy-one shall, in the course of its investigation and study, consider recommendations for suitable staffing of the executive office for administration and finance and of whichever other departments and agencies of the commonwealth it finds needs such staffing to cope with the duties assigned to such departments and agencies under section one hundred and seventy-eight F of chapter one hundred and forty-nine of the General Laws, and the subject matter of current senate document numbered 954, providing that the employees of the commonwealth shall have the same collective bargaining rights as the employees of cities and towns; and of current house documents numbered 1024, relative to collective bargaining for state employees; 1377, relative to collective bargaining for certain employees of the commonwealth; 1601, relative to collective bargaining by employees of the commonwealth; 1760, relative to collective bargaining for state employees; 1800, providing for impartial fact finding in disputes between the commonwealth and employee organizations; 1801, providing that collective bargaining agreements covering employees of the commonwealth shall have the force of law;

4467, relative to collective bargaining by state employees; 4468, establishing a collective bargaining commission; 4481, providing that the findings of a fact finder appointed under the Compulsory Arbitration Law shall be binding on the commonwealth and the employee and requiring cities and towns to provide the funds necessary to implement collective bargaining agreements; and 4849, establishing the public employees disputes and grievance commission.

Approved June 30, 1971.

Chap. 25. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE STRUCTURE AND PREPAREDNESS OF THE MASSACHUSETTS NATIONAL GUARD AND THE EFFECT AN ALL VOLUNTEER ARMY WOULD HAVE ON THE SECURITY OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the adjutant general of Massachusetts or his designee, the commanding general of the Twenty-sixth Infantry Division of the Massachusetts Army National Guard or his designee, the commander, H. H. D. Augmentation of the Massachusetts Army National Guard or his designee and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the present structure and organization of the Massachusetts National Guard, its preparedness and ability to mobilize in times of emergency, and the effect an all volunteer army would have upon the security of citizens of the commonwealth. Said commission may travel without the commonwealth. Said commission may report from time to time to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, and shall file its final report with the clerk of the senate on or before the last Wednesday in December, nineteen hundred and seventy three. *Approved July 1, 1971.*

Chap. 26. RESOLVE DIRECTING THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE CONSUMERS' COUNCIL, ACTING JOINTLY, TO INSTITUTE A PROGRAM OF CONSUMER EDUCATION FOR THE ELDERLY.

Resolved, That the department of community affairs and the consumers' council, acting jointly, are hereby authorized and directed to institute a program of consumer education for the elderly.

Approved July 15, 1971.

Chap. 27. 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 July 15, 1971.*

Chap. 28. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ESTABLISHING A RIGHT OF PRIVACY.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 5691, relative to establishing a right of privacy, 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 15, 1971.*

Chap. 29. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE MOTOR VEHICLE INDUSTRY.

Resolved, That the special commission, established by chapter forty-nine of the resolves of nineteen hundred and seventy and revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 539, requiring auto repairmen to guarantee their work for thirty days; and of current house documents numbered 92, providing for the regulation and licensing of motor vehicle repair and service shops; 566, relative to establishing a board of registration of automotive mechanics; 1329, relative to establishing a bureau of retail automobile sales and automobile repairs within the consumers' council; 1890, providing for the regulation and licensing of motor vehicle repair and service shops; 2826, providing for the regulation and licensing of motor vehicle repair and service shops; of the investigation and study proposed by current house document numbered 3988, relative to the feasibility of establishing an ombudsman board to handle complaints relating to the sale of defective motor vehicles and the repair of motor vehicles; of current house documents numbered 3990, relative to establishing a board of registration of automotive mechanics; 4397, relative to establishing a board of registration of motor vehicle repair and service stations; and 4789, prohibiting dealers in secondhand motor vehicles or parts from selling, assigning or leaving by will a license to conduct such business.

Approved July 15, 1971.

Chap. 30. RESOLVE THAT PROVISION BE MADE FOR AN INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION OF THE PUBLIC WATER SUPPLY RESOURCES OF THE PARKER RIVER.

Resolved, That the water resources commission is hereby authorized and directed to make an investigation and study of the public water

supply resources of the Parker river. Said commission shall review all available information relative to the water resources of said river and the need to establish a program for the full protection and utilization of the Parker river watershed region in order to fill future water supply needs to various cities and towns within the county of Essex. Said commission may expend for the employment of engineers, geologists and other experts and assistants, and for other related expenses, such sums as may be appropriated therefor. Said commission may request the assistance of and may consult with any federal government agencies during the course of its investigation and study. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with plans showing possible water resource developments and estimates of cost, and drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate. Said commission shall file an interim report not later than the last Wednesday of January, nineteen hundred and seventy-two and its final report not later than the last Wednesday of June, nineteen hundred and seventy-two.

Approved July 21, 1971.

Chap. 31. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE IMPACT OF THE REGULATION BARRING OUTDOOR BURNING WITHIN THE COMMONWEALTH AS PROMULGATED BY THE PUBLIC HEALTH COUNCIL AND ANY OTHER RELATED MATTERS THERETO.

Resolved, That a special commission, to consist of two members of the senate, four members of the house of representatives, the commissioner of public health or his designee, the commissioner of natural resources or his designee, the commissioner of public works or his designee and two persons to be appointed by the governor, one of whom shall be a chairman of a board of selectmen and one of whom shall be a mayor or city manager, is hereby established for the purpose of making an investigation and study relative to the impact of the regulation barring outdoor burning within the commonwealth effective as of July the first, nineteen hundred and seventy as promulgated by the public health council, and any other related matters thereto.

Approved July 21, 1971.

Chap. 32. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE MODERNIZATION OF COUNTY GOVERNMENT.

Resolved, That the special commission, established by chapter fifty-seven of the resolves of nineteen hundred and sixty-nine and most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 374, providing immediate relief to the property taxpayers of the commonwealth by the state assumption of the costs of county government and by a more equitable distribution of state aid to cities and

towns; of the investigation and study proposed by current senate document numbered 385, relative to determining the feasibility of and to make recommendations relative to the creation of county charters; of current senate document numbered 392, providing for county charters and establishing home rule procedures for the adoption and revision of county charters; and of current house documents numbered 1491, creating county finance boards; 1493, providing the governor with an item veto over items or parts of items in the county budgets; 1494, placing certain county employees under the civil service law and rules; 1998, establishing in certain counties a county advisory board composed of municipal officials; of the investigation and study proposed by current house document numbered 2002, relative to the feasibility of reducing the number of counties and certain related matters; of current house documents numbered 2006, establishing finance commissions for certain counties; 2007, controlling county costs; of the investigation and study proposed by current house document numbered 2380, relative to the feasibility of establishing county finance committees with a view to greater control, information and fiscal responsibility of county expenditures and any other related matter; of current house documents numbered 2990, relative to the modernization of county government; 3378, placing certain county employees under the civil service law and rules; 3559, establishing in certain counties a county advisory board composed of municipal officials; 3956, placing certain county employees under the civil service law and rules; of the investigation and study proposed by current house document numbered 4156, relative to determining whether there are sufficient areas of public need to be met on a regional basis to justify redrawing county lines; of current house documents numbered 4161, organizing regional governments in Massachusetts; 4556, creating an advisory board in each county; 4758, placing all employees of a county under the protection of the civil service law; and 4763, establishing a finance committee in the county of Franklin. *Approved July 21, 1971.*

Chap. 33. RESOLVE CONTINUING AND INCREASING AN ANNUITY IN FAVOR OF THE WIDOW OF WALTER R. MCDONALD, A FORMER MEMBER OF THE STATE POLICE.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, and after an appropriation has been made therefor, there shall be allowed and paid out of the state treasury to Mary T. McDonald of Waltham, the widow of Walter R. McDonald, a former member of the department of public safety doing police duty, who, while on duty at the Wareham barracks on September the nineteenth, nineteen hundred and forty, sustained injuries which resulted in his death on said date, an annuity of two thousand dollars, payable in equal monthly instalments, for a period of five years, commencing on June the first, nineteen hundred and seventy. Said annuity shall cease upon the remarriage of said Mary T. McDonald. No payment shall be made hereunder until there has been filed with the comptroller an agreement signed by said Mary T. McDonald that the amount, if any, paid or to be paid for legal services rendered in connection with the passage of this resolve shall not exceed ten per cent of the maximum amount payable hereunder. *Approved July 21, 1971.*

Chap. 34. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE REGISTRY OF MOTOR VEHICLES RELATIVE TO PROHIBITING THE USE OF FLASHING LIGHTS IN BILLBOARDS, SIGNS AND OTHER ADVERTISING DEVICES.

Resolved, That the registry of motor vehicles is hereby authorized and directed to make an investigation and study of current house document numbered 1087, prohibiting the use of flashing lights in billboards, signs and other advertising devices. Said registry of motor vehicles shall also, in the course of its investigation and study, consider the problem of revolving and other lighting for advertising purposes located along public ways to determine whether such lighting is or may be injurious to the public safety. Said registry of motor vehicles 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-two.

Approved July 21, 1971.

Chap. 35. RESOLVE CONTINUING AND INCREASING 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 two thousand four hundred dollars per year, payable in equal monthly installments, for a period of five years commencing June the first, nineteen hundred and seventy-one. 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; and be it further

Resolved, That chapter ten of the resolves of nineteen hundred and sixty-nine is hereby repealed as of June the first, nineteen hundred and seventy-one.

Approved July 28, 1971.

Chap. 36. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE RETIREMENT AGE AND ALLOWANCES FOR EMPLOYEES OF THE COMMONWEALTH, CITIES AND TOWNS AND MATTERS RELATING THERETO.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the chairman of the retirement law commission or his designee and four persons to be appointed by the governor, one of whom shall be a member of a labor organization representing state and municipal employees, is hereby established for the purpose of making an investigation and

study of the subject matter of senate documents for the year 1970 numbered 759, relative to reclassifying registered nurses under the retirement system; and 816, providing certain retirement benefits for members of police departments in group 4 with 20 years or more of creditable service; and of house documents for the year 1970 numbered 658, providing for a change in the method of computing retirement allowance for all employees of the commonwealth, cities and towns now classified as members of group 1; 2741, providing for a guaranteed minimum retirement allowance on the completion of forty years of creditable service; and 3544, increasing retirement benefits of certain governmental retirees and of so much of the report of the special commission (under chapter 65 of the resolves of 1970) relative to the retirement age and allowances for employees of the commonwealth, cities and towns and matters relating thereto (see House, No. 4933 of 1971); and of current senate documents numbered 865, relative to changing the computation of the retirement allowance for public employees; 914, providing for a change in the method of computing retirement allowances for public employees; and 962, providing for a change in the method of computing retirement allowances for all employees of the commonwealth, cities and towns now classified as members of Group 1; and of current house document numbered 3908, providing for a change in the method of computing retirement allowances for all employees of the commonwealth, cities and towns now classified as members of Group 1.

Approved July 29, 1971.

Chap. 37. RESOLVE DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONDUCT A TRAFFIC SURVEY ON WEST STREET IN THE CITY OF PITTSFIELD.

Resolved, That the department of public works is hereby authorized and directed to conduct a traffic survey on West street in the city of Pittsfield. Said department shall consider the capability of West street to sustain an increase of traffic attendant upon its future use by vehicles from Berkshire Community College and the proposed Berkshire Mental Health Center, the speed limits, traffic control and other safety regulations that may be required to protect school children, and the estimated cost of widening and improving said street. Said department shall report to the general court the results of its survey, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and seventy-one.

Approved July 29, 1971.

Chap. 38. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE CONSUMERS' COUNCIL RELATIVE TO PERSONS EIGHTEEN YEARS OF AGE ENTERING INTO CONTRACTS AND OTHER RELATED MATTERS.

Resolved, That the consumers' council is hereby authorized and directed to make an investigation and study of the subject matter of

current house documents numbered 2041, providing that a person eighteen years of age may legally enter into a contract; 2042, providing that the defense of minority shall not be applicable in a contract action to a minor who makes an intentional misrepresentation; 2851, relative to establishing eighteen years as the legal age to enter contracts; 3631, lowering to nineteen the age at which a minor may make a valid contract; and 4193, providing that a person eighteen years of age may legally enter into a contract. Said council shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday in January, nineteen hundred and seventy-two.

Approved July 29, 1971.

Chap. 39. RESOLVE IN FAVOR OF THE WIDOW OF HENRY E. CASSIDY, A FORMER MEMBER OF THE STATE POLICE.

Resolved, That, for the purpose of promoting the public good and in consideration of the long and meritorious service of Henry E. Cassidy, a former member of the state police, there shall be allowed and paid out of the state treasury to his widow an annuity of fifteen hundred dollars so long as she lives and remains unmarried.

Approved August 5, 1971.

Chap. 40. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO TRAINING FACILITIES AVAILABLE FOR RETARDED CHILDREN.

Resolved, That the special commission, established by chapter seventy-seven of the resolves of nineteen hundred and fifty-two and most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of the investigations and studies proposed by current house documents numbered 648, relative to the feasibility of establishing centers for the treatment of multiple handicapped children and any other related matters; 660, changed, relative to the availability of Spanish and Portuguese speaking medical personnel and social workers in institutions of mental health and retardation in the commonwealth and any other related matters thereto; and 3119, relative to the feasibility of establishing a bureau on mental retardation. *Approved August 5, 1971.*

Chap. 41. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO A SITE FOR DEVELOPMENT OF A NEW COMMUNITY IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives and eight persons to be appointed by the governor, two of whom shall be

representatives of the department of community affairs, two of whom shall be representatives of the department of commerce and development and one of whom shall be a representative of the department of natural resources, is hereby established to make an investigation and study relative to locating a site for the development of a new community in the commonwealth. *Approved August 12, 1971.*

Chap. 42. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE AWARDING OF CONTRACTS FOR CONSTRUCTION AND FOR MATERIALS BY COUNTIES, CITIES, TOWNS AND DISTRICTS IN CASES OF EXTREME EMERGENCY AND OTHER RELATED MATTERS.

Resolved, That the special commission, established by chapter eighty-eight of the resolves of nineteen hundred and sixty-five, and most recently revived and continued by chapter ten of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 74, permitting an awarding authority to require bid bonds as security for certain public contracts in lieu of bid deposits; 77, qualifying the value of masonry work as a subbid requirement in contracts for public building projects; 210, relative to premium rates for and requirements for performance and payment bonds in the construction industry; 211, providing for a lien for persons entering into a contract to design a building or structure; 1058, relating to premium rates for and requirements for performance and payment bonds in the construction industry; 1060, to provide procedures for differing site conditions; 1065, permitting arbitration of disputes involving contracts for public building projects; of the investigation and study proposed by current senate document numbered 1067, relative to the construction of public buildings; and of current senate documents numbered 1068, providing for a lien for persons entering into a contract to design a building or structure; 1070, providing for methods of payment on public consulting services performed by architects and engineers; 1072, providing a limitation of three years for the bringing of actions of contract or tort for malpractice, error or mistake against architects, professional engineers and land surveyors; and 1087, clarifying certain provisions of law relating to changed conditions encountered on contracts for construction of public works; and of current house documents numbered 1236, imposing a fine upon contractors who fail to pay subcontractors; 2136, relative to architects' plans, drawings and specifications and fees; 2528, regulating the suspension of work on certain public contracts; 3311, clarifying the provisions of certain laws relating to construction work; 3313, to provide for decisions of the commissioner of administration and finance on claims of contractors and subcontractors and to provide for the appointment of a hearing examiner to hear such appeals; 3315, relating to premium rates for and requirements for performance and payment bonds in the construction industry; 3317, amending certain provisions of the General Laws relating to security for payments to

laborers, subcontractors, materialmen and others engaged in public construction; 3320, relative to the enforcement of labor and material bonds for buildings; 3321, providing for bid security on building projects by certified check; 3323, imposing a fine upon contractors who fail to pay subcontractors and making such funds trust funds for such subcontractors; 3324, requiring separate contracts for plumbing, heating and electrical work; 3497, relative to public bidding in model neighborhood areas; 3498, amending the statutes regulating competitive bidding in the award of contracts for public building projects; and 3500, clarifying the statutes regulating competitive bidding in the award of contracts for public building projects.

Approved August 12, 1971.

Chap. 43. 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 39, creating a state rating bureau to assist in the fixing and establishing of reasonable, just and nondiscriminatory premium charges for compulsory motor vehicle liability insurance; and 570, repealing the compulsory motor vehicle liability insurance law, adopting a motor vehicle security-responsibility law and establishing the motor vehicle accident claims fund within the division of insurance; and of current house documents numbered 391, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the commonwealth; 394, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law shall be uniform throughout the commonwealth; 576, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the commonwealth; 577, creating a state rating bureau to assist in the fixing and establishing of reasonable, just and nondiscriminatory premium charges for compulsory motor vehicle liability insurance; 752, relative to the minimum amount of reasonable and necessary medical and other expenses incurred by a plaintiff which is required to recover damages for injury in a tort action under the provisions for compulsory personal injury protection in the motor vehicle liability insurance law; 754, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law shall be uniform throughout the commonwealth; 949, providing that classifications of risks and premium charges under the compulsory

motor vehicle liability insurance law be uniform throughout the commonwealth; 1139, providing for direct liability of insurer to person injured under certain conditions; 1335, providing for direct liability of insurer to person injured under certain conditions; 1336, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the commonwealth; 1523, repealing the "no fault" automobile insurance law; 1524, repealing the "no fault" automobile insurance law; 1525, to remove exemption from liability in tort for damages for causing bodily injury; 1526, to preserve the right of privacy; 1527, allowing recovery for damages, for pain and suffering; 1528, allowing recovery for damages for pain and suffering in certain injury cases; 1529, allowing recovery for damages for pain and suffering if expenses for treatment are in excess of fifty dollars; 1530, to repeal the "no fault" automobile insurance law; 1531, to repeal the "no fault" automobile insurance law; 1537, providing for expenses to enforce claim for personal injury benefits; 2036, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the commonwealth; 2038, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the commonwealth; 2226, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law be uniform throughout the commonwealth; 2227, relative to compulsory personal injury protection for all registered motor vehicles; 2629, providing that classifications of risks and premium charges under the compulsory motor vehicle liability insurance law shall be uniform throughout the commonwealth; 2839, redefining personal injury protection coverage insofar as it relates to motorcycles; 3610, providing that classification of risks and premium charges under the compulsory motor vehicle liability insurance law shall be uniform throughout the commonwealth; 3611, providing that classification of risks and premium charges under the compulsory motor vehicle liability insurance law shall be established on the basis of eight rating territories for the commonwealth; 3612, permitting competitive pricing and deductibles for the statutory motor vehicle liability insurance policies; 4187, permitting competitive pricing and deductibles for the statutory motor vehicle liability insurance policies; 4188, repealing the provisions of the motor vehicle insurance law relative to the compulsory personal injury protection; 4191, relative to compulsory personal injury protection; 4406, repealing the compulsory automobile insurance law and adopting a financial responsibility system of motor vehicle liability insurance supplemented by an unsatisfied claim and judgment fund; of the investigation and study proposed by current house document numbered 4407, relative to the charging of extra premiums for traffic violations under the no fault insurance system, so-called; of current house documents numbered 4590, permitting motorists to elect whether or not to accept compulsory personal injury protection coverage; 4595, repealing the provisions of the motor vehicle insurance law relative to compulsory personal injury protection; 4598, repealing the compulsory automobile

insurance law and adopting a financial responsibility system of motor vehicle liability insurance supplemented by an unsatisfied claim and judgment fund; 4623, reducing the amount of medical expenses required to claim damages for pain and suffering in certain actions of tort; 4798, providing for a speedy trial of claims for benefits due from insurers under the compulsory personal injury protection provisions; 4799, restricting the right to purchase deductible compulsory personal injury protection insurance; and 4804, assessing the surcharge of motor vehicle insurance upon the operators of taxicabs.

Approved August 12, 1971.

Chap. 44. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO A PROGRAM OF POLLUTION ABATEMENT IN BOSTON HARBOR AND REDEVELOPMENT OF THE WATERFRONT.

Resolved, That a special commission to consist of three members of the senate, five members of the house of representatives, the commissioner of natural resources or his designee, the commissioner of the metropolitan district commission or his designee, the commissioner of public works or his designee, the chairman of the Massachusetts Port Authority or his designee, the commissioner of public health or his designee, the mayor of the city of Boston or his designee and five persons to be appointed by the governor is hereby established for the purpose of making an investigation and study relative to the control and abatement of water pollution in Boston harbor and to the redevelopment of the Boston harbor waterfront. Said commission shall consider sources of Boston harbor pollution, the implementation of a program of pollution abatement and the redevelopment of waterfront land. Said commission shall coordinate its efforts with the department of natural resources for the development of a conservation and recreation program for the islands of Boston harbor. Said commission shall suggest ways and means for the financing of such developments. Said commission may accept and expend gifts and grants of money from the federal government or any other public or private source. Said commission may enter into cooperative agreements and contracts with any agency of the commonwealth or its political subdivisions, including regional planning districts for the receipt and expenditure of federal and other grants and gifts, and for professional services, clerical and other services and supplies in connection therewith.

Said commission may report from time to time, and 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-one.

Approved August 19, 1971.

Chap. 45. RESOLVE PROVIDING FOR A JOINT INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC HEALTH, THE METROPOLITAN DISTRICT COMMISSION, THE WATER RESOURCES COMMISSION AND THE CENTRAL MASSACHUSETTS REGIONAL PLANNING DISTRICT COMMISSION RELATIVE TO THE PROVISION OF ADEQUATE PUBLIC WATER SUPPLIES IN CERTAIN MUNICIPALITIES IN THE COUNTY OF WORCESTER.

Resolved, That the department of public health, the metropolitan district commission, the water resources commission and the central Massachusetts regional planning district commission, acting jointly, and hereinafter referred to as the board, are hereby authorized and directed to make an investigation and study relative to the provision of water supplies and its distribution for the city of Worcester and the towns of Auburn, Barre, Berlin, Blackstone, Boylston, Brookfield, Charlton, Douglas, Dudley, East Brookfield, Grafton, Hardwick, Holden, Hopedale, Leicester, Mendon, Millbury, Millville, New Braintree, Northborough, Northbridge, North Brookfield, Oakham, Oxford, Paxton, Princeton, Rutland, Shrewsbury, Southbridge, Spencer, Sturbridge, Sutton, Upton, Uxbridge, Warren, Webster, Westborough, West Boylston and West Brookfield, and to prepare estimates of necessary work and costs thereof. Said board shall have access to all plans, reports and specifications of said city and towns, and shall have the power to summon the plans, reports and specifications of any person, corporation or industry located therein relative to the provision of water supplies and its distribution. The metropolitan district commission acting for the board is hereby authorized to employ such consultants and other assistants as it deems necessary. Said consultants shall utilize all available assistance provided by the central Massachusetts regional planning district commission and all assistance provided by the metropolitan district commission, particularly any pertinent information collected in the study authorized by chapter forty of the resolves of nineteen hundred and seventy. The central Massachusetts regional planning district commission is hereby authorized to apply for and receive any federal funds available for this purpose under the comprehensive planning assistance program authorized by the Housing Act of 1954, as amended, or under the provisions of any other federal law. Said board may expend for its investigation and study such sum as may be appropriated therefor. Said board shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Wednesday of December, nineteen hundred and seventy-two. *Approved August 19, 1971.*

Chap. 46. 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 PROBLEM OF SOLID WASTE DISPOSAL AND ALL RELATED MATTERS RELATIVE THERETO.

Resolved, That the special commission established by chapter sixty-five of the resolves of nineteen hundred and sixty-five and most re-

cently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 762, relative to promoting and assisting in the establishment of a regional approach to solid waste disposal.

Approved August 19, 1971.

Chap. 47. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO AQUACULTURE AND BETTER MARINE FISHERIES MANAGEMENT.

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 senate documents numbered 795, relative to encouraging aquaculture, and 796, permitting better marine fisheries management. Said department shall, in the course of its investigation and study, consult with the department of oceanography of the University of Massachusetts and the Woods Hole Oceanographic Institute. 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 third Wednesday of December, nineteen hundred and seventy-one.

Approved August 19, 1971.

Chap. 48. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS OF THE FEASIBILITY OF ESTABLISHING A FEE SYSTEM FOR PERMITS ISSUED BY THE DEPARTMENT.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the feasibility of the issuance of permits for oversize and overweight loads on commercial vehicles based on a fee system. 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 June the thirtieth, nineteen hundred and seventy-two.

Approved August 19, 1971.

Chap. 49. 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 most recently revived and continued under the provisions

of chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 1220, establishing a narcotics division in the office of the district attorney of the Plymouth district; 2462, relative to the narcotics division in the office of the district attorney of the Norfolk district; 2478, establishing a narcotics division in the office of the district attorney of the Eastern district; 3272, establishing a narcotics division in the office of district attorney for the Southern district; 3479, establishing a narcotics division in the office of the district attorney of the Middle district; and 4073, establishing a narcotics division in the office of the district attorney of the Western district.

Approved August 19, 1971.

Chap. 50. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE CONSUMERS' COUNCIL RELATIVE TO REMOVING THE LIMITATION OF TEN YEARS ON INDEBTEDNESS IN CONNECTION WITH WHICH GROUP CREDIT LIFE INSURANCE MAY BE ISSUED FROM INDEBTEDNESS ARISING FROM REAL ESTATE MORTGAGE LOANS AND ALSO TO LIMIT SUCH INSURANCE TO FIFTY THOUSAND DOLLARS IN AMOUNT AND TO THIRTY YEARS IN TERM.

Resolved, That the consumers' council is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 1974, changed, relative to removing the limitation of ten years on indebtedness in connection with which group credit life insurance may be issued from indebtedness arising from real estate mortgage loans and also to limit such insurance to fifty thousand dollars in amount and to thirty years in term. Said council shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday in January, nineteen hundred and seventy-two.

Approved August 19, 1971.

Chap. 51. 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 5696, establishing a system of penalties whereby work service hours are required to be performed to replace incarceration as a means of disposing of drug possession violations.

Approved August 19, 1971.

Chap. 52. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE WORKMEN'S COMPENSATION LAW.

Resolved, That the special commission, established by chapter seventy-nine of the resolves of nineteen hundred and sixty-nine and most recently revived and continued by chapter twenty of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 3368, giving paraplegics and other permanently handicapped employees, whether totally or partially incapacitated, the benefits of subsequent increases in weekly payments; of the investigation and study proposed by current house document numbered 3369, relative to the adequacy of the laws to protect injured workmen; of current house documents numbered 3556, helping paraplegics and other permanently handicapped employees, by providing for permanent and partial weekly payments; 3557, helping paraplegics and other permanently handicapped employees by providing elective lifetime weekly payments; and 3558, providing a more equitable method for determining temporary and partial incapacity for paraplegics and other partially incapacitated employees. *Approved August 19, 1971.*

Chap. 53. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE FEASIBILITY OF RECONSTRUCTING OR REPLACING THE WHITTENTON DAM AND THE MOREYS BRIDGE DAM IN THE CITY OF TAUNTON.

Resolved, That the department of public works, through its division of waterways, is hereby authorized and directed to continue the investigation and study authorized by chapter fifty-eight of the resolves of nineteen hundred and seventy, relative to the feasibility of reconstructing or replacing the Whittenton dam and the Moreys Bridge dam in the city of Taunton. Said department shall file its report not later than the last Wednesday in December, nineteen hundred and seventy-one. *Approved August 24, 1971.*

Chap. 54. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE ACQUISITION OF CERTAIN LAND FOR CONSERVATION AND RECREATION PURPOSES.

Resolved, That the department of natural resources is hereby authorized to make an investigation and study relative to the feasibility and desirability of the acquisition by the commonwealth of all of the Middlesex Canal or part or parts thereof, and lands adjacent thereto, including, but not limited to, the Shawsheen river for conservation and recreation purposes. For such study the department may expend such sums as are available or as may be appropriated therefor. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with

drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the last Wednesday in December, nineteen hundred and seventy-one.

Approved August 26, 1971.

Chap. 55. RESOLVE AUTHORIZING AND DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAKE AN INVESTIGATION AND STUDY AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO ENCLOSE A PORTION OF MILL RIVER IN THE CITY OF SPRINGFIELD.

Resolved, That the department of public works, through its division of waterways, is hereby authorized and directed to make an investigation and study of the subject matter of current house document numbered 4634, authorizing the department of natural resources to enclose a portion of Mill river in the city of Springfield. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday in January, nineteen hundred and seventy-two.

Approved August 26, 1971.

Chap. 56. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO PUBLIC RECREATION ON PRIVATE, COUNTY AND MUNICIPAL LANDS AS RELATES TO THE PROBLEM OF LANDOWNERS' LIABILITY.

Resolved, That the department of natural resources is hereby authorized and directed to make an investigation and study of the problem of public recreation on private, county and municipal lands as specifically relates to the problem of landowners' liability. 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-one.

Approved August 31, 1971.

Chap. 57. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE WORKMEN'S COMPENSATION LAW.

Resolved, That the special commission, established by chapter seventy-nine of the resolves of nineteen hundred and sixty-nine and most recently revived and continued by chapter twenty of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 281, to provide for a lien by group accident and health accident insurers under certain conditions; and 282, to clarify the law with respect to notice of claim under the workmen's compensation law.

Approved September 22, 1971.

Chap. 58. 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 114, requiring the commissioner of education to reimburse communities for school drug education programs.

Approved September 22, 1971.

Chap. 59. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF EXTENDING THE PERIOD RELATING TO THE REPLACEMENT OF GAS METERS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the chairman of the public utilities commission or his designee and eight persons to be appointed by the governor, of whom one shall be a representative of the International Brotherhood of Electrical Workers AFL-CIO, one shall be a representative of the Utility Workers Union of America AFL-CIO, one shall be a representative of the United Mine Workers, one shall be a representative of the New England Brotherhood of Utility Workers and four shall be representatives of the gas industry, is hereby established for the purpose of making an investigation and study of the feasibility of extending the period for mandatory replacement of gas meters from seven years to ten years. Said commission shall, in the course of its investigation and study, take into consideration the advent of natural gas, changes in meter design and the life expectancy of gas meters.

Approved September 22, 1971.

Chap. 60. RESOLVE PROVIDING FOR THE PAYMENT TO THE HEIRS OR NEXT OF KIN OF JOSEPH SIMENAS OF PART OF THE BALANCE OF HIS ESTATE, WHICH ESCHEATED TO THE COMMONWEALTH.

Resolved, That there be allowed and paid from the state treasury a sum not in excess of one thousand one hundred ninety-seven dollars and fifty-two cents, as determined by the attorney general to be the amount due to Adela Malinowska, an heir at law and surviving next of kin of Joseph Simenas, also known as Joseph Simynas, who died in the city of Lynn on September the fifteenth, in the year nineteen hundred and forty-one, or to her lawful representatives, which sum had been paid into the state treasury as part of the balance of the assets belonging to the estate of said Joseph Simenas, under the provisions of 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 October 1, 1971.

Chap. 61. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE VOCATIONAL TRAINING FACILITIES AVAILABLE IN ALL STATE INSTITUTIONS AND RELATED MATTERS.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the commissioner of correction or his designee, the commissioner of education or his designee, the commissioner of mental health or his designee, the commissioner of public health or his designee, the commissioner of youth services or his designee and five persons to be appointed by the governor, of whom two shall have a background in vocational training and rehabilitation, is hereby established for the purpose of making an investigation and study relative to the vocational training facilities in all state institutions, including state schools and hospitals for physically handicapped and mentally retarded children, adolescents and adults, plus the vocational programs in all state correctional institutions with a view to evaluating the present programs and offering suggestions for implementation of new programs. *Approved October 1, 1971.*

Chap. 62. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO REUSE OF SOLID WASTE.

Resolved, That the special commission, established by chapter fifty-seven of the resolves of nineteen hundred and seventy, and revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 279, prohibiting the use of nonreturnable glass or metallic containers for carbonated beverages or beer; 285, prohibiting the use of nonreturnable glass or metallic containers for carbonated beverages or beer; 323, relative to the use of no deposit-no return bottles; 330, to ban metal, glass and plastic containers that are not part of a planned recyclable or redemption process; and of current house documents numbered 696, prohibiting the use of nonreturnable glass or metallic containers for carbonated beverages or beer; 697, providing that the sale of alcoholic and nonalcoholic beverages in glass containers be subject to a redeemable deposit; 899, prohibiting the use of nonreturnable glass or metallic containers for carbonated beverages or beer; 1485, prohibiting the use of nonreturnable bottles in the sale of soft drinks and malt beverages; 1486, prohibiting the use of cans or nonreturnable bottles in the sale of soft drinks and malt beverages; 1487, requiring a two cent deposit on bottles in which soft drinks or malt beverages are sold; 1488, requiring a two cent deposit on bottles or cans in which soft drinks or malt beverages are sold; 1489, prohibiting the use of nonreturnable glass containers; 2969, prohibiting the sale of beer, ale or carbonated beverages in nonreturnable containers; 3170, prohibiting the resale of nonreturnable soft drink bottles and cans; 3364, establishing cash redemptions for certain beverage containers; 4554, prohibiting the sale of nonreturnable or disposable containers; and 4757, prohibiting the sale of merchandise in certain disposable containers.

Approved October 1, 1971.

Chap. 63. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO LOWERING THE AGE OF MAJORITY TO EIGHTEEN.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to lowering the age of majority to eighteen. *Approved October 1, 1971.*

Chap. 64. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION OF THE FEASIBILITY OF PROVIDING SPECIAL TYPE HOUSING FOR THE ELDERLY.

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 commerce and development or his designee and five persons to be appointed by the governor, one of whom shall be a member of a local housing authority and two of whom shall be representatives of the elderly, is hereby established for the purpose of making an investigation and study of the feasibility of providing special type housing for the elderly to consist of recreation rooms, family type dining rooms in which meals would be served and private sleeping facilities with private baths and such other matters relative thereto which it deems relevant and proper. *Approved October 7, 1971.*

Chap. 65. RESOLVE IN FAVOR OF DANIEL W. MCCARTHY.

Resolved, That, for the purpose of discharging a moral obligation of the commonwealth, there shall be allowed and paid out of the state treasury, subject to appropriation, to Daniel W. McCarthy of the town of West Springfield, assistant adjutant at the Soldiers' Home in Holyoke, the sum of nine thousand nine hundred and seventy-two dollars and forty-six cents, in payment of compensation due him for overtime worked for the period from December the fifteenth, nineteen hundred and sixty-four to November the thirtieth, nineteen hundred and sixty-eight. *Approved October 7, 1971.*

Chap. 66. 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, by chapter forty-six of the resolves of nineteen hundred and sixty-seven and by chapter thirty-four of the resolves of nineteen hundred and sixty-nine, 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-two.

Approved October 14, 1971.

Chap. 67. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO TRAINING FACILITIES AVAILABLE FOR RETARDED CHILDREN.

Resolved, That the special commission, established by chapter seventy-seven of the acts of nineteen hundred and fifty-two and most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 467, relative to increasing the state aid to cities and towns which maintain special classes and special instructions for certain handicapped children; 469, requiring public schools to establish preschool training programs for certain mentally and physically handicapped children who have reached three years of age; 470, relative to the amount which certain parents and guardians shall reimburse the commonwealth for providing instruction and training for their emotionally disturbed children; and 471, providing for the establishment of community clinical nursery schools for training handicapped children of preschool age, increasing the state aid for transportation of such children and providing clinical nursery schools in cities and towns where such programs are not available. *Approved October 14, 1971.*

Chap. 68. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO REUSE OF SOLID WASTE.

Resolved, That the special commission, established by chapter fifty-seven of the resolves of nineteen hundred and seventy and revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 1151, to permit imposing a sales tax on nonreturnable containers; 1153, to impose an excise on nonreturnable packaging or containers; and of current house documents numbered 593, authorizing cities and towns to impose a surcharge on the wholesale distribution of beverages in nondisposable containers and providing for the use of the proceeds therefrom; 2927, imposing a tax on the sale of certain beverages in disposable containers; 4516, imposing a tax on the sale of certain nonreturnable beverage containers and establishing a trust fund over the proceeds thereof relative to regional solid waste management; 4704, imposing an excise on nonreturnable bottles and aluminum cans and relative to the disposition of the proceeds thereof; 4716, providing for tax incentive under the corporation excise law for corporations engaged in recycling of waste products in Massachusetts; and 4906, imposing an excise on certain nonreturnable bottles and cans and relative to the disposition of the proceeds thereof. *Approved October 14, 1971.*

Chap. 69. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO IMPLEMENTING THE LAW PROVIDING FOR THE JOINING OF POLITICAL SUBDIVISIONS OF THE COMMONWEALTH FOR THE PURPOSE OF PURCHASING IN QUANTITY VARIOUS ITEMS, MATERIALS, SUPPLIES OR EQUIPMENT.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the state purchasing agent or his designee and one person to be appointed by the governor who shall be a purchasing agent of a city or town, is hereby established for the purpose of making an investigation and study relative to implementing the law providing for the joining of political subdivisions of the commonwealth for the purpose of purchasing in quantity various items, materials, supplies or equipment as provided in section twenty-two A of chapter seven of the General Laws.

Approved October 21, 1971.

Chap. 70. 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 1095, providing for the exemption of four wheel tractors used exclusively in agricultural production; 1107, requiring the Massachusetts Parking Authority to pay taxes on the Boston Common underground garage; 1108, reimbursing the city of Boston for land taken by the Massachusetts Parking Authority on the Boston Common in lieu of taxes; 1110, exempting from taxation retail sale promotional materials for use outside the commonwealth; 1111, exempting from taxation retail sale promotional materials for use outside the commonwealth; 1112, exempting from taxation free merchandise given as an incentive to purchase; 1113, exempting from taxation retail sales which involve no sale and for which no separate charges are made; 1114, exempting from taxation retail sale promotional materials for use outside the commonwealth; 1115, repealing the exemption from real estate taxes of public housing units and the assumption of said taxes by the commonwealth and the United States; 1119, repealing the exemption from real estate taxes of public housing units and the assumption of said taxes by the commonwealth and the United States; 1139, excluding premiums paid for tax sheltered annuities from Massachusetts income tax; 1141, exempting certain materials and equipment used in the operation of certain pollution control facilities from the tax on retail sales; 1149, relative to the payments in lieu of local taxes by certain corporations owning and operating housing projects for the elderly in cities or towns which accept this section; 1157, permitting local taxation of personal and real property owned by the Massachusetts Port Authority located at General Edward Lawrence Logan International

Airport in the East Boston district of the city of Boston; 1369, enabling cities and towns to levy on, and collect from, certain property exempt from taxation annual service charge for police and fire services; and of current house documents numbered 1065, providing for the taxation of the net income of domestic life insurance companies; 1240, providing reimbursement to cities and towns for county taxes assessed or for county expenses included in municipal budgets; 1247, relating to the exemption of certain veterans from taxation; 1439, providing for the imposition of a service charge in lieu of taxes on all tax exempt institutions in the city of Boston; 1452, reducing the tax on running horse and dog racing meetings held in connection with state and county fairs; 1649, clarifying the status of leaseholds and leasehold improvements for the purposes of the property factor of the income apportionment formula under the corporation excise; 1650, clarifying the definition of tangible property corporations and intangible property corporations; 2323, providing for an assessment to be paid by certain public authorities in lieu of taxes; 2332, permitting local taxation of personal and real property owned by the Massachusetts Port Authority located at General Edward Lawrence Logan International Airport in the East Boston district of the city of Boston; 2532, relative to lands owned and used by county agricultural schools; 2931, providing for the local taxation of certain lands of the Massachusetts Port Authority; 3510, exempting from the income tax all monies received for a military services connected disability; 3924, making certain sales of tools and fuel or any substitute therefor presently exempt from the sales tax subject to same; 4037, establishing an open land reservation program for the preservation of open spaces, in private ownership, through postponement of payment of part of the real property taxes on "classified open land" until the restrictions on open use of such lands are changed or relaxed; 4520, removing farm tractors from the trade-in provisions of the sales and use tax; and 4522, reestablishing the basis of apportionment of county taxes. *Approved October 21, 1971.*

Chap. 71. 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 6037, providing that property owned by the Greater Gardner Development Corporation shall be exempt from taxation.

Approved October 21, 1971.

Chap. 72. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE AUTHORIZATION OF SAVINGS BANKS TO ACCEPT DEMAND DEPOSITS.

Resolved, That a special commission, to consist of six members of the senate, fifteen members of the house of representatives and six persons

to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 1986, authorizing savings banks to accept demand deposits. Said commission shall, in the course of its investigation and study, consider the effect on the availability of funds for home financing, the economic effect on the banking industry and the citizens of the commonwealth, the effects on taxation and on reserve requirements, what the forthcoming report of the Presidential Commission on Financial Structure and Regulation may contain on the subject of thrift institution checking accounts, the experience of other states where savings banks offer checking accounts and such other related matters as the commission may deem relevant.

Said commission may travel without the commonwealth. Said commission shall report, from time to time, to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before May the first, nineteen hundred and seventy-two.

Approved October 21, 1971.

Chap. 73. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE HUMAN DEVELOPMENT OF THOSE CONFINED WITHIN THE CORRECTIONAL SYSTEM OF THE COMMONWEALTH.

Resolved, That a special commission to consist of three members of the senate, seven members of the house of representatives and five persons to be appointed by the governor, at least one of whom shall be experienced in the field of correction administration, one of whom shall be experienced in the field of inmate vocational training and education, one of whom shall be experienced in the fields of probation or parole and one of whom shall be a representative of correction officers, is hereby established for the purpose of making an investigation and study relative to enhancing the human development of those confined or controlled by the correctional system of the commonwealth.

Said commission shall, in the course of its investigation and study, consider the public and official attitudes and conditions of probation; the laws of the commonwealth relating to crimes and sentencing, procedures and attitudes of due process; the facilities for confinement, attendant and administrative personnel; the needs for programs of vocational training, education, physical and mental development and rehabilitation of inmates, psychiatric treatment and the procedures and attitudes employed in the release and parole of inmates; the causes of recidivism and suggestions and needs for reduction; the forces and attitudes that may exist or be found lacking in society, prior to arrest and conviction, confinement, and after release of any person; and the fostering of programs to prevent juvenile delinquency.

Said commission may require by summons the attendance and the testimony under oath of witnesses and the production of books and papers. Said commission may call upon officials of the commonwealth or its various subdivisions and may also call upon officials of the federal government and its various agencies and departments for such informa-

tion as it may desire in the course of its investigations and study. Said commission may accept and expend any grants or gifts of money, professional services, consultant services, clerical and other services and supplies from the federal government or any other private source in the course of its investigation and study. Said commission may report to the general court from time to time.

Approved October 26, 1971.

Chap. 74. 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, as most recently revived and continued under the provisions of chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider so much of the subject matter of current house document 3435, as relates to the illegal sale of drugs or application of the proceeds of illegal sale of drugs into business corporations. *Approved October 27, 1971.*

Chap. 75. 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 6138, relative to allowing a related annual property tax rate limit in the town of Arlington. *Approved October 27, 1971.*

Chap. 76. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE MODERNIZATION OF COUNTY GOVERNMENT.

Resolved, That the special commission, established by chapter fifty-seven of the resolves of nineteen hundred and sixty-nine and most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 362, transferring all county hospital facilities to the department of public health; 370, to convert county jails and houses of correction into correctional institutions of the commonwealth by transferring their property and employees to the commonwealth and directing the department of correction to integrate their facilities into a unitary system of criminal corrections aimed at reducing recidivism; 397, transferring

the Suffolk county house of correction on Deer Island to the department of correction of the commonwealth for a period of four years; and of the investigation and study proposed by current house document numbered 1299, relative to the feasibility of maintaining the existing county hospitals under county government or to transfer their management to the department of public health or the department of mental health; of current house documents numbered 1468, establishing the uniform planning and zoning act; 1702, requiring the commonwealth to reimburse counties in full for expenses incurred in maintaining and operating houses of correction; 2784, providing for counties to be reimbursed by the commonwealth annually for the cost of administering justice and maintaining and operating jails and houses of correction; 2989, providing that the commonwealth take over the operation of the county hospitals; of the investigation and study proposed by current house document numbered 3560, relative to the modernization of county government; and of current house documents numbered 3750, transferring county jails, houses of correction and industrial farms and their employees to the commonwealth; and 4759, transferring county hospitals and sanatariums and their employees to the commonwealth.

Approved October 27, 1971.

Chap. 77. 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 CERTAIN OTHER MATTERS RELATED THERETO.

Resolved, That the special commission established by chapter ninety-seven of the resolves of nineteen hundred and sixty-eight, and most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 3429, preventing enforced reduction by insurance companies of the contractual commission or other compensation of Massachusetts insurance agents. *Approved November 3, 1971.*

Chap. 78. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE REGULATION OF THE LOCATION AND OPERATION OF ELECTRIC UTILITY GENERATION AND TRANSMISSION FACILITIES AND OTHER MATTERS.

Resolved, That a special commission, to consist of two members of the senate, five members of the house of representatives, the commissioner of public works or his designee, the commissioner of natural resources or his designee, the chairman of the public health council or his designee and six persons appointed by the governor, is hereby established for the purpose of making an investigation and study of the regulatory procedures employed by the commonwealth and by its political subdivisions relative to the location and operation of electric utility generation and transmission facilities.

Said commission shall, during the course of its investigation and study, consider, among other subjects, the adequacy of existing state and municipal regulatory procedures to permit the furnishing of a sufficient supply of electric energy while, at the same time, preserving and protecting land, air and water resources.

Said commission shall also consider the feasibility of a comprehensive state regulatory jurisdiction over the siting of electric generating plants and routing of major transmission facilities, and, as an alternative, shall also consider the feasibility of a state administrative procedure or agency by which appeals from local regulatory decisions by parties aggrieved could be finally resolved.

In addition to the foregoing, said commission shall study the subject matter of current house documents numbered 939, directing the department of public utilities to promulgate rules regulating certain expenses of certain utility companies; 1131, establishing the department of public utilities as the responsible planning agency for proper utility service; 1331, relative to the hazards, inconveniences and service interruptions of overhead electric power transmission; 1515, to protect municipal park, forest and conservation lands; 2031, requiring the installation of electric substations underground by electric companies; and 3039, relating to location of thermal power plants.

Said commission is also directed specifically to consult federal and regional bodies concerned with production and transmission of electric energy during the course of its investigation and study.

Said commission may travel without the commonwealth.

Approved November 3, 1971.

Chap. 79. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADMINISTRATION OF CHILD CARE SERVICES IN THE COMMONWEALTH.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of administration and finance or his designee, the secretary of human services or his designee, the secretary of educational affairs or his designee, the secretary of manpower affairs or his designee, the secretary of communities and development or his designee and five persons to be appointed by the governor, all of whom shall be engaged in the field of child care, is hereby established to make an investigation and study of child care services in the commonwealth, with particular emphasis on available reports and materials concerning the administration of such services.

Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with the drafts of such legislation as may be necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of March, nineteen hundred and seventy-two. *Approved November 9, 1971.*

Chap. 80. RESOLVE AUTHORIZING THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE WORKMEN'S COMPENSATION LAW TO TRAVEL WITHOUT THE COMMONWEALTH.

Resolved, That the special commission established by chapter seventy-nine of the resolves of nineteen hundred and sixty-nine, and most recently revived and continued by chapter twenty of the resolves of nineteen hundred and seventy-one, is hereby authorized to travel without the commonwealth. *Approved November 9, 1971.*

Chap. 81. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY TO DEVELOP 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-one, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 1109, removing the tax exemptions of certain tax exempt properties; 1131, requiring local consent to the exemption from local taxation of real estate acquired by or in trust for a charitable organization after June the thirtieth in the current year; and of current house documents numbered 480, further regulating the real estate tax exemption of certain charitable corporations; 1064, restricting the real estate tax exemption of institutions of higher learning; 1440, providing for the taxation of faculty houses and dormitories of literary and educational institutions; 1856, providing for the taxation of student dormitories of literary and educational institutions; 2142, providing for the taxation of student dormitories of literary and educational institutions; 2143, repealing the real estate tax exemption for certain colleges, universities and institutions; 2317, establishing service charges for police and fire protection of tax exempt institutions and state agencies and authorities; 2331, providing for the taxation of student dormitories of literary and educational institutions; 2333, requiring local consent to the exemption from local taxation of real estate acquired by or in trust for a charitable organization after June the thirtieth in the current year; 2334, providing for reasonable assessments for police and fire protection to owners of certain real property exempt from taxation; 3508, requiring local consent to the exemption from local taxation of real estate acquired by or in trust for a charitable organization after June the thirtieth in the current year; 3726, requiring local consent to the exemption from local taxation of real estate acquired by or in trust for a charitable organization after June the thirtieth in the current year; and 4513, providing for taxation of profits of tax exempt corporations from nonrelated business activities. *Approved November 9, 1971.*

Chap. 82. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE STRUCTURE AND PREPAREDNESS OF THE MASSACHUSETTS NATIONAL GUARD AND THE EFFECT AN ALL VOLUNTEER ARMY WOULD HAVE ON THE SECURITY OF THE COMMONWEALTH.

Resolved, That the special commission established by chapter twenty-five of the resolves of nineteen hundred and seventy-one shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 441, requiring the National Guard to hold its annual encampment and maneuvers within the commonwealth; 443, providing that certain mayors shall have the power to call the militia in the event of a declared emergency; 456, providing a personal exemption of two thousand dollars for all persons retired or separated from the armed services of the United States receiving a pension, retainer, annuity or retirement allowance; 1029, providing that certain state, county and municipal employees on duty with the armed forces shall not suffer the loss of pay or vacation; 1854, exempting members of the armed forces from paying a Massachusetts state income tax; 2684, providing for creditable service towards retirement for certain service in the armed forces; 2688, providing that certain veterans, upon becoming members of certain contributory retirement systems, shall have prior service in armed forces credited as creditable service; 2746, providing that the pension, annuity or retirement allowance paid to a person as a result of his retirement from the armed services of the United States shall be exempt from taxation; 2874, relative to the pay and allowances of officers and members of the military forces of the commonwealth; 3328, providing that the pension, annuity or retirement allowance paid to a person as a result of his retirement from the armed services of the United States shall be exempt from taxation; and 4803, prohibiting insurance companies from denying motor vehicle insurance to persons in active military service. Said commission shall also consider the feasibility of establishing a State National Guard Bureau and a Department of Military Affairs under the executive branch of state government. Said commission may require by summons the attendance and testimony of witnesses and the production of books and papers.

Approved November 11, 1971.

Chap. 83. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE MASSACHUSETTS PORT AUTHORITY RELATIVE TO THE CONSTRUCTION OF A HIGH SPEED MONORAIL SYSTEM CONNECTING THE CITIES OF SPRINGFIELD AND WORCESTER WITH THE CITY OF BOSTON.

Resolved, That the Massachusetts Port Authority is hereby authorized and directed to make an investigation and study relative to the advisability and feasibility of the construction of a high speed monorail system connecting the cities of Springfield and Worcester with the city of Boston. Said Authority shall report from time to time to the general court the results of its investigation and study, and its

recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, and shall file its final report with the clerk of the house of representatives on or before the last Tuesday of March, nineteen hundred and seventy-two.

Approved November 11, 1971.

Chap. 84. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE VOCATIONAL TRAINING FACILITIES AVAILABLE IN ALL STATE INSTITUTIONS AND RELATED MATTERS.

Resolved, That the special commission established by chapter sixty-one of the resolves of nineteen hundred and seventy-one is hereby increased by three members of the senate and six members of the house of representatives.

Approved November 11, 1971.

Chap. 85. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO A SITE FOR DEVELOPMENT OF A NEW COMMUNITY IN THE COMMONWEALTH.

Resolved, That the membership of the special commission established by chapter forty-one of the resolves of nineteen hundred and seventy-one is hereby increased by two members of the senate and six members of the house of representatives.

Approved November 11, 1971.

Chap. 86. RESOLVE CONTINUING THE 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 continue the investigation and study authorized by chapter seventy-two of the resolves of nineteen hundred and sixty-nine. Said department shall file its final report not later than the last Wednesday of September, nineteen hundred and seventy-two.

Approved November 11, 1971.

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 1971 passed 1117 Acts and 86 Resolves of which 1043 Acts and 81 Resolves received executive approval at prorogation and 3 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 7 Acts and 1 Resolve with his objections thereto in writing. Upon said 5 Acts and 1 Resolve his objections were sustained and upon 2 Acts his objections were not sustained.

One (1) Act entitled "An Act authorizing the metropolitan district commission to sell and convey a certain parcel of land in the city of Revere to Revere Lodge, No. 1171 of the Benevolent and Protective Order of Elks of the United States of America, Inc." (Chapter 937) was passed, but failed to receive executive approval; as, however, it was not returned, with objections thereto, within ten days after it had been received in the executive department, the General Court not having been dissolved in the meantime, said Act has the force of law, under the provisions of the Constitution governing such case and has been so certified.

Five (5) Acts entitled, respectively, "An Act further regulating outdoor advertising."; "An Act prohibiting the inciting of a riot and providing a penalty therefor."; "An Act further regulating procedure for filling vacancies in the offices of district attorney and sheriff."; "An Act suspending the operation of a portion of the racial imbalance law in the city of Springfield pending the disposition of its petition for judicial review." and "An Act relative to permits for common carriers of passengers by motor vehicle." and one (1) Resolve entitled "Resolve in favor of Robert Timmons d/b/a Allied Plate and Window Glass Company of Lawrence." were passed and laid before the governor for his approval, were returned by him with his objections thereto, to the branch in which they respectively originated, were reconsidered and, the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said Acts and Resolve thereby became void.

Two (2) Acts entitled, respectively, "An Act relative to the salaries of certain county employees." (Chapter 755) and "An Act providing for the establishment and operation of a state lottery." (Chapter 813) 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.

Fifty (50) Acts, Chapters 19, 56, 93, 106, 241, 245, 258, 280, 320, 353, 370, 373, 497, 512, 517, 536, 553, 593, 623, 632, 633, 648, 662, 677, 689, 691, 710, 725, 730, 731, 732, 748, 766, 797, 806, 896, 904, 920, 923, 934, 943, 953, 994, 1029, 1040, 1044, 1051, 1065, 1070 and 1117, 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-five (25) 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 Wednesday, November 10, 1971, at 6:48 P.M., the session having occupied 309 days.

AMENDMENT OF THE CONSTITUTION

1970

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-eight, and by the Legislature of the political year one thousand nine hundred and sixty-nine, agreeably to the provisions of the Constitution, and approved by the people on the third day of November in the year one thousand nine hundred and seventy.

NINETY-SECOND ARTICLE OF AMENDMENT.

ARTICLE XCII. *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.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 3, 1970.

I Hereby Certify that the foregoing is the Ninety-second Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the third day of November in the year one thousand nine hundred and seventy, 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

1970

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-seven, and by the Legislature of the political year one thousand nine hundred and sixty-nine, agreeably to the provisions of the Constitution, and approved by the people on the third day of November in the year one thousand nine hundred and seventy.

NINETY-THIRD ARTICLE OF AMENDMENT.

ARTICLE XCIII. 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".

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 3, 1970.

I Hereby Certify that the foregoing is the Ninety-third Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the third day of November in the year one thousand nine hundred and seventy, 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

1970

ARTICLE OF AMENDMENT OF THE CONSTITUTION

OF

MASSACHUSETTS

adopted by the Legislature of the political year one thousand nine hundred and sixty-seven, and by the Legislature of the political year one thousand nine hundred and sixty-nine, agreeably to the provisions of the Constitution, and approved by the people on the third day of November in the year one thousand nine hundred and seventy.

NINETY-FOURTH ARTICLE OF AMENDMENT.

ARTICLE XCIV. 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.

THE COMMONWEALTH OF MASSACHUSETTS

OFFICE OF THE SECRETARY

BOSTON, December 3, 1970.

I Hereby Certify that the foregoing is the Ninety-fourth Article of Amendment of the Constitution of this Commonwealth, as approved by the People at the State Election held on the third day of November in the year one thousand nine hundred and seventy, pursuant to the provisions of Article XLVIII of the Amendments to the Constitution.

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

RETURN OF VOTES ON QUESTION NO. 1, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1970.

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 July 15, 1968, received 155 votes in the affirmative and 98 in the negative, and in a joint session of the two branches held May 14, 1969, received 147 votes in the affirmative and 119 in the negative?

Summary

The proposed amendment to the Constitution authorizes the Legislature to classify real property according to uses, and authorizes the assessment, rating and taxation of real property at different rates in the different classes so established, but proportionately in the same class. The amendment further authorizes the granting of reasonable exemptions and abatements.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	1,939	5,343	1,197	8,479
Bourne	952	1,852	500	3,304
Brewster	248	624	109	981
Chatham	628	1,415	324	2,367
Dennis	739	2,081	487	3,308
Eastham	280	593	100	973
Falmouth	2,104	3,275	1,102	6,481
Harwich	773	1,687	358	2,818
Mashpee	145	300	93	538
Orleans	487	1,113	221	1,821
Provincetown	389	562	222	1,173
Sandwich	348	987	205	1,540
Truro	101	226	44	371
Wellfleet	210	407	110	727
Yarmouth	1,368	3,677	700	5,745
Totals	10,711	24,143	5,772	40,626

County of Berkshire.

Adams	1,195	2,489	1,142	4,826
Alford	63	39	20	122
Becket	81	128	48	257
Cheshire	281	527	190	998
Clarksburg	207	320	112	639
Dalton	750	1,468	290	2,508
Egremont	185	176	55	416
Florida	71	96	63	230
Great Barrington	699	651	1,103	2,453
Hancock	59	86	28	173
Hinsdale	149	228	64	441
Lanesborough	207	438	184	829
Lee	478	706	720	1,904
Lenox	512	979	478	1,969
Monterey	119	71	34	224
Mt. Washington	13	11	7	31
New Ashford	8	34	13	55
New Marlborough	128	101	76	305
NORTH ADAMS	1,981	3,148	1,730	6,859
Otis	62	91	74	227

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Peru	23	51	11	85
PITTSFIELD	3,578	9,343	6,782	19,703
Richmond	135	269	50	454
Sandisfield	87	36	45	168
Savoy	27	66	31	124
Sheffield	365	304	143	812
Stockbridge	353	348	148	849
Tyringham	39	48	24	111
Washington	39	56	21	116
West Stockbridge	186	154	97	437
Williamstown	849	1,379	406	2,634
Windsor	46	103	10	159
Totals	12,975	23,944	14,199	51,118

County of Bristol.

Acushnet	651	1,920	652	3,223
ATTLEBORO	3,904	4,690	1,975	10,569
Berkley	172	292	136	600
Dartmouth	1,830	4,525	1,582	7,937
Dighton	482	824	282	1,588
Easton	1,519	2,449	693	4,661
Fairhaven	1,707	3,808	1,220	6,735
FALL RIVER	10,041	13,045	14,206	37,292
Freetown	344	806	213	1,363
Mansfield	1,049	1,651	618	3,318
NEW BEDFORD	9,249	19,160	10,535	38,944
North Attleborough	2,148	2,807	1,190	6,145
Norton	825	1,315	405	2,545
Raynham	739	1,260	464	2,463
Rehoboth	866	744	371	1,981
Seekonk	1,763	1,446	678	3,887
Somerset	2,209	3,277	1,919	7,405
Swansea	1,735	2,226	1,074	5,035
TAUNTON	3,800	6,089	4,984	14,873
Westport	1,052	1,593	964	3,609
Totals	46,085	73,927	44,161	164,173

County of Dukes County.

Chilmark	57	78	20	155
Edgartown	209	343	172	724
Gay Head	11	14	22	47
Gosnold	16	20	9	45
Oak Bluffs	218	243	159	620
Tisbury	373	468	210	1,051
West Tisbury	107	120	50	277
Totals	991	1,286	642	2,919

County of Essex.

Amesbury	874	1,914	1,281	4,069
Andover	2,372	5,895	1,103	9,370
BEVERLY	4,509	7,822	2,726	15,057
Boxford	335	1,157	113	1,605
Danvers	2,850	5,179	1,344	9,373
Essex	292	596	185	1,073
Georgetown	508	1,148	260	1,916
GLOUCESTER	2,909	4,968	2,829	10,706
Groveland	471	1,199	232	1,902
Hamilton	779	1,463	312	2,554
HAVERHILL	4,231	9,319	4,431	17,981
Ipswich	1,201	2,158	739	4,098
LAWRENCE	5,890	12,570	7,871	26,331
LYNN	11,174	16,619	6,648	34,441
Lynnfield	1,321	3,010	487	4,818
Manchester	715	1,217	298	2,230

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Marblehead	3,408	5,436	1,302	10,146
Merrimac	376	848	219	1,443
Methuen	3,395	7,991	3,146	14,532
Middleton	369	768	210	1,347
Nahant	531	1,027	240	1,798
Newbury	424	988	217	1,629
NEWBURYPORT	1,584	3,148	1,411	6,143
North Andover	1,599	3,824	1,257	6,680
PEABODY	6,060	8,886	3,529	18,475
Rockport	808	1,506	555	2,869
Rowley	306	630	173	1,109
SALEM	5,190	7,989	4,070	17,249
Salisbury	357	873	310	1,540
Saugus	3,049	5,588	1,324	9,961
Swampscott	1,465	3,128	1,176	5,769
Topsfield	509	1,320	135	1,964
Wenham	444	875	156	1,475
West Newbury	264	612	149	1,025
Totals	70,569	131,671	50,438	252,678

County of Franklin.

Ashfield	179	234	73	486
Bernardston	182	298	75	555
Buckland	266	305	216	787
Charlemont	119	162	90	371
Colrain	152	235	99	486
Conway	127	211	75	413
Deerfield	486	832	340	1,658
Erving	156	262	106	524
Gill	147	248	81	476
Greenfield	1,767	3,317	1,676	6,760
Hawley	28	16	25	69
Heath	41	51	27	119
Leverett	151	150	51	352
Leyden	37	72	20	129
Monroe	21	44	17	82
Montague	1,129	1,749	851	3,729
New Salem	69	102	28	199
Northfield	327	545	132	1,004
Orange	585	911	433	1,929
Rowe	25	100	24	149
Shelburne	276	359	160	795
Shutesbury	65	76	34	175
Sunderland	233	326	145	704
Warwick	61	94	26	181
Wendell	42	64	39	145
Whately	154	221	128	503
Totals	6,825	10,984	4,971	22,780

County of Hampden.

Agawam	1,881	3,773	1,697	7,351
Blandford	121	197	46	364
Brimfield	222	314	118	654
Chester	103	132	83	318
CHICOPEE	3,894	14,178	4,452	22,524
East Longmeadow	1,131	2,458	910	4,499
Granville	123	184	50	357
Hampden	468	705	127	1,300
Holland	106	190	60	356
HOLYOKE	2,439	8,651	7,668	18,758
Longmeadow	2,610	3,030	714	6,354
Ludlow	1,791	3,191	1,122	6,104
Monson	707	1,022	409	2,138
Montgomery	56	102	26	184
Palmer	1,225	2,080	1,040	4,345
Russell	123	239	111	473
Southwick	740	907	249	1,896

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
SPRINGFIELD	9,570	19,218	18,611	47,399
Tolland	30	21	11	62
Wales	95	143	31	269
West Springfield	2,651	4,627	2,357	9,635
WESTFIELD	3,382	5,398	2,138	10,918
Wilbraham	1,418	2,507	485	4,410
Totals	34,886	73,267	42,515	150,668

County of Hampshire.

Amherst	1,994	1,856	901	4,751
Belchertown	503	735	223	1,461
Chesterfield	86	98	46	230
Cummington	99	95	36	230
Easthampton	1,547	2,793	1,140	5,480
Goshen	84	92	29	205
Granby	458	1,028	188	1,674
Hadley	573	689	348	1,610
Hatfield	373	488	292	1,153
Huntington	200	199	105	504
Middlefield	45	63	18	126
NORTHAMPTON	3,475	4,695	2,235	10,405
Pelham	160	140	49	349
Plainfield	36	58	15	109
South Hadley	1,461	3,913	865	6,239
Southampton	312	650	155	1,117
Ware	966	1,634	815	3,415
Westhampton	111	140	41	292
Williamsburg	289	442	130	861
Worthington	115	112	67	294
Totals	12,887	19,920	7,698	40,505

County of Middlesex.

Acton	1,538	3,130	469	5,137
Arlington	8,164	12,260	3,470	23,894
Ashby	210	428	133	771
Ashland	928	1,739	369	3,036
Ayer	483	828	326	1,637
Bedford	1,281	2,614	391	4,286
Belmont	4,145	7,170	2,136	13,451
Billerica	2,482	5,504	1,110	9,096
Boxborough	157	316	62	535
Burlington	2,240	4,864	862	7,966
CAMBRIDGE	10,609	13,012	8,020	31,641
Carlisle	315	734	69	1,118
Chelmsford	3,198	6,589	1,203	10,990
Concord	1,741	3,719	932	6,392
Dracut	1,754	3,887	1,584	7,225
Dunstable	129	258	57	444
EVERETT	2,134	6,399	7,698	16,231
Framingham	7,226	11,954	2,993	22,173
Groton	527	1,072	236	1,835
Holliston	1,121	2,541	451	4,113
Hopkinton	594	1,263	350	2,207
Hudson	1,260	3,072	1,055	5,387
Lexington	2,659	7,697	2,251	12,607
Lincoln	705	1,210	202	2,117
Littleton	680	1,313	285	2,278
LOWELL	9,806	16,090	8,683	34,579
MALDEN	4,373	10,817	4,094	19,284
MARLBOROUGH	2,617	5,707	2,146	10,470
Maynard	933	1,848	666	3,447
MEDFORD	7,516	12,444	6,059	26,019
MELROSE	3,065	7,438	2,534	13,037
Natick	3,194	6,124	2,349	11,667
NEWTON	11,292	18,404	9,132	38,828
North Reading	1,277	2,174	439	3,890
Pepperell	499	946	269	1,714
Reading	2,709	5,511	843	9,063

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Sherborn	408	827	121	1,356
Shirley	307	631	254	1,192
SOMERVILLE	9,115	13,293	7,800	30,208
Stoneham	2,277	4,582	1,169	8,028
Stow	385	809	166	1,360
Sudbury	1,222	2,526	452	4,200
Tewksbury	1,835	3,883	919	6,637
Townsend	359	809	214	1,382
Tyngsborough	481	777	265	1,523
Wakefield	2,621	6,267	1,552	10,440
WALTHAM	4,102	8,044	7,611	19,757
Watertown	4,861	7,956	3,302	16,119
Wayland	1,769	3,146	547	5,462
Westford	1,149	2,123	581	3,853
Weston	1,554	2,782	408	4,744
Wilmington	1,640	3,542	727	5,909
Winchester	2,229	5,277	1,626	9,132
WOBURN	2,870	7,330	3,045	13,245
Totals	142,745	265,680	104,687	513,112

County of Nantucket.

Nantucket	203	965	257	1,425

County of Norfolk.

Avon	588	942	296	1,826
Bellingham	1,609	1,814	699	4,122
Braintree	4,481	8,848	1,587	14,916
Brookline	5,820	8,786	9,012	23,618
Canton	1,960	3,721	856	6,537
Cohasset	860	1,835	353	3,048
Dedham	4,161	5,783	1,705	11,649
Dover	590	1,308	210	2,108
Foxborough	1,377	2,539	431	4,347
Franklin	1,792	2,677	922	5,391
Holbrook	1,232	2,264	493	3,989
Medfield	948	1,909	344	3,201
Medway	756	1,462	394	2,612
Millis	592	1,218	271	2,081
Milton	3,117	8,446	1,638	13,201
Needham	4,115	7,885	1,477	13,477
Norfolk	404	716	156	1,276
Norwood	3,705	6,376	1,772	11,853
Plainville	513	806	227	1,546
QUINCY	16,528	14,754	4,871	36,153
Randolph	2,763	5,453	1,532	9,748
Sharon	1,563	2,982	643	5,188
Stoughton	1,768	3,795	1,423	6,986
Walpole	1,972	3,706	755	6,433
Wellesley	3,363	6,263	1,802	11,428
Westwood	1,829	3,275	604	5,708
Weymouth	6,638	11,417	2,263	20,318
Wrentham	685	1,009	228	1,922
Totals	75,729	121,989	36,964	234,682

County of Plymouth.

Abington	1,268	2,480	630	4,378
Bridgewater	1,182	1,850	707	3,739
BROCKTON	9,330	13,193	5,353	27,876
Carver	250	398	116	764
Duxbury	1,040	1,791	379	3,210
East Bridgewater	990	1,538	476	3,004
Halifax	291	698	152	1,141
Hanover	951	2,212	408	3,571
Hanson	616	1,303	322	2,241

County of Plymouth — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Hingham	2,155	4,801	719	7,675
Hull	1,048	1,744	597	3,389
Kingston	602	1,142	402	2,146
Lakeville	404	788	264	1,456
Marion	301	914	158	1,373
Marshfield	1,575	2,836	431	4,842
Mattapoisett	449	1,199	227	1,875
Middleborough	1,350	2,073	665	4,088
Norwell	893	1,864	255	3,012
Pembroke	955	2,269	449	3,673
Plymouth	1,335	2,918	2,397	6,650
Plympton	122	241	57	420
Rochester	133	381	92	606
Rockland	1,532	2,559	681	4,772
Scituate	1,647	3,594	759	6,000
Wareham	992	1,851	653	3,496
West Bridgewater	598	1,462	240	2,300
Whitman	1,325	2,266	733	4,324
Totals	33,334	60,365	18,322	112,021

County of Suffolk.

BOSTON	33,996	72,772	84,308	191,076
CHELSEA	3,232	3,961	3,838	11,031
REVERE	4,128	8,512	4,826	17,466
Winthrop	2,106	3,695	2,157	7,958
Totals	43,462	88,940	95,129	227,531

County of Worcester.

Ashburnham	358	729	201	1,288
Athol	1,217	1,713	854	3,784
Auburn	1,869	3,216	1,079	6,164
Barre	321	781	357	1,459
Berlin	214	406	140	760
Blackstone	898	866	505	2,269
Bolton	266	386	122	774
Boylston	292	638	130	1,060
Brookfield	212	332	119	663
Charlton	430	631	260	1,321
Clinton	1,320	2,444	1,739	5,503
Douglas	374	674	298	1,346
Dudley	760	1,165	694	2,619
East Brookfield	181	348	147	676
FITCHBURG	4,213	7,608	3,929	15,750
GARDNER	2,197	3,266	2,016	7,479
Grafton	998	2,176	761	3,935
Hardwick	241	348	269	858
Harvard	415	740	140	1,295
Holden	1,059	2,992	930	4,981
Hopedale	666	891	402	1,959
Hubbardston	137	288	80	505
Lancaster	418	912	395	1,725
Leicester	959	1,559	672	3,190
LEOMINSTER	2,312	7,314	2,638	12,264
Lunenburg	873	1,579	391	2,843
Mendon	308	505	202	1,015
Milford	2,139	3,298	2,555	7,992
Millbury	1,330	2,065	1,093	4,488
Millville	281	241	205	727
New Braintree	71	115	41	227
North Brookfield	441	715	329	1,485
Northborough	944	1,763	333	3,040
Northbridge	1,010	1,754	1,219	3,983
Oakham	74	159	37	270
Oxford	553	1,216	844	2,613
Paxton	407	796	160	1,363
Petersham	114	253	47	414
Phillipston	75	126	31	232
Princeton	178	371	72	621
Royalston	86	114	44	244

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Rutland	312	624	128	1,064
Shrewsbury	2,146	3,891	1,289	7,326
Southborough	624	1,238	249	2,111
Southbridge	1,174	1,843	2,526	5,543
Spencer	982	1,734	806	3,522
Sterling	495	864	208	1,567
Sturbridge	544	836	384	1,764
Sutton	434	833	303	1,570
Templeton	560	872	347	1,779
Upton	356	685	293	1,334
Uxbridge	956	1,414	780	3,150
Warren	412	645	365	1,422
Webster	1,386	2,142	1,717	5,245
West Boylston	648	1,508	276	2,432
West Brookfield	285	477	192	954
Westborough	1,262	2,225	544	4,031
Westminster	470	972	273	1,715
Winchendon	650	956	467	2,073
WORCESTER	19,711	29,835	15,717	65,263
Totals	64,618	111,087	53,344	229,049

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	10,711	24,143	5,772	40,626
BERKSHIRE	12,975	23,944	14,199	51,118
BRISTOL	46,085	73,927	44,161	164,173
DUKES COUNTY	991	1,286	642	2,919
ESSEX	70,569	131,671	50,438	252,678
FRANKLIN	6,825	10,984	4,971	22,780
HAMPDEN	34,886	73,267	42,515	150,668
HAMPSHIRE	12,887	19,920	7,698	40,505
MIDDLESEX	142,745	265,680	104,687	513,112
NANTUCKET	203	965	257	1,425
NORFOLK	75,729	121,989	36,964	234,682
PLYMOUTH	33,334	60,365	18,322	112,021
SUFFOLK	43,462	88,940	95,129	227,531
WORCESTER	64,618	111,087	53,344	229,049
Totals	556,020	1,008,168	479,099	2,043,287

RETURN OF VOTES ON QUESTION NO. 2, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1970.

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 October 9, 1967, received 237 votes in the affirmative and 0 in the negative, and in a joint session of the two branches held May 14, 1969, received 262 votes in the affirmative and 4 in the negative?

Summary.

The proposed amendment to the Constitution abolishes the requirement that in order to vote in a state election a person must have resided within the Commonwealth one year. If amended, the Constitution would require only that a voter have resided six months in the town or district in which he claims a right to vote.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	5,288	1,909	1,282	8,479
Bourne	1,981	831	492	3,304
Brewster	661	217	103	981
Chatham	1,538	547	282	2,367
Dennis	2,062	741	505	3,308
Eastham	684	213	76	973
Falmouth	4,013	1,356	1,112	6,481
Harwich	1,851	621	346	2,818
Mashpee	337	105	96	538
Orleans	1,198	430	193	1,821
Provincetown	611	354	208	1,173
Sandwich	998	325	217	1,540
Truro	240	89	42	371
Wellfleet	453	171	103	727
Yarmouth	3,804	1,173	768	5,745
Totals	25,719	9,082	5,825	40,626

County of Berkshire.

Adams	2,619	912	1,295	4,826
Alford	71	26	25	122
Becket	129	65	63	257
Cheshire	599	199	200	998
Clarksburg	405	115	119	639
Dalton	1,761	474	273	2,508
Egremont	266	98	52	416
Florida	118	53	59	230
Great Barrington	1,045	280	1,128	2,453
Hancock	103	48	22	173
Hinsdale	290	84	67	441
Lanesborough	381	229	219	829
Lee	883	292	729	1,904
Lenox	1,106	365	498	1,969
Monterey	149	45	30	224
Mount Washington	19	9	3	31
New Ashford	34	11	10	55
New Marlborough	190	52	63	305
NORTH ADAMS	3,935	1,182	1,742	6,859
Otis	89	62	76	227

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Peru	53	22	10	85
PITTSFIELD	9,111	3,361	7,231	19,703
Richmond	320	89	45	454
Sandisfield	103	27	38	168
Savoy	62	31	31	124
Sheffield	554	133	125	812
Stockbridge	556	169	124	849
Tyringham	72	20	19	111
Washington	62	26	28	116
West Stockbridge	267	85	85	437
Williamstown	1,897	397	340	2,634
Windsor	105	42	12	159
Totals	27,354	9,003	14,761	51,118

County of Bristol

Acushnet	1,676	810	737	3,223
ATTLEBORO	6,714	2,082	1,773	10,569
Berkley	327	136	137	600
Dartmouth	4,354	1,892	1,691	7,937
Dighton	929	388	271	1,588
Easton	3,041	967	653	4,661
Fairhaven	3,841	1,605	1,289	6,735
FALL RIVER	15,508	7,062	14,722	37,292
Freetown	803	341	219	1,363
Mansfield	2,065	659	594	3,318
NEW BEDFORD	18,468	9,339	11,137	38,944
North Attleborough	3,889	1,191	1,065	6,145
Norton	1,667	547	331	2,545
Raynham	1,431	556	476	2,463
Rehoboth	1,248	388	345	1,981
Seekonk	2,530	763	594	3,887
Somerset	4,121	1,428	1,856	7,405
Swansea	2,814	1,145	1,076	5,035
TAUNTON	6,850	3,002	5,021	14,873
Westport	1,802	818	989	3,609
Totals	84,078	35,119	44,976	164,173

County of Dukes County.

Chilmark	62	75	18	155
Edgartown	367	200	157	724
Gay Head	11	20	16	47
Gosnold	25	12	8	45
Oak Bluffs	326	140	154	620
Tisbury	548	305	198	1,051
West Tisbury	158	74	45	277
Totals	1,497	826	596	2,919

County of Essex.

Amesbury	1,713	981	1,375	4,069
Andover	6,337	1,957	1,076	9,370
BEVERLY	9,389	2,958	2,710	15,057
Boxford	1,245	255	105	1,605
Danvers	6,078	2,012	1,283	9,373
Essex	678	204	191	1,073
Georgetown	1,300	363	253	1,916
GLOUCESTER	5,843	2,031	2,832	10,706
Groveland	1,249	442	211	1,902
Hamilton	1,753	529	272	2,554
HAVERHILL	8,417	4,824	4,740	17,981
Ipswich	2,520	881	697	4,098
LAWRENCE	12,486	5,397	8,448	26,331
LYNN	20,234	7,796	6,411	34,441
Lynnfield	3,472	875	471	4,818

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Manchester	1,473	493	264	2,230
Marblehead	7,403	1,697	1,046	10,146
Merrimac	885	349	209	1,443
Methuen	7,996	3,234	3,302	14,532
Middleton	847	284	216	1,347
Nahant	1,180	399	219	1,798
Newbury	1,052	357	220	1,629
NEWBURYPORT	3,404	1,285	1,454	6,143
North Andover	4,138	1,325	1,217	6,680
PEABODY	11,213	3,588	3,674	18,475
Rockport	1,855	530	484	2,869
Rowley	671	275	163	1,109
SALEM	9,365	3,603	4,281	17,249
Salisbury	787	438	315	1,540
Saugus	6,275	2,331	1,355	9,961
Swampscott	3,444	1,077	1,248	5,769
Topsfield	1,490	363	111	1,964
Wenham	1,070	275	130	1,475
West Newbury	665	229	131	1,025
Totals	147,927	53,637	51,114	252,678

County of Franklin.

Ashfield	308	108	70	486
Bernardston	333	149	73	555
Buckland	436	154	197	787
Charlemont	205	82	84	371
Colrain	278	115	93	486
Conway	240	105	68	413
Deerfield	845	463	350	1,658
Erving	306	111	107	524
Gill	277	122	77	476
Greenfield	3,195	1,768	1,797	6,760
Hawley	30	12	27	69
Heath	65	29	25	119
Leverett	236	78	38	352
Leyden	67	47	15	129
Monroe	55	10	17	82
Montague	1,969	845	915	3,729
New Salem	138	37	24	199
Northfield	575	310	119	1,004
Orange	1,111	423	395	1,929
Rowe	83	45	21	149
Shelburne	504	155	136	795
Shutesbury	106	44	25	175
Sunderland	401	174	129	704
Warwick	104	48	29	181
Wendell	73	38	34	145
Whately	246	120	137	503
Totals	12,186	5,592	5,002	22,780

County of Hampden.

Agawam	3,421	2,043	1,887	7,351
Blandford	234	88	42	364
Brimfield	425	134	95	654
Chester	182	59	77	318
CHICOPEE	10,053	7,058	5,413	22,524
East Longmeadow	2,427	1,110	962	4,499
Granville	221	90	46	357
Hampden	885	309	106	1,300
Holland	216	81	59	356
HOLYOKE	5,503	4,737	8,518	18,758
Longmeadow	4,517	1,293	544	6,354
Ludlow	3,262	1,648	1,194	6,104
Monson	1,258	488	392	2,138
Montgomery	96	64	24	184
Palmer	2,122	1,107	1,116	4,345
Russell	260	102	111	473
Southwick	1,225	421	250	1,896

County of Hampden — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
SPRINGFIELD	17,363	10,174	19,862	47,399
Tolland	40	11	11	62
Wales	177	64	28	269
West Springfield	4,430	2,767	2,438	9,635
WESTFIELD	6,350	2,432	2,136	10,918
Wilbraham	2,925	1,022	463	4,410
Totals	67,592	37,302	45,774	150,668

County of Hampshire.

Amherst	3,186	773	792	4,751
Belchertown	895	336	230	1,461
Chesterfield	143	46	41	230
Cummington	155	46	29	230
Easthampton	2,941	1,353	1,186	5,480
Goshen	132	44	29	205
Granby	973	527	174	1,674
Hadley	914	362	334	1,610
Hatfield	614	241	298	1,153
Huntington	302	95	107	504
Middlefield	79	31	16	126
NORTHAMPTON	6,019	2,229	2,157	10,405
Pelham	245	63	41	349
Plainfield	72	21	16	109
South Hadley	3,499	1,799	941	6,239
Southampton	690	282	145	1,117
Ware	1,734	821	860	3,415
Westhampton	190	74	28	292
Williamsburg	520	211	130	861
Worthington	189	46	59	294
Totals	23,492	9,400	7,613	40,505

County of Middlesex.

Acton	4,047	766	324	5,137
Arlington	15,309	5,427	3,158	23,894
Ashby	473	176	122	771
Ashland	2,134	551	351	3,036
Ayer	954	348	335	1,637
Bedford	3,247	731	308	4,286
Belmont	8,264	3,200	1,987	13,451
Billerica	6,013	1,997	1,086	9,096
Boxborough	361	131	43	535
Burlington	5,245	1,937	784	7,966
CAMBRIDGE	17,314	7,333	6,994	31,641
Carlisle	857	202	59	1,118
Chelmsford	7,759	2,213	1,018	10,990
Concord	4,324	1,153	915	6,392
Dracut	3,765	1,752	1,708	7,225
Dunstable	296	89	59	444
EVERETT	5,256	2,821	8,154	16,231
Framingham	16,041	3,487	2,645	22,173
Groton	1,284	332	219	1,835
Holliston	3,089	660	364	4,113
Hopkinton	1,493	395	319	2,207
Hudson	3,153	1,143	1,091	5,387
Lexington	7,877	2,479	2,251	12,607
Lincoln	1,638	319	160	2,117
Littleton	1,615	425	238	2,278
LOWELL	17,894	7,759	8,926	34,579
MALDEN	9,174	5,164	4,946	19,284
MARLBOROUGH	6,189	2,168	2,113	10,470
Maynard	2,092	716	639	3,447
MEDFORD	13,922	6,462	5,635	26,019
MELROSE	7,121	3,254	2,662	13,037
Natick	6,965	2,308	2,394	11,667
NEWTON	21,348	8,153	9,327	38,828
North Reading	2,783	740	367	3,890
Pepperell	1,080	363	271	1,714

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Reading	6,157	2,115	791	9,063
Sherborn	1,004	256	96	1,356
Shirley	662	284	246	1,192
SOMERVILLE	15,212	7,258	7,738	30,208
Stoneham	5,161	1,774	1,093	8,028
Stow	994	220	146	1,360
Sudbury	3,021	769	410	4,200
Tewksbury	4,311	1,443	883	6,637
Townsend	901	288	193	1,382
Tyngsborough	906	333	284	1,523
Wakefield	6,637	2,263	1,540	10,440
WALTHAM	8,229	3,640	7,888	19,757
Watertown	9,421	3,559	3,139	16,119
Wayland	4,216	873	373	5,462
Westford	2,576	705	572	3,853
Weston	3,617	885	242	4,744
Wilmington	3,963	1,282	664	5,909
Winchester	5,449	2,018	1,665	9,132
WOBURN	6,845	3,173	3,227	13,245
Totals	299,658	110,292	103,162	513,112

County of Nantucket.

Nantucket	518	594	313	1,425

County of Norfolk.

Avon	1,127	407	292	1,826
Bellingham	2,727	798	597	4,122
Braintree	9,515	3,803	1,598	14,916
Brookline	10,757	3,828	9,033	23,618
Canton	4,272	1,443	822	6,537
Cohasset	2,138	580	330	3,048
Dedham	7,090	2,879	1,680	11,649
Dover	1,567	388	153	2,108
Foxborough	3,070	913	364	4,347
Franklin	3,480	1,028	883	5,391
Holbrook	2,570	931	488	3,989
Medfield	2,416	509	276	3,201
Medway	1,752	489	371	2,612
Millis	1,459	353	269	2,081
Milton	8,335	3,226	1,640	13,201
Needham	9,603	2,704	1,170	13,477
Norfolk	890	253	133	1,276
Norwood	7,679	2,525	1,649	11,853
Plainville	1,029	323	194	1,546
QUINCY	21,727	8,578	5,848	36,153
Randolph	6,144	2,098	1,506	9,748
Sharon	3,887	791	510	5,188
Stoughton	3,756	1,697	1,533	6,986
Walpole	4,546	1,187	700	6,433
Wellesley	7,066	2,582	1,780	11,428
Westwood	3,941	1,258	509	5,708
Weymouth	13,255	4,727	2,336	20,318
Wrentham	1,354	356	212	1,922
Totals	147,152	50,654	36,876	234,682

County of Plymouth.

Abington	2,766	1,001	611	4,378
Bridgewater	2,343	724	672	3,739
BROCKTON	16,568	6,035	5,273	27,876
Carver	476	174	114	764
Duxbury	2,280	617	313	3,210
East Bridgewater	1,970	577	457	3,004
Halifax	739	259	143	1,141
Hanover	2,553	673	345	3,571

County of Plymouth — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Hanson	1,440	476	325	2,241
Hingham	5,430	1,553	692	7,675
Hull	2,022	723	644	3,389
Kingston	1,274	463	409	2,146
Lakeville	858	367	231	1,456
Marion	911	319	143	1,373
Marshfield	3,420	1,008	414	4,842
Mattapoisett	1,213	418	244	1,875
Middleborough	2,570	881	637	4,088
Norwell	2,154	640	218	3,012
Pembroke	2,468	786	419	3,673
Plymouth	2,691	1,438	2,521	6,650
Plympton	293	73	54	420
Rochester	341	178	87	606
Rockland	3,013	1,080	679	4,772
Scituate	4,158	1,128	714	6,000
Wareham	1,989	833	674	3,496
West Bridgewater	1,455	575	270	2,300
Whitman	2,796	822	706	4,324
Totals	70,191	23,821	18,009	112,021

County of Suffolk.

BOSTON	63,031	38,140	89,905	191,076
CHELSEA	4,663	2,321	4,047	11,031
REVERE	8,182	4,022	5,262	17,466
Winthrop	3,628	2,135	2,195	7,958
Totals	79,504	46,618	101,409	227,531

County of Worcester.

Ashburnham	806	268	214	1,288
Athol	2,274	707	803	3,784
Auburn	3,793	1,334	1,037	6,164
Barre	769	302	388	1,459
Berlin	469	156	135	760
Blackstone	1,335	458	476	2,269
Bolton	501	163	110	774
Boylston	735	215	110	1,060
Brookfield	411	141	111	663
Charlton	801	251	269	1,321
Clinton	2,504	1,190	1,809	5,503
Douglas	728	298	320	1,346
Dudley	1,482	472	665	2,619
East Brookfield	398	129	149	676
FITCHBURG	8,081	3,557	4,112	15,750
GARDNER	4,118	1,381	1,980	7,479
Grafton	2,345	774	816	3,935
Hardwick	423	164	271	858
Harvard	911	269	115	1,295
Holden	3,115	994	872	4,981
Hopedale	1,191	355	413	1,959
Hubbardston	298	123	84	505
Lancaster	1,019	355	351	1,725
Leicester	1,902	631	657	3,190
LEOMINSTER	6,173	3,214	2,877	12,264
Lunenburg	1,905	536	402	2,843
Mendon	614	212	189	1,015
Milford	4,093	1,290	2,609	7,992
Millbury	2,528	886	1,074	4,488
Millville	412	112	203	727
New Braintree	135	51	41	227
North Brookfield	861	291	333	1,485
Northborough	2,196	545	299	3,040
Northbridge	1,886	805	1,292	3,983
Oakham	176	60	34	270
Oxford	1,177	524	912	2,613
Paxton	913	293	157	1,363
Petersham	281	89	44	414
Phillipston	157	49	26	232

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Princeton	428	131	62	621
Royalston	152	51	41	244
Rutland	709	223	132	1,064
Shrewsbury	4,720	1,398	1,208	7,326
Southborough	1,489	404	218	2,111
Southbridge	2,107	784	2,652	5,543
Spencer	1,985	676	861	3,522
Sterling	1,003	338	226	1,567
Sturbridge	1,122	257	385	1,764
Sutton	970	302	298	1,570
Templeton	1,100	361	318	1,779
Upton	833	220	281	1,334
Uxbridge	1,744	638	768	3,150
Warren	748	289	385	1,422
Webster	2,542	941	1,762	5,245
West Boylston	1,669	496	267	2,432
West Brookfield	561	209	184	954
Westborough	2,821	726	484	4,031
Westminster	1,072	374	269	1,715
Winchendon	1,237	379	457	2,073
WORCESTER	36,212	13,582	15,469	65,263
Totals	129,140	46,423	53,486	229,049

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	25,719	9,082	5,825	40,626
BERKSHIRE	27,354	9,003	14,761	51,118
BRISTOL	84,078	35,119	44,976	164,173
DUKES COUNTY	1,497	826	596	2,919
ESSEX	147,927	53,637	51,114	252,678
FRANKLIN	12,186	5,592	5,002	22,780
HAMPDEN	67,592	37,302	45,774	150,668
HAMPSHIRE	23,492	9,400	7,613	40,505
MIDDLESEX	299,658	110,292	103,162	513,112
NANTUCKET	518	594	313	1,425
NORFOLK	147,152	50,654	36,876	234,682
PLYMOUTH	70,191	23,821	18,009	112,021
SUFFOLK	79,504	46,618	101,409	227,531
WORCESTER	129,140	46,423	53,486	229,049
Totals	1,116,008	438,363	488,916	2,043,287

RETURN OF VOTES ON QUESTION NO. 3, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1970.

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 October 9, 1967, received 142 votes in the affirmative and 102 in the negative, and in a joint session of the two branches held May 14, 1969, received 222 votes in the affirmative and 49 in the negative?

Summary.

The proposed amendment to the Constitution reduces the minimum age for voting in a state election from twenty-one to nineteen.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	4,048	3,218	1,213	8,479
Bourne	1,570	1,269	465	3,304
Brewster	489	388	104	981
Chatham	1,098	1,024	245	2,367
Dennis	1,449	1,380	479	3,308
Eastham	500	400	73	973
Falmouth	3,011	2,401	1,069	6,481
Harwich	1,299	1,192	327	2,818
Mashpee	269	185	84	538
Orleans	880	746	195	1,821
Provincetown	556	397	220	1,173
Sandwich	723	610	207	1,540
Truro	181	148	42	371
Wellfleet	369	259	99	727
Yarmouth	2,693	2,339	713	5,745
Totals	19,135	15,956	5,535	40,626

County of Berkshire.

Adams	1,896	1,633	1,297	4,826
Alford	51	50	21	122
Becket	98	98	61	257
Cheshire	433	373	192	998
Clarksburg	266	246	127	639
Dalton	1,304	922	282	2,508
Egremont	193	168	55	416
Florida	72	103	55	230
Great Barrington	817	541	1,095	2,453
Hancock	81	71	21	173
Hinsdale	196	178	67	441
Lanesborough	315	283	231	829
Lee	676	501	727	1,904
Lenox	851	638	480	1,969
Monterey	114	78	32	224
Mount Washington	10	19	2	31
New Ashford	30	18	7	55
New Marlborough	125	123	57	305
NORTH ADAMS	2,744	2,363	1,752	6,859
Otis	66	91	70	227
Peru	44	33	8	85
PITTSFIELD	7,508	5,159	7,036	19,703
Richmond	225	185	44	454
Sandisfield	72	62	34	168
Savoy	52	43	29	124

County of Berkshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Sheffield	388	298	126	812
Stockbridge	456	274	119	849
Tyringham	64	28	19	111
Washington	48	44	24	116
West Stockbridge	183	169	85	437
Williamstown	1,276	1,042	316	2,634
Windsor	74	72	13	159
Totals	20,728	15,906	14,484	51,118

County of Bristol.

Acushnet	1,313	1,179	731	3,223
ATTLEBORO	4,897	3,944	1,728	10,569
Berkley	241	227	132	600
Dartmouth	3,256	3,009	1,672	7,937
Dighton	650	666	272	1,588
Easton	2,302	1,752	607	4,661
Fairhaven	2,889	2,561	1,285	6,735
FALL RIVER	12,854	9,815	14,623	37,292
Freetown	632	525	206	1,363
Mansfield	1,525	1,237	556	3,318
NEW BEDFORD	14,879	13,025	11,040	38,944
North Attleborough	2,748	2,386	1,011	6,145
Norton	1,271	943	331	2,545
Raynham	1,047	991	425	2,463
Rehoboth	842	832	307	1,981
Seekonk	1,693	1,623	571	3,887
Somerset	3,122	2,436	1,847	7,405
Swansea	2,080	1,937	1,018	5,035
TAUNTON	5,505	4,451	4,917	14,873
Westport	1,302	1,360	947	3,609
Totals	65,048	54,899	44,226	164,173

County of Dukes County.

Chilmark	65	73	17	155
Edgartown	264	301	159	724
Gay Head	17	11	19	47
Gosnold	16	22	7	45
Oak Bluffs	258	225	137	620
Tisbury	438	424	189	1,051
West Tisbury	138	101	38	277
Totals	1,196	1,157	566	2,919

County of Essex.

Amesbury	1,508	1,231	1,330	4,069
Andover	4,889	3,478	1,003	9,370
BEVERLY	7,324	5,206	2,527	15,057
Boxford	878	641	86	1,605
Danvers	4,507	3,685	1,181	9,373
Essex	449	439	185	1,073
Georgetown	963	728	225	1,916
GLOUCESTER	4,598	3,456	2,652	10,706
Groveland	999	712	191	1,902
Hamilton	1,331	964	259	2,554
HAVERHILL	7,146	6,147	4,688	17,981
Ipswich	1,928	1,484	686	4,098
LAWRENCE	10,732	7,157	8,442	26,331
LYNN	15,922	12,233	6,286	34,441
Lynnfield	2,510	1,924	384	4,818
Manchester	1,139	826	265	2,230
Marblehead	5,416	3,776	954	10,146
Merrimac	650	594	199	1,443
Methuen	6,409	4,824	3,299	14,532
Middleton	604	534	209	1,347
Nahant	873	717	208	1,798
Newbury	808	626	195	1,629

County of Essex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
NEWBURYPORT	2,696	2,057	1,390	6,143
North Andover	3,181	2,293	1,206	6,680
PEABODY	9,095	5,834	3,546	18,475
Rockport	1,353	1,062	454	2,869
Rowley	502	455	152	1,109
SALEM	7,469	5,655	4,125	17,249
Salisbury	593	638	309	1,540
Saugus	4,847	3,861	1,253	9,961
Swampscott	2,843	1,752	1,174	5,769
Topsfield	1,027	840	97	1,964
Wenham	766	588	121	1,475
West Newbury	528	377	120	1,025
Totals	116,483	86,794	49,401	252,678

County of Franklin.

Ashfield	242	179	65	486
Bernardston	216	259	80	555
Buckland	294	295	198	787
Charlemont	153	159	59	371
Colrain	199	199	88	486
Conway	180	166	67	413
Deerfield	617	696	345	1,658
Erving	216	203	105	524
Gill	224	172	80	476
Greenfield	2,650	2,346	1,764	6,760
Hawley	27	19	23	69
Heath	57	46	16	119
Leverett	53	57	19	129
Leyden	186	129	37	352
Monroe	32	35	15	82
Montague	1,501	1,347	881	3,729
New Salem	101	79	19	199
Northfield	401	492	111	1,004
Orange	803	734	392	1,929
Rowe	48	79	22	149
Shelburne	340	320	135	795
Shutesbury	87	64	24	175
Sunderland	312	275	117	704
Warwick	84	73	24	181
Wendell	51	56	38	145
Whately	162	205	136	503
Totals	9,236	8,684	4,860	22,780

County of Hampden.

Agawam	2,848	2,667	1,836	7,351
Blandford	141	177	46	364
Brimfield	282	274	98	654
Chester	118	129	71	318
CHICOPEE	8,644	8,374	5,506	22,524
East Longmeadow	1,898	1,684	917	4,499
Granville	125	180	52	357
Hampden	658	548	94	1,300
Holland	166	134	56	356
HOLYOKE	5,609	4,929	8,220	18,758
Longmeadow	3,342	2,519	493	6,354
Ludlow	2,697	2,200	1,207	6,104
Monson	920	857	361	2,138
Montgomery	78	80	26	184
Palmer	1,681	1,579	1,085	4,345
Russell	188	182	103	473
Southwick	900	744	252	1,896
SPRINGFIELD	15,609	12,474	19,316	47,399
Tolland	27	27	8	62
Wales	120	116	33	269
West Springfield	3,655	3,450	2,530	9,635
WESTFIELD	4,936	4,056	1,926	10,918
Wilbraham	2,127	1,836	447	4,410
Totals	56,769	49,216	44,683	150,668

County of Hampshire.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Amherst	2,691	1,305	755	4,751
Belchertown	662	562	237	1,461
Chesterfield	95	85	50	230
Cummington	121	82	27	230
Easthampton	2,099	2,198	1,183	5,480
Goshen	97	77	31	205
Granby	821	671	182	1,674
Hadley	635	602	373	1,610
Hatfield	416	446	291	1,153
Huntington	205	185	114	504
Middlefield	53	55	18	126
NORTHAMPTON	4,541	3,722	2,142	10,405
Pelham	162	151	36	349
Plainfield	46	46	17	109
South Hadley	2,833	2,473	933	6,239
Southampton	474	495	148	1,117
Ware	1,360	1,148	907	3,415
Westhampton	115	149	28	292
Williamsburg	398	344	119	861
Worthington	130	111	53	294
Totals	17,954	14,907	7,644	40,505

County of Middlesex.

Acton	2,972	1,722	443	5,137
Arlington	12,193	8,782	2,919	23,894
Ashby	346	308	117	771
Ashland	1,697	1,040	299	3,036
Ayer	751	594	292	1,637
Bedford	2,589	1,440	257	4,286
Belmont	6,401	5,180	1,870	13,451
Billerica	4,780	3,342	974	9,096
Boxborough	286	204	45	535
Burlington	4,279	2,915	772	7,966
CAMBRIDGE	16,227	8,740	6,674	31,641
Carlisle	622	434	62	1,118
Chelmsford	5,728	4,374	888	10,990
Concord	3,720	1,809	863	6,392
Dracut	2,942	2,707	1,576	7,225
Dunstable	202	189	53	444
EVERETT	4,506	3,766	7,959	16,231
Framingham	12,762	6,914	2,497	22,173
Groton	943	684	208	1,835
Holliston	2,461	1,314	338	4,113
Hopkinton	1,156	753	298	2,207
Hudson	2,481	1,872	1,034	5,387
Lexington	6,800	3,698	2,109	12,607
Lincoln	1,357	623	137	2,117
Littleton	1,256	805	217	2,278
LOWELL	14,472	11,522	8,585	34,579
MALDEN	8,386	6,135	4,763	19,284
MARLBOROUGH	5,037	3,451	1,982	10,470
Maynard	1,704	1,121	622	3,447
MEDFORD	11,307	9,337	5,375	26,019
MELROSE	5,695	4,742	2,600	13,037
Natick	5,815	3,538	2,314	11,667
NEWTON	19,621	10,248	8,959	38,828
North Reading	2,087	1,447	356	3,890
Pepperell	807	655	252	1,714
Reading	4,614	3,672	777	9,063
Sherborn	753	522	81	1,356
Shirley	514	441	237	1,192
SOMERVILLE	13,181	9,576	7,451	30,208
Stoneham	4,118	3,023	887	8,028
Stow	780	457	123	1,360
Sudbury	2,444	1,347	409	4,200
Tewksbury	3,362	2,511	764	6,637
Townsend	677	513	192	1,382
Tyngsborough	667	596	260	1,523
Wakefield	4,928	4,048	1,464	10,440
WALTHAM	7,022	5,008	7,727	19,757
Watertown	7,470	5,516	3,133	16,119
Wayland	3,265	1,861	336	5,462

County of Middlesex — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Westford	1,862	1,438	553	3,853
Weston	2,665	1,835	244	4,744
Wilmington	3,045	2,251	613	5,909
Winchester	4,373	3,150	1,609	9,132
WOBURN	6,063	4,048	3,134	13,245
Totals	246,191	168,218	98,703	513,112

County of Nantucket.

Nantucket	517	583	325	1,425

County of Norfolk.

Avon	882	682	262	1,826
Bellingham	2,156	1,382	584	4,122
Braintree	7,393	6,051	1,472	14,916
Brookline	9,757	5,098	8,763	23,618
Canton	3,590	2,255	692	6,537
Cohasset	1,602	1,139	307	3,048
Dedham	5,773	4,294	1,582	11,649
Dover	1,135	824	149	2,108
Foxborough	2,393	1,579	375	4,347
Franklin	2,810	1,755	826	5,391
Holbrook	1,985	1,546	458	3,989
Medfield	1,794	1,152	255	3,201
Medway	1,291	951	370	2,612
Millis	1,060	768	253	2,081
Milton	7,087	4,632	1,482	13,201
Needham	7,381	5,117	979	13,477
Norfolk	593	565	118	1,276
Norwood	6,085	4,205	1,563	11,853
Plainville	726	643	177	1,546
QUINCY	16,898	13,622	5,633	36,153
Randolph	5,271	3,078	1,399	9,748
Sharon	3,146	1,588	454	5,188
Stoughton	3,242	2,266	1,478	6,986
Walpole	3,362	2,440	631	6,433
Wellesley	5,594	4,019	1,815	11,428
Westwood	3,024	2,246	438	5,708
Weymouth	10,123	8,055	2,140	20,318
Wrentham	1,015	688	219	1,922
Totals	117,168	82,640	34,874	234,682

County of Plymouth.

Abington	2,217	1,569	592	4,378
Bridgewater	1,764	1,314	661	3,739
BROCKTON	13,036	9,652	5,188	27,876
Carver	362	290	112	764
Duxbury	1,619	1,283	308	3,210
East Bridgewater	1,495	1,066	443	3,004
Halifax	551	453	137	1,141
Hanover	1,864	1,370	337	3,571
Hanson	1,120	821	300	2,241
Hingham	4,019	2,940	716	7,675
Hull	1,695	1,065	629	3,389
Kingston	984	756	406	2,146
Lakeville	620	610	226	1,456
Marion	689	549	135	1,373
Marshfield	2,769	1,647	426	4,842
Mattapoisett	833	815	227	1,875
Middleborough	1,870	1,589	629	4,088
Norwell	1,549	1,252	211	3,012
Pembroke	1,935	1,313	425	3,673
Plymouth	3,201	1,880	2,469	6,650

County of Plymouth — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Plympton	198	166	56	420
Rochester	217	308	81	606
Rockland	2,338	1,767	667	4,772
Scituate	3,286	2,042	672	6,000
Wareham	1,502	1,276	718	3,496
West Bridgewater	1,081	955	264	2,300
Whitman	2,134	1,505	685	4,324
Totals	54,048	40,253	17,720	112,021

County of Suffolk.

BOSTON	60,473	42,826	87,777	191,076
CHELSEA	4,063	2,983	3,985	11,031
REVERE	6,794	5,563	5,109	17,466
Winthrop	3,217	2,602	2,139	7,958
Totals	74,547	53,974	99,010	227,531

County of Worcester.

Ashburnham	644	437	207	1,288
Athol	1,641	1,359	784	3,784
Auburn	2,991	2,233	940	6,164
Barre	629	465	365	1,459
Berlin	350	285	125	760
Blackstone	1,070	709	490	2,269
Bolton	371	290	113	774
Boylston	568	397	95	1,060
Brookfield	306	237	120	663
Charlton	620	466	235	1,321
Clinton	1,911	1,802	1,790	5,503
Douglas	574	461	311	1,346
Dudley	1,094	862	663	2,619
East Brookfield	303	236	137	676
FITCHBURG	6,995	4,654	4,101	15,750
GARDNER	3,365	2,179	1,935	7,479
Grafton	1,881	1,279	775	3,935
Hardwick	326	264	268	858
Harvard	663	532	100	1,295
Holden	2,411	1,649	921	4,981
Hopedale	893	642	424	1,959
Hubbardston	215	214	76	505
Lancaster	754	631	340	1,725
Leicester	1,487	1,071	632	3,190
LEOMINSTER	5,300	3,992	2,972	12,264
Lunenburg	1,479	980	384	2,843
Mendon	431	381	203	1,015
Milford	3,190	2,283	2,519	7,992
Millbury	1,998	1,481	1,009	4,488
Millville	330	204	193	727
New Braintree	95	90	42	227
North Brookfield	638	532	315	1,485
Northborough	1,641	1,113	286	3,040
Northbridge	1,529	1,165	1,289	3,983
Oakham	123	114	33	270
Oxford	993	751	869	2,613
Paxton	709	521	133	1,363
Petersham	208	166	40	414
Phillipston	117	93	22	232
Princeton	325	235	61	621
Royalston	104	100	40	244
Rutland	556	386	122	1,064
Shrewsbury	3,788	2,426	1,112	7,326
Southborough	1,152	744	215	2,111
Southbridge	1,742	1,184	2,617	5,543
Spencer	1,520	1,151	851	3,522
Sterling	773	579	215	1,567
Sturbridge	850	543	371	1,764
Sutton	695	573	302	1,570
Templeton	857	617	305	1,779

County of Worcester — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Upton	661	431	242	1,334
Uxbridge	1,405	991	754	3,150
Warren	589	458	375	1,422
Webster	2,042	1,482	1,721	5,245
West Boylston	1,289	896	247	2,432
West Brookfield	393	389	172	954
Westborough	2,217	1,401	413	4,031
Westminster	854	596	265	1,715
Winchendon	971	689	413	2,073
WORCESTER	31,249	19,295	14,719	65,263
Totals	104,875	72,386	51,788	229,049

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	19,135	15,956	5,535	40,626
BERKSHIRE	20,728	15,906	14,484	51,118
BRISTOL	65,048	54,899	44,226	164,173
DUKES COUNTY	1,196	1,157	566	2,919
ESSEX	116,483	86,714	49,401	252,678
FRANKLIN	9,236	8,684	4,860	22,780
HAMPDEN	56,769	49,216	44,683	150,668
HAMPSHIRE	17,954	14,907	7,644	40,505
MIDDLESEX	246,191	168,218	98,703	513,112
NANTUCKET	517	583	325	1,425
NORFOLK	117,168	82,640	34,874	234,682
PLYMOUTH	54,048	40,253	17,720	112,021
SUFFOLK	74,547	53,974	99,010	227,531
WORCESTER	104,875	72,386	51,788	229,049
Totals	903,895	665,573	473,819	2,043,287

RETURN OF VOTES ON QUESTION NO. 4, BEING A LEGISLATIVE AMENDMENT TO THE CONSTITUTION, SUBMITTED UNDER THE PROVISIONS OF ARTICLE XLVIII OF THE AMENDMENTS TO THE CONSTITUTION TO THE VOTERS OF THE COMMONWEALTH AT THE STATE ELECTION HELD NOVEMBER 3, 1970.

Votes on Question No. 4 (Proposed Amendment to the Constitution).

Do you approve of the adoption of an amendment to the Constitution summarized below, which was approved by the General Court in a joint session of the two branches held July 15, 1968, received 181 votes in the affirmative and 66 in the negative, and in a joint session of the two branches held May 15, 1969, received 209 votes in the affirmative and 54 in the negative?

Summary.

The proposed amendment to the Constitution amends the existing constitutional provisions which direct the division of the Commonwealth into 240 representative districts and 40 senatorial districts. It provides for a census of the inhabitants of each city and town in the Commonwealth in the year 1971 and in every tenth year thereafter. The census in 1971 is to be the basis for determining the representative and senatorial districts for the ten-year period beginning January 1, 1975. Each subsequent census shall be the basis for determining the districts for each ten-year period beginning the fourth January following each census, so that the census in 1981 will determine the districts as of January, 1985, etc.

The amendment provides that the house of representatives shall consist of two hundred and forty members and the senate of forty members. In its first regular session following each census, the Legislature shall divide the Commonwealth into two hundred and forty representative districts of contiguous territory and forty senatorial districts also of contiguous territory. Each representative district shall contain, as nearly as may be, an equal number of inhabitants according to the census. Each senatorial district shall also contain as nearly as may be an equal number of inhabitants according to the census. A representative district shall not unite two or more counties, towns, or cities, or parts thereof, or a city and a town, or parts thereof, in one district unless the same is unavoidable. Further, no town of less than six thousand inhabitants shall be divided in forming representative districts. It is also provided that the County of Dukes County and Nantucket County shall each be a representative district, notwithstanding the foregoing. The senatorial districts, each of which shall elect one Senator, shall be formed without uniting two counties or parts of two or more counties, unless the same is unavoidable.

Each representative shall be an inhabitant of the district for which he is chosen at least one year immediately preceding his election, and each senator shall be an inhabitant of the district for which he is chosen at the time of his election and shall have been an inhabitant of the Commonwealth for at least five years immediately preceding his election. Any representative or senator who ceases to be an inhabitant of the Commonwealth shall cease to represent his district.

The amendment also provides that the Legislature (1) may by law limit the time within which judicial proceedings may be instituted calling in question any such division and (2) shall prescribe by law the manner of calling

and conducting elections for the choice of representatives and of ascertaining their election.

Finally, the amendment annuls the existing constitutional provisions with respect to apportionment of representative and senatorial districts, although those provisions will remain in effect until January 1, 1975.

County of Barnstable.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Barnstable	3,571	2,778	2,130	8,479
Bourne	1,438	1,069	797	3,304
Brewster	442	357	182	981
Chatham	1,107	772	488	2,367
Dennis	1,399	1,053	856	3,308
Eastham	507	295	171	973
Falmouth	2,919	1,846	,716	6,481
Harwich	1,231	978	609	2,818
Mashpee	224	159	155	538
Orleans	855	582	384	1,821
Provincetown	508	310	355	1,173
Sandwich	668	495	377	1,540
Truro	183	106	82	371
Wellfleet	330	218	179	727
Yarmouth	2,410	1,946	1,389	5,745
Totals	17,792	12,964	9,870	40,626

County of Berkshire.

Adams	1,523	1,432	1,871	4,826
Alford	56	32	34	122
Becket	107	58	92	257
Cheshire	399	297	302	998
Clarksburg	210	235	194	639
Dalton	1,302	673	533	2,508
Egremont	196	123	97	416
Florida	58	91	81	230
Great Barrington	755	285	1,413	2,453
Hancock	69	56	48	173
Hinsdale	227	101	113	441
Lanesborough	316	228	285	829
Lee	647	315	942	1,904
Lenox	837	421	711	1,969
Monterey	122	51	51	224
Mount Washington	15	10	6	31
New Ashford	29	11	15	55
New Marlborough	140	73	92	305
North Adams	2,233	2,122	2,504	6,859
Otis	58	57	112	227
Peru	40	26	19	85
Pittsfield	6,700	3,332	9,671	19,703
Richmond	236	126	92	454
Sandisfield	91	23	54	168
Savoy	31	40	53	124
Sheffield	390	208	214	812
Stockbridge	476	175	198	849
Tyringham	59	19	33	111
Washington	51	25	40	116
West Stockbridge	199	86	152	437
Williamstown	1,061	958	615	2,634
Windsor	76	49	34	159
Totals	18,709	11,738	20,671	51,118

County of Bristol.

Acushnet	1,062	1,064	1,097	3,223
Attleboro	4,981	2,719	2,869	10,569
Berkley	250	163	187	600
Dartmouth	2,604	2,824	2,509	7,937
Dighton	664	460	464	1,588

County of Bristol — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Easton	2,101	1,368	1,192	4,661
Fairhaven	2,420	2,296	2,019	6,735
FALL RIVER	11,399	7,451	18,442	37,292
Freetown	547	461	355	1,363
Mansfield	1,520	828	970	3,318
NEW BEDFORD	12,048	11,920	14,976	38,944
North Attleborough	2,921	1,557	1,667	6,145
Norton	1,163	756	626	2,545
Raynham	1,013	682	768	2,463
Rehoboth	925	528	528	1,981
Seekonk	1,987	981	919	3,887
Somerset	2,949	1,747	2,709	7,405
Swansea	2,046	1,483	1,506	5,035
TAUNTON	4,831	3,324	6,718	14,873
Westport	1,251	959	1,399	3,609
Totals	58,682	43,571	61,920	164,173

County of Dukes County.

Chilmark	80	51	24	155
Edgartown	296	196	232	724
Gay Head	12	8	27	47
Gosnold	26	11	8	45
Oak Bluffs	233	177	210	620
Tisbury	485	297	269	1,051
West Tisbury	130	86	61	277
Totals	1,262	826	831	2,919

County of Essex.

Amesbury	1,073	986	2,010	4,069
Andover	3,922	3,464	1,984	9,370
BEVERLY	6,450	4,252	4,355	15,057
Boxford	770	610	225	1,605
Danvers	4,231	2,801	2,341	9,373
Essex	388	344	341	1,073
Georgetown	855	618	443	1,916
GLOUCESTER	3,493	3,124	4,089	10,706
Groveland	892	624	386	1,902
Hamilton	1,191	786	577	2,554
HAVERHILL	6,412	4,872	6,697	17,981
Ipswich	1,711	1,183	1,204	4,098
LAWRENCE	8,176	7,143	11,012	26,331
LYNN	13,549	10,528	10,364	34,441
Lynnfield	2,234	1,669	915	4,818
Manchester	1,070	687	473	2,230
Marblehead	4,839	3,093	2,214	10,146
Merrimac	613	450	380	1,443
Methuen	4,893	4,630	5,009	14,532
Middleton	593	386	368	1,347
Nahant	758	630	410	1,798
Newbury	646	602	381	1,629
NEWBURYPORT	2,104	1,870	2,169	6,143
North Andover	2,460	2,244	1,976	6,680
PEABODY	7,279	5,207	5,989	18,475
Rockport	1,054	941	874	2,869
ROWLEY	422	401	286	1,109
SALEM	6,470	4,458	6,321	17,249
Salisbury	472	597	471	1,540
Saugus	4,377	3,148	2,436	9,961
Swampscott	2,266	1,782	1,721	5,769
Topsfield	979	690	295	1,964
Wenham	717	485	273	1,475
West Newbury	438	343	244	1,025
Totals	97,797	75,648	79,233	252,678

County of Franklin.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Ashfield	186	183	117	486
Bernardston	206	196	153	555
Buckland	261	219	307	787
Charlemont	130	119	122	371
Colrain	183	170	133	486
Conway	154	147	112	413
Deerfield	588	569	501	1,658
Erving	204	167	153	524
Gill	197	148	131	476
Greenfield	2,404	1,908	2,448	6,760
Hawley	21	16	32	69
Heath	41	44	34	119
Leverett	176	99	77	352
Leyden	47	45	37	129
Monroe	25	32	25	82
Montague	1,394	1,026	1,309	3,729
New Salem	90	55	54	199
Northfield	398	389	217	1,004
Orange	756	546	627	1,929
Rowe	32	69	48	149
Shelburne	312	258	225	795
Shutesbury	82	52	41	175
Sunderland	299	224	181	704
Warwick	72	61	48	181
Wendell	50	47	48	145
Whately	179	144	180	503
Totals	8,487	6,933	7,360	22,780

County of Hampden.

Agawam	2,346	2,202	2,803	7,351
Blandford	154	126	84	364
Brimfield	260	227	167	654
Chester	107	97	114	318
CHICOPEE	7,798	6,636	8,090	22,524
East Longmeadow	1,928	1,150	1,421	4,499
Granville	125	134	98	357
Hampden	644	412	244	1,300
Holland	154	104	98	356
HOLYOKE	3,846	3,641	11,271	18,758
Longmeadow	3,376	1,791	1,187	6,354
Ludlow	2,385	1,865	1,854	6,104
Monson	888	639	611	2,138
Montgomery	64	71	49	184
Palmer	1,547	1,168	1,630	4,345
Russell	162	145	166	473
Southwick	865	559	472	1,896
SPRINGFIELD	11,767	8,968	26,664	47,399
Tolland	30	16	16	62
Wales	95	102	72	269
West Springfield	3,001	3,358	3,276	9,635
WESTFIELD	4,321	3,221	3,376	10,918
Wilbraham	2,049	1,426	935	4,410
Totals	47,912	38,058	64,698	150,668

County of Hampshire.

Amherst	2,394	1,060	1,297	4,751
Belchertown	648	390	423	1,461
Chesterfield	85	80	65	230
Cummington	101	76	53	230
Easthampton	1,841	1,896	1,743	5,480
Goshen	90	68	47	205
Granby	754	558	362	1,674
Hadley	572	481	557	1,610
Hatfield	417	328	408	1,153
Huntington	213	122	169	504
Middlefield	55	29	42	126

County of Hampshire — Concluded.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
NORTHAMPTON	3,806	3,226	3,373	10,405
Pelham	177	100	72	349
Plainfield	45	40	24	109
South Hadley	2,611	1,940	1,688	6,239
Southampton	403	457	257	1,117
Ware	1,194	943	1,278	3,415
Westhampton	89	128	75	292
Williamsburg	333	312	216	861
Worthington	108	108	78	294
Totals	15,936	12,342	12,227	40,505

County of Middlesex.

Acton	2,654	1,651	832	5,137
Arlington	11,530	6,732	5,632	23,894
Ashby	324	240	207	771
Ashland	1,270	1,066	700	3,036
Ayer	705	458	474	1,637
Bedford	2,223	1,307	756	4,286
Belmont	5,885	3,930	3,636	13,451
Billerica	4,068	3,093	1,935	9,096
Boxborough	232	205	98	535
Burlington	3,728	2,497	1,741	7,966
CAMBRIDGE	13,823	7,206	10,612	31,641
Carlisle	587	372	159	1,118
Chelmsford	5,244	3,735	2,011	10,990
Concord	3,193	1,720	1,479	6,392
Dracut	2,603	2,264	2,358	7,225
Dunstable	184	157	103	444
EVERETT	3,289	2,785	10,157	16,231
Framingham	9,851	7,329	4,993	22,173
Groton	848	582	405	1,835
Holliston	1,855	1,469	789	4,113
Hopkinton	841	789	577	2,207
Hudson	2,074	1,588	1,725	5,387
Lexington	5,668	3,499	3,440	12,607
Lincoln	1,133	622	362	2,117
Littleton	1,002	765	511	2,278
LOWELL	13,078	9,288	12,213	34,579
MALDEN	7,198	5,502	6,584	19,284
MARLBOROUGH	4,098	3,133	3,239	10,470
Maynard	1,411	965	1,071	3,447
MEDFORD	10,357	7,222	8,440	26,019
MELROSE	5,007	3,884	4,146	13,037
Natick	4,512	3,788	3,367	11,667
NEWTON	16,799	8,960	13,069	38,828
North Reading	1,868	1,250	772	3,890
Pepperell	715	582	417	1,714
Reading	4,446	2,892	1,725	9,063
Sherborn	603	525	228	1,356
Shirley	480	338	374	1,192
SOMERVILLE	12,033	7,193	10,982	30,208
Stoneham	3,604	2,393	2,031	8,028
Stow	613	465	282	1,360
Sudbury	2,103	1,301	796	4,200
Tewksbury	2,532	2,099	2,006	6,637
Townsend	612	423	347	1,382
Tyngsborough	602	465	456	1,523
Wakefield	4,339	3,330	2,771	10,440
WALTHAM	5,407	3,746	10,604	19,757
Watertown	6,741	4,182	5,196	16,119
Wayland	2,910	1,617	935	5,462
Westford	1,599	1,326	928	3,853
Weston	2,529	1,465	750	4,744
Wilmington	2,629	1,964	1,316	5,909
Winchester	3,961	2,666	2,505	9,132
WOBURN	5,146	3,439	4,660	13,245
Totals	212,746	142,464	157,902	513,112

County of Nantucket.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
Nantucket	270	832	323	1,425

County of Norfolk.

Avon	835	490	501	1,826
Bellingham	1,932	1,189	1,001	4,122
Braintree	7,072	4,723	3,121	14,916
Brookline	7,506	3,941	12,171	23,618
Canton	3,134	1,877	1,526	6,537
Cohasset	1,537	906	605	3,048
Dedham	4,966	3,510	3,173	11,649
Dover	984	763	361	2,108
Foxborough	2,154	1,306	887	4,347
Franklin	2,455	1,495	1,441	5,391
Holbrook	1,935	1,143	911	3,989
Medfield	1,561	1,049	591	3,201
Medway	1,148	787	677	2,612
Millis	945	680	456	2,081
Milton	6,545	3,536	3,120	13,201
Needham	6,033	4,820	2,624	13,477
Norfolk	617	392	267	1,276
Norwood	5,559	3,317	2,977	11,853
Plainville	741	459	346	1,546
QUINCY	16,202	9,804	10,147	36,153
Randolph	4,367	2,512	2,869	9,748
Sharon	2,576	1,421	1,191	5,188
Stoughton	2,717	1,936	2,333	6,986
Walpole	3,128	1,924	1,381	6,433
Wellesley	4,876	3,842	2,710	11,428
Westwood	2,845	1,788	1,075	5,708
Weymouth	9,424	6,250	4,644	20,318
Wrentham	939	573	410	1,922
Totals	104,733	66,433	63,516	234,682

County of Plymouth.

Abington	1,992	1,278	1,108	4,378
Bridgewater	1,634	1,006	1,099	3,739
BROCKTON	12,097	7,156	8,623	27,876
Carver	326	237	201	764
Duxbury	1,578	966	666	3,210
East Bridgewater	1,343	870	791	3,004
Halifax	471	404	266	1,141
Hanover	1,717	1,136	718	3,571
Hanson	984	683	574	2,241
Hingham	3,800	2,401	1,474	7,675
Hull	1,508	804	1,077	3,389
Kingston	833	666	647	2,146
Lakeville	591	514	351	1,456
Marion	578	518	277	1,373
Marshfield	2,447	1,426	969	4,842
Mattapoisett	755	674	446	1,875
Middleborough	1,716	1,300	1,072	4,088
Norwell	1,517	943	552	3,012
Pembroke	1,628	1,261	784	3,673
Plymouth	2,038	1,514	3,098	6,650
Plympton	171	139	110	420
Rochester	212	238	156	606
Rockland	2,168	1,334	1,270	4,772
Scituate	2,978	1,653	1,369	6,000
Wareham	1,440	993	1,063	3,496
West Bridgewater	1,017	760	523	2,300
Whitman	1,835	1,233	1,256	4,324
Totals	49,374	32,107	30,540	112,021

County of Suffolk.

Cities and Towns.	Yes.	No.	Blanks.	Total Ballots.
BOSTON	48,250	34,699	108,127	191,076
CHELSEA	3,564	2,238	5,229	11,031
REVERE	5,943	4,000	7,523	17,466
Winthrop	2,767	2,245	2,946	7,958
Totals	60,524	43,182	123,825	227,531

County of Worcester.

Ashburnham	539	386	363	1,288
Athol	1,461	1,089	1,234	3,784
Auburn	2,504	1,992	1,668	6,164
Barre	497	446	516	1,459
Berlin	293	246	221	760
Blackstone	941	627	701	2,269
Bolton	321	262	191	774
Boylston	443	406	211	1,060
Brookfield	249	218	196	663
Charlton	512	424	385	1,321
Clinton	1,616	1,474	2,413	5,503
Douglas	474	433	439	1,346
Dudley	913	734	972	2,619
East Brookfield	263	191	222	676
FITCHBURG	5,772	4,009	5,969	15,750
GARDNER	2,715	1,944	2,820	7,479
Hardwick	292	213	353	858
Grafton	1,518	1,224	1,193	3,935
Harvard	584	480	231	1,295
Holden	1,732	1,779	1,470	4,981
Hopedale	803	521	635	1,959
Hubbardston	208	167	130	505
Lancaster	669	537	519	1,725
Leicester	1,280	943	967	3,190
LEOMINSTER	4,388	3,405	4,471	12,264
Lunenburg	1,233	864	746	2,843
Mendon	399	290	326	1,015
Milford	2,603	1,805	3,584	7,992
Millbury	1,673	1,324	1,491	4,488
Millville	295	153	279	727
New Braintree	92	74	61	227
North Brookfield	566	430	489	1,485
Northborough	1,269	1,215	556	3,040
Northbridge	1,273	1,173	1,537	3,983
Oakham	98	116	56	270
Oxford	763	645	1,205	2,613
Paxton	617	481	265	1,363
Petersham	173	159	82	414
Phillipston	95	87	50	232
Princeton	264	226	131	621
Royalston	92	91	61	244
Rutland	456	386	222	1,064
Shrewsbury	3,119	2,268	1,939	7,326
Southborough	919	722	470	2,111
Southbridge	1,382	921	3,240	5,543
Spencer	1,319	964	1,239	3,522
Sterling	634	534	399	1,567
Sturbridge	719	478	567	1,764
Sutton	588	508	474	1,570
Templeton	677	567	535	1,779
Upton	482	410	442	1,334
Uxbridge	1,224	852	1,074	3,150
Warren	477	435	510	1,422
Webster	1,630	1,282	2,333	5,245
West Boylston	1,088	829	515	2,432
West Brookfield	351	304	299	954
Westborough	1,734	1,379	918	4,031
Westminster	715	538	462	1,715
Winchendon	785	592	696	2,073
WORCESTER	24,870	18,528	21,865	65,263
Totals	85,661	65,780	77,608	229,049

AGGREGATE OF VOTES.

Counties.	Yes.	No.	Blanks.	Total Ballots.
BARNSTABLE	17,792	12,964	9,870	40,626
BERKSHIRE	18,709	11,738	20,671	51,118
BRISTOL	58,682	43,571	61,920	164,173
DUKES COUNTY	1,262	826	831	2,919
ESSEX	97,797	75,648	79,233	252,678
FRANKLIN	8,487	6,933	7,360	22,780
HAMPDEN	47,912	38,058	64,698	150,668
HAMPSHIRE	15,936	12,342	12,227	40,505
MIDDLESEX	212,746	142,464	157,902	513,112
NANTUCKET	270	832	323	1,425
NORFOLK	104,733	66,433	63,516	234,682
PLYMOUTH	49,374	32,107	30,540	112,021
SUFFOLK	60,524	43,182	123,825	227,531
WORCESTER	85,661	65,780	77,608	229,049
Totals	779,885	552,878	710,524	2,043,287

APPENDIX

The following table and index have been prepared by JAMES R. MCINTYRE, 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 SEVENTY-ONE.*†

Chapter 1. — Jurisdiction of the Commonwealth and of the United States.

SECT. 3 revised, 1933, 278 § 1; 1970, 810 § 1; paragraph added, 1971, 1035 § 1. (See 1970, 810 § 3; 1971, 1035 § 2.)

Chapter 2. — Arms, Great Seal and Other Emblems of the Commonwealth.

SECTS. 1–6 revised, 1971, 360 § 1. (See 1971, 360 § 3.)

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).

SECT. 10 added, 1970, 262 (designating cranberry juice as the state beverage).

SECT. 11 added, 1970, 586 (designating the Morgan horse as the state horse or horse emblem).

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.)

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* For table showing changes in legislation made during the years 1921 to 1931, inclusive, see Table of Changes contained in pages 485–597 of the Acts and Resolves of 1932.

† References in this table are to the Tercentenary Edition of the General Laws, as most recently amended, unless otherwise specified.

SECT. 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 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; amended, 1970, 242 § 2; 1971, 536 § 1, 1008 § 2. (See 1948, 655 §§ 3, 4; 1949, 784 § 3, 801 § 2; 1950, 247 § 2; 1951, 803 § 2; 1956, 742 §§ 2, 3; 1960, 783 § 3; 1963, 506 §§ 4, 7.) For temporary act see 1965, 271 § 1; 1966, 441 § 2, 688 § 2. (See 1965, 271 § 4; 1966, 441 § 3, 688 § 3; 1969, 19 § 7; 1970, 242 § 3; 1971, 536 § 2.)

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; 1971, 34.

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. 38A added, 1971, 272 § 1 (providing for the inclusion of fiscal notes of estimated cost with certain bills reported favorably by certain committees of the general court).

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).

SECTS. 63–64 added, under caption, 1971, 1008 § 1 (establishing a legislative post audit and oversight bureau).

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; revised, 1958, 140; 1960, 812 § 1; 1962, 616 § 1; 1968, 24 § 1; 1970, 215 § 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; 1970, 215 § 4.)

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; first paragraph amended, 1971, 226 § 1; second paragraph amended, 1971, 226 § 2; fourth paragraph stricken out and two paragraphs inserted, 1971, 226 § 3.

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; third sentence revised, 1970, 22 § 1. (See 1970, 22 § 3.)

SECT. 13 revised, 1970, 22 § 2. (See 1970, 22 § 3.)

SECT. 18 amended, 1935, 226 § 1; revised, 1943, 313; first paragraph amended, 1946, 466; 1967, 294; 1969, 239; second paragraph, last sentence revised, 1971, 226 § 4; paragraph 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; amended, 1970, 215 § 3. (See 1954, 661 § 2; 1970, 215 § 4.)

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; revised, 1970, 14 (providing for annual observance of Senior Citizens' Day). (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); amended, 1970, 215 § 2. (See 1970, 215 § 4.)

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. 14C added, 1971, 70 (providing for the annual observance of Earth 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. 15Q added, 1970, 210 (providing for annual observance of United States Marine Corps Day).

SECT. 15R added, 1971, 27 (relative to the annual observance of Memorial Day).

SECT. 15S added, 1971, 69 (relative to the annual observance of Martin Luther King Jr. Day).

SECT. 15T added, 1971, 664 (relative to the annual observance of Kaleoala Day).

SECT. 15U added, 1971, 710 (relative to the annual observance of Social Justice for Ireland Day).

SECT. 16 amended, 1941, 490 § 1.

SECT. 17 amended, 1932, 305 § 1; 1933, 120 § 1, 336 § 1; 1934, 374 § 1; 1935, 475 § 1; revised, 1939, 393 § 1; amended, 1945, 393 § 1; revised, 1945, 619 § 1; amended, 1946, 368 § 2; revised, 1946, 612 § 1; amended, 1947, 466 § 1; 513 § 1; 1948, 260 § 2; revised, 1948, 310 § 1; 476 § 1, 637 § 1; amended, 1950, 479 § 1; 1951, 511 § 1; 1952, 605 § 16; 1953, 409 § 4; revised, 1953, 608 § 1; amended, 1953, 612 § 1; 1954, 581 § 1; 537 § 1; 1955, 584 § 1; revised, 1956, 602 § 1; amended, 1956, 645 § 1; revised, 1956, 708 § 1; amended, 1956, 715 § 1; revised, 1957, 623 § 1; amended, 1957, 691 § 1; 1958, 577 § 1; revised, 1958, 623 § 1; amended, 1963, 668 § 1; 1962, 757 § 1; 1959, 418 § 1; 1958, 662 § 2; 1962, 487 § 1; 1963, 773 § 1; revised, 1964, 430 § 1; amended, 1964, 564 § 1, 622 § 1, 636 § 1A; 1965, 83 § 1; 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; 1970, 849 § 1. (See 1933, 336 § 3; 1948, 260 §§ 5, 6; 310 §§ 30, 31; 476 §§ 3, 4; 637 §§ 4–9, 13; 663 § 4; 1950, 479 §§ 6, 7; 1952, 605 §§ 15, 19–21; 1955, 584 §§ 9, 10; 1956, 602 §§ 17–20; 1959, 418 §§ 5–8; 1966, 353 § 3.)

SECT. 17A added, under caption, 1969, 704 § 1 (establishing a governor's cabinet); amended, 1970, 862 § 1. (See 1969, 704 § 60; 1970, 862 § 6.)

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; amended, 1971, 116 § 3; 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; 1971, 116 § 45.)

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. 41 amended, 1970, 888 § 13. (See 1970, 888 § 31.)
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; amended, 1971, 116 § 4. (See 1969, 766 § 48; 1971, 116 § 45.)
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; amended, 1971, 116 § 5; last paragraph revised, 1941, 596 § 3. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)
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 para-

graph amended, 1967, 844 § 2; third paragraph, first sentence revised, 1969, 766 § 4; amended, 1971, 116 § 6. (See 1950, 479 §§ 6, 7; 1963, 719 § 2; 1969, 766 § 48; 1971, 116 § 45.)

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; third paragraph revised, 1971, 808; paragraph added, 1971, 841.

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. 70, first sentence stricken out and two sentences inserted, 1971, 240 § 1.

SECT. 71 revised, 1969, 470 § 1; last sentence amended, 1970, 888 § 14; section revised, 1971, 623 § 1. (See 1970, 888 § 31.)

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; amended, 1971, 116 § 7; third sentence revised, 1963, 801 § 10. (See 1969, 766 § 48; 1971, 116 § 45.)

SECT. 76 amended, 1967, 738.

SECT. 77, definition of "Vocational rehabilitation services" amended, 1959, 328 § 1; 1970, 716 § 1.

SECT. 78 amended, 1959, 328 § 2; 1967, 486; 1970, 716 § 2.

SECT. 79, paragraphs (*e*) and (*f*) stricken out and paragraphs (*e*), (*f*) and (*g*) inserted, 1965, 854.

SECTS. 85–93 added, 1956, 645 § 2 (establishing the Massachusetts commission on atomic energy).

SECT. 86 repealed, 1964, 636 § 2. (See 1964, 636 § 11.)

SECT. 87 repealed, 1964, 636 § 2. (See 1964, 636 § 11.)

SECT. 89 repealed, 1964, 636 § 2. (See 1964, 636 § 11.)

SECT. 90 repealed, 1964, 636 § 2. (See 1964, 636 § 11.)

SECTS. 94–96 added, under caption, 1956, 715 § 2 (establishing a program for the control of alcoholism and establishing an office of commissioner on alcoholism). (See 1956, 715 §§ 27, 28.)

SECT. 94 repealed and caption preceding said section stricken out, 1959, 418 § 2.

SECT. 95 amended, 1958, 502; repealed, 1959, 418 § 2.

SECT. 96, paragraph added at end, 1958, 476; section repealed, 1959, 418 § 2.

SECTS. 97 and 98 added, under caption, 1956, 708 § 2 (establishing a finance advisory board).

SECT. 99 added, under caption, 1957, 623 § 2 (creating the boxers fund board for the benefit of boxers and former boxers in need of financial assistance). (See 1957, 623 § 4.)

SECT. 100 added, under caption, 1957, 691 § 2 (establishing a medical, dental and nursing scholarship board); said caption stricken out and section repealed, 1965, 572 § 1.

SECT. 101 added, 1958, 577 § 2 (creating an obscene literature control commission). (See 1958, 577 § 3.)

SECTS. 102–104 added, under caption, 1958, 623 § 2 (establishing a retirement law commission). (See 1958, 623 § 3.)

SECTS. 105–107 added, under caption, 1958, 662 § 3 (establishing a commission on employment of the handicapped).

SECT. 108 added, under caption, 1962, 487 § 2 (establishing a mobile homes commission).

SECTS. 109–114 added, under caption, 1963, 668 § 2 (establishing the metropolitan area planning council). (See 1963, 668 § 3.)

SECT. 109, first paragraph amended, 1965, 145; 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.)

SECTS. 109–114 repealed, 1970, 849 § 2.

SECT. 115 added, under caption, 1963, 773 § 2 (establishing a consumers' council).

SECT. 115A added, 1970, 885 § 1 (establishing a unit pricing law for certain retail stores). (See 1970, 885 § 2.)

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; amended, 1971, 116 § 8. (See 1969, 766 § 48; 1971, 116 § 45.)

SECT. 130, third paragraph revised, 1971, 698 § 3; last paragraph revised, 1971, 775. (See 1971, 698 § 4.)

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).

SECT. 159, next to last sentence stricken out and two sentences inserted, 1971, 793.

SECT. 162 added, under caption, 1971, 1 § 1 (establishing an advisory board on legislative compensation).

SECT. 163 added, 1971, 579 (establishing the management engineering task force board).

SECTS. 164–165 added, under caption, 1971, 842 § 1 (establishing a Massachusetts fire training council, a bureau of fire training in the division of occupational education and a Massachusetts fire-fighting academy).

Chapter 6A. — Executive Offices.

New chapter inserted, 1969, 704 § 3. (See 1969, 704 § 60.)

SECT. 2 amended, 1970, 862 § 2. (See 1970, 862 § 6.)

SECT. 8 amended, 1970, 862 § 3; 1971, 204. (See 1970, 862 § 6.)

SECT. 16A added, under caption, 1970, 862 § 4 (establishing an executive office of elder affairs). (See 1970, 862 § 6.)

SECT. 22 first paragraph amended, 1971, 1113 § 1; second paragraph amended, 1971, 1113 § 2.

SECT. 24, first paragraph amended, 1971, 1113 § 3; third paragraph amended, 1971, 1113 § 4.

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; amended, 1971, 116 § 9. (See 1969, 704 § 60; 766 § 48; 1971, 116 § 45.)

SECT. 4A, first sentence revised, 1963, 801 § 12; amended, 1967, 844 § 6; revised, 1969, 766 § 10; amended, 1971, 116 § 10; second paragraph, first sentence revised, 1969, 704 § 5. (See 1969, 704 § 60; 766 § 48; 1971, 116 § 45.)

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. 6E added, 1971, 557 (establishing the office of state office buildings physician).

SECT. 7 amended, 1945, 457; revised, 1948, 610 § 5; first paragraph stricken out, 1962, 757 § 6; paragraph added at end, 1949, 448; same paragraph amended, 1950, 512; 1951, 455; revised, 1953, 526; stricken out, 1954, 680 § 1; paragraph added at end, 1960, 808. (See 1948, 610 §§ 6, 7.)

SECT. 7A added, 1950, 698 (authorizing the commissioner of administration to enter into agreements with certain towns for fire protection of certain state institutions); amended, 1962, 757 § 11.

SECT. 8 amended, 1962, 757 § 12.

SECT. 9 amended, 1962, 757 § 13.

SECT. 10 amended, 1962, 757 § 14.

SECT. 11 amended, 1962, 757 § 15.

SECT. 12 repealed, 1962, 757 § 5.

SECT. 13 revised, 1950, 272; 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; 1971, 966; 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); revised, 1971, 53.

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. 30K, paragraph (c) revised, 1971, 1076 § 16. (See 1971, 1076 § 22.)

SECT. 30L, paragraph inserted after fourth paragraph, 1970, 714.

SECTS. 30Q–30T added, 1971, 943 § 2 (establishing a fraudulent claims commission and a bureau of welfare auditing in the executive office for administration and finance).

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; amended, 1971, 1004 § 1. (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; repealed, 1971, 820 § 1.

SECT. 7 amended, 1934, 25 § 2; 1939, 342 § 1; revised, 1971, 820 § 2.

SECT. 7A added, 1971, 812 (providing partial reimbursement of the costs of the decennial census to the cities and towns).

SECT. 9 amended, 1934, 127.

SECT. 15 amended, 1934, 19; revised, 1970, 481.

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. 19, paragraph added, 1971, 929 § 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. 26 amended, 1971, 517 § 1, 643.

SECT. 27 revised, 1965, 707.

SECTS. 27A–27B added, 1971, 517 § 2 (relative to the powers and duties of the Massachusetts Historical Commission).

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; amended, 1970, 90. (See 1945, 658 § 11.)
SECT. 19 revised, 1945, 658 § 3. (See 1945, 658 § 11.)
SECTS. 22–36 added, under caption, 1971, 813 § 2 (providing for a state lottery).

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; 1971, 832.
SECT. 6 revised, 1967, 20.
SECT. 12 revised, 1962, 733; amended, 1971, 943 § 5.

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; section revised, 1971, 1117 § 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; 1971, 1117 § 2. (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. 23, sentence added at end, 1970, 811.

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; amended, 1971, 116 § 11; revised, 1971, 1102 § 2; paragraph inserted after second paragraph, 1941, 403. (See 1939, 238 §§ 52–55; 1945, 681 § 2; 1955, 730 § 43; 1969, 704 § 60; 766 § 48; 1971, 116 § 45.)

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; amended, 1971, 116 § 12. (See 1939, 238 §§ 52–55; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

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; amended, 1971, 116 § 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; 1971, 116 § 45.)

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. 9B added, 1971, 1099 § 1 (regulating the membership of public or lay members on certain boards of registration).

SECT. 10 amended, 1932, 8; 1939, 36; 1960, 188; revised, 1971, 1099 § 2.

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; heading revised, 1970, 443 § 1. (See 1937, 425 §§ 14, 15.)

SECT. 12A, third sentence stricken out, 1952, 73; section amended, 1970, 443 § 2; revised, 1971, 1099 § 3.

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; amended, 1971, 1099 § 4; 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. 16 amended, 1971, 1099 § 5.

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. 19 revised, 1971, 1099 § 6.

SECT. 20 revised, 1946, 550 § 1; 1947, 417.

SECT. 21, first sentence revised, 1955, 730 § 17; 1963, 801 § 20. (See 1955, 730 § 43.)

SECT. 22 revised, 1971, 1099 § 7.

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; 1971, 1099 § 8.

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; first paragraph revised, 1971, 1099 § 9; 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; 1971, 440; stricken out and three sentences inserted, 1971, 1099 § 10; 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; amended, 1971, 1099 § 11. (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; first paragraph revised, 1971, 1099 § 12; 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; amended, 1971, 116 § 14. (See 1938, 337 § 2; 1969, 766 § 48; 1971, 116 § 45.)

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; amended, 1971, 116 § 15. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

SECTS. 44A–44D added, under caption "BOARD OF REGISTRATION OF ARCHITECTS", 1941, 696 § 1. (See 1941, 696 §§ 3, 4.)

SECT. 44A revised, 1971, 1099 § 13.

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; first two sentences revised, 1970, 707 § 1; section revised, 1971, 1099 § 14. (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. 48 amended, 1971, 1099 § 15.

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. 51 revised, 1971, 1099 § 16.

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. 58 revised, 1971, 1099 § 17.

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.)

SECT. 61 amended, 1971, 1099 § 18.

SECTS. 64–66 added, under caption, 1966, 409 § 1 (establishing a board of registration of chiropractors). (See 1966, 409 § 3.)

SECT. 64 amended, 1971, 1099 § 19.

SECT. 66, second sentence stricken out and two sentences inserted, 1968, 573.

SECT. 66A added, under caption, 1970, 781 § 1 (establishing a board of certification of operators of waste water treatment facilities); amended, 1971, 1099 § 20.

SECT. 66B added, under caption, 1971, 942 § 1 (establishing a board of certification of operators of drinking water supply facilities).

SECTS. 67–69 added, under caption, 1968, 473 § 1 (establishing a board of registration of landscape architects).

SECT. 67 amended, 1971, 1099 § 21.

SECTS. 70–72 added, under caption, 1970, 521 § 1 (establishing a board of certification of health officers).

SECT. 70 revised, 1971, 1099 § 22.

SECTS. 73–75 added, under caption, 1970, 865 § 1 (establishing a board of registration of nursing home administrators).

SECT. 73 amended, 1971, 1099 § 23.

SECTS. 76–79 added, 1971, 1021 § 1 (establishing a board of registration of psychologists).

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; amended, 1971, 116 § 16. (See 1969, 766 § 48; 1971, 116 § 45.)

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; 1970, 418 § 1.

SECT. 1B amended, 1969, 396 § 3; 684 § 1.

SECT. 1D, twentieth paragraph amended, 1967, 789 § 1; 1971, 1053; 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; revised, 1971, 1009 § 1.

SECT. 1F, sentence inserted after fourth sentence, 1969, 254 § 1; third paragraph amended, 1966, 549; section revised, 1969, 837 § 1; first two paragraphs revised, 1970, 887 § 1; second paragraph revised, 1971, 964; sixth paragraph, clause (8) added, 1971, 842 § 2.

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; paragraph inserted after twelfth paragraph, 1970, 871 § 1; nineteenth paragraph amended, 1967, 759 § 2.

SECT. 1H, first paragraph revised, 1966, 251 § 2; seventh paragraph revised, 1966, 428.

SECTS. 1I, 1J and 1K added, 1965, 641 § 2 (requiring the board of education to furnish assistance for the elimination of racial imbalance in the public schools).

SECT. 1I, second paragraph amended, 1966, 14 § 41.

SECT. 1L added, 1970, 753 § 1 (relative to school lunch programs for elderly persons).

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; section repealed, 1970, 887 § 3.

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; second sentence revised, 1971, 481 § 1. (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; amended, 1970, 418 § 2; 1971, 725.

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; first paragraph amended, 1970, 256 § 1; second paragraph amended, 1970, 256 § 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; 1970, 529 § 1. (See 1964, 207 § 2.)

SECT. 22, caption preceding section changed, 1942, 1 § 3; stricken out, 1964, 561 § 4; section amended, 1942, 1 § 4; revised, 1954, 594 § 1; repealed, 1964, 561 § 4. (See 1942, 1 § 9; 1954, 594 § 2.)

SECT. 23 repealed, 1964, 562 § 4.

SECT. 24 and caption preceding said section revised, 1953, 407 § 6; section revised, 1969, 846 § 5; sentence inserted after first sentence and last sentence stricken out, 1970, 322 § 1.

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. 27B added, 1971, 891 (establishing a faculty advisory body to the board of regional community colleges).

SECT. 28 revised, 1965, 572 § 7; first paragraph amended, 1969, 837 § 3; sentence added at end, 1970, 689; 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; amended, 1971, 116 § 17. (See 1969, 766 § 48; 1971, 116 § 45.)

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; stricken out and two sentences inserted, 1970, 605 § 1; third paragraph, subparagraph (b) amended, 1969, 766 § 18A; revised, 1970, 606 § 1; 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; amended, 1971, 116 § 18. (See 1969, 704 § 60; 766 § 48; 1971, 116 § 45.)

SECT. 12, second sentence revised, 1967, 844 § 11; first paragraph revised, 1971, 103 § 1; third sentence revised, 1969, 766 § 20; amended, 1971, 116 § 19; revised, 1971, 375; third paragraph revised, 1971, 103 § 2. (See 1969, 766 § 48; 1971, 116 § 45.)

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).

SECT. 18, definition of "solid waste disposal facility" revised, 1971, 844.

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; amended, 1971, 116 § 20. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

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; revised, 1971, 1076 § 1A; 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. 4A added, 1971, 752 (establishing a poison information and control center in the department of public health).

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; section revised, 1970, 874 § 1.

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.)

SECT. 13 added, under caption, 1970, 717 § 1 (establishing a drug formulary commission).

SECT. 14 added, under caption, 1971, 1076 § 1B (establishing an advisory council on alcoholism).

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; fourth sentence amended, 1971, 116 § 21. (See 1969, 766 § 48; 1971, 116 § 45.)

SECT. 4, fourth sentence revised, 1969, 766 § 24; section revised, 1969, 885 § 3; fourth sentence amended, 1971, 116 § 22. (See 1969, 766 § 48; 1971, 116 § 45.)

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; section repealed, 1971, 943 § 1.

SECTS. 5B–5F added, 1969, 885 § 6 (further defining certain frauds relating to the department of public welfare and the penalties therefor).

SECT. 5C revised, 1970, 701 § 1. (See 1970, 701 § 3.)

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.)

SECT. 5, second paragraph revised, 1971, 173.
SECT. 9 amended, 1970, 490.

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. 1, five paragraphs added at end, 1970, 888 § 1; third paragraph amended, 1971, 1076 § 2; sixth paragraph revised, 1971, 817. (See 1970, 888 § 31.)
SECT. 2, third paragraph amended, 1971, 859; fifth paragraph revised, 1971, 193; sixth paragraph revised, 1969, 766 § 25; revised, 1971, 116 § 23. (See 1969, 766 § 48; 1971, 116 § 45.)
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; amended, 1971, 1000 § 2.
SECTS. 14A–14D added, 1970, 888 § 2 (relative to the admission, treatment and discharge of certain mentally ill and retarded persons). (See 1970, 888 § 31.)
SECT. 18, first paragraph amended, 1967, 595; revised, 1970, 372 § 1; third paragraph amended, 1967, 780 § 2; revised, 1970, 372 § 2; fifth sentence revised, 1970, 888 § 15; sixth sentence stricken out and two sentences inserted, 1971, 838. (See 1970, 888 § 31.)
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.

SECTS. 27–30 added, 1970, 888 § 3 (relative to the admission, treatment and discharge of certain mentally ill and retarded persons). (See 1970, 888 § 31.)

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; amended, 1971, 116 § 24. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

SECT. 5 revised, 1963, 801 § 42; 1969, 766 § 27; amended, 1971, 116 § 25; revised, 1971, 988. (See 1969, 766 § 48; 1971, 116 § 45.)

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).

SECT. 10, first sentence stricken out and three sentences inserted, 1971, 861 § 1.

SECT. 11, first paragraph amended, 1971, 861 § 2; revised, 1971, 987 § 1; clause (c) stricken out and clauses (c) and (d) inserted; 1971, 861 § 3.

(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; amended, 1971, 116 § 26. (See 1969, 766 § 48; 1971, 116 § 45.)

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; amended, 1970, 779 § 3. (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); amended, 1971, 885; second sentence stricken out and two sentences inserted, 1971, 1004 § 2. (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. 9A added, 1970, 767 § 1 (authorizing the water resources commission to acquire water impoundment sites).

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. 17–17A stricken out and new sections 17–17A inserted, 1970, 589 § 3. (See 1970, 589 § 4.)

SECT. 17A amended, 1971, 864.

SECT. 17B added, 1971, 840 (establishing a system of scenic and recreational rivers and streams in the commonwealth).

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; paragraph revised, 1970, 28.

SECT. 27, clauses (8) and (9) added, 1967, 873 § 2; clause (8) amended, 1970, 693 § 1; sentence added at end, 1970, 704 § 1; clause (10) added, 1968, 648 § 2; first two paragraphs stricken out and five paragraphs inserted, 1970, 827 § 1.

SECT. 28, subsection (*a*) revised, 1967, 873 § 3.

SECT. 29 revised, 1970, 150.

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; first paragraph amended, 1970, 692 § 1.

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, first sentence amended, 1970, 704 § 2; sentence added, 1967, 873 § 11.

SECT. 43, first sentence amended, 1970, 704 § 3.

SECTS. 44–46 stricken out and new sections 44–46 inserted, 1970, 704 § 4.

SECT. 47, sentence added, 1967, 873 § 12; repealed, 1970, 704 § 5.

SECT. 49 repealed, 1970, 704 § 5.

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).

SECT. 50B added, 1970, 827 § 2 (further regulating vessels carrying cargoes of any bulk petroleum products). (See 1970, 827 § 4.)

SECTS. 54–56 added, 1968, 736 § 2 (establishing a division of mineral resources).

SECT. 54, last sentence stricken out and seven paragraphs inserted, 1971, 567.

SECTS. 57–58 added, 1970, 692 § 2 (regulating the handling and disposal of hazardous wastes).

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; amended, 1971, 116 § 27. (See 1948, 517 § 2; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

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, 1939, 503 § 4; same sentence revised, 1943, 175; 1954, 313

§ 1; 1955, 88; paragraph added, 1947, 407; amended, 1957, 343; revised, 1971, 521; paragraph added, 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; 1970, 836 § 1; amended, 1971, 1004 § 3. (See 1954, 489 § 2; 1970, 836 § 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); revised, 1971, 1004 § 4.

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, first sentence revised, 1970, 18 § 1; subparagraph (1) revised, 1969, 193; paragraph inserted after second paragraph, 1969, 124; fourth paragraph revised, 1970, 18 § 2; fifth paragraph revised, 1970, 18 § 3.

SECT. 9Q revised, 1970, 17.

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); fifth paragraph revised, 1971, 584 § 1; two paragraphs added, 1971, 827 § 1. (See 1971, 827 § 2.)

SECT. 14 added, 1945, 710 § 1 (establishing within the department of public safety a board of fire prevention regulations); first paragraph revised, 1960, 674; amended, 1971, 580; 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; amended, 1971, 116 § 28. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

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; first sentence revised, 1971, 97.

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; amended, 1971, 116 § 29. (See 1941, 685 § 6, 709 §§ 1–3; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

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; amended, 1971, 116 § 30. (See 1941, 611 §§ 2, 3, 685 § 6; 1951, 763 § 22; 1969, 766 § 48; 1971, 116 § 45.)

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; amended, 1971, 116 § 31; second sentence amended, 1950, 691 § 2. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

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; amended, 1971, 116 § 32; third paragraph revised, 1971, 907. (See 1955, 730 § 43; 1961, 611 § 9; 1969, 766 § 48; 1971, 116 § 45.)

SECT. 15A added, 1971, 953 § 1 (authorizing recall of certain retired members of the industrial accident board for temporary service).

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; amended, 1971, 116 § 33. (See 1969, 766 § 48; 1971, 116 § 45.)

SECT. 2, clause (*a½*) added, 1965, 790 § 1; paragraphs (*a½*), (*b*) and (*c*) stricken out and paragraph (*b*) inserted, 1968, 761 § 2.

SECT. 3 amended, 1968, 761 § 3.

SECT. 4 amended, 1968, 761 § 4; 1971, 679.

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. 9, second paragraph amended, 1971, 1014.

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; amended, 1971, 116 § 34. (See 1969, 766 § 48; 1971, 116 § 45.)

SECT. 5A added, 1969, 774 § 2 (establishing a housing appeals committee within the department of community affairs).

SECT. 9 amended, 1969, 751 § 7.

SECTS. 11–15 added, 1970, 848 § 1 (establishing an urban job incentive bureau).

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; amended, 1971, 116 § 35. (See 1953, 296 § 2; 1955, 730 § 43; 1959, 606 § 3; 1969, 766 § 48; 1971, 116 § 45.)

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; second paragraph amended, 1971, 485; third paragraph revised, 1956, 190. (See 1953, 575 § 2.)

SECT. 5A revised, 1952, 453.

SECT. 7, paragraph added at end, 1970, 879.

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.
SECTS. 17–17A added, 1971, 1093 (authorizing the imposition and collection of assessments from public utility companies).

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; amended, 1971, 116 § 36. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)
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; amended, 1971, 116 § 37. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)
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); second and third paragraphs revised, 1970, 792.
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; amended, 1971, 116 § 38; fourth sentence revised, 1967, 844 § 21. (See 1969, 766 § 48; 1971, 116 § 45.)
SECT. 2, first sentence revised, 1963, 801 § 67; 1969, 766 § 41; amended, 1971, 116 § 39; revised, 1971, 1102 § 1; third sentence amended, 1956, 16 § 1; second paragraph revised, 1957, 482 § 3. (See 1969, 766 § 48; 1971, 116 § 45.)
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; amended, 1971, 116 § 40; section revised, 1971, 994 § 1. (See 1960, 765 §§ 8, 9; 1969, 766 § 48; 1971, 116 § 45.)

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; amended, 1971, 116 § 41. (See 1969, 766 § 48; 1971, 116 § 45.)

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. 2D added, 1971, 813 § 1 (establishing the Local Aid Fund).

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; amended, 1971, 272 § 2. (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; 1970, 712 § 1; sentence inserted after first sentence, 1971, 862 § 1. (See 1951, 556 § 2; 1969, 808 § 12; 1970, 712 § 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); amended, 1971, 887 § 1; two paragraphs added, 1971, 887 § 2. (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 con-

tracts); 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; 1971, 116 § 1; paragraph inserted after salary schedule, 1971, 66 § 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 (2A) inserted, 1970, 281 § 2; 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; 1970, 281 § 3; 1971, 66 § 4, 116 § 45.)

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; amended, 1970, 712 § 2. (See 1969, 808 § 12; 838 § 74; 1970, 712 § 12.)

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; fourth sentence stricken out, 1970, 712 § 3. (See 1969, 808 § 12; 1970, 712 § 12.)

SECT. 6 revised, 1962, 545; 1969, 808 § 6; amended, 1970, 168 § 1A; revised, 1970, 712 § 4; first paragraph amended, 1971, 1065 § 1; fourth paragraph amended, 1971, 862 § 2; last paragraph revised, 1971, 1065 § 2. (See 1969, 808 § 12; 1970, 712 § 12.)

SECTS. 6A–6B added, 1969, 808 § 7 (providing for publication and distribution by each agency of its regulations). (See 1969, 808 § 12.)

SECT. 6A, second and third sentences revised, 1970, 712 § 5. (See 1970, 712 § 12.)

SECT. 6B revised, 1970, 712 § 6. (See 1970, 712 § 12.)

SECT. 7A added, 1969, 808 § 8 (providing for certain action by the attorney general against certain agencies); repealed, 1970, 712 § 7. (See 1970, 712 § 12.)

SECT. 10A added, 1971, 732 § 2 (regulating intervention in causes of action where issue is or may be damage to the environment).

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. 11B added, 1971, 602 (requiring all state boards, commissions and public authorities to inform certain city and town officials of studies which relate to their areas).

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 "Competitive promotional examination revised, 1971, 657 § 1; 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 "Departmental promotional examination" amended, 1971, 657 § 2; definition of "Division" revised, 1969, 704 § 38; definition of "Executive office promotional examination" inserted, 1971, 685 § 1; 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 "Promotion" amended, 1971, 683 § 1; 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; definition of "Unauthorized absence" added, 1971, 179 § 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; 1971, 221; paragraph (*f*) amended, 1970, 4; paragraph (*g*) revised, 1971, 220; paragraph (*i*) amended, 1961, 287; paragraph (*k*) amended, 1965, 9; revised, 1969, 5; paragraphs (*m*), (*n*) and (*o*) added, 1967, 780 § 6; paragraph (*n*) revised, 1971, 289. (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; eleventh and twelfth paragraphs stricken out, 1970, 5 § 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; stricken out, 1970, 5 § 2; paragraph added at end, 1970, 599. (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; 1970, 161, 165; 1971, 187, 294. (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. 5B added, 1970, 162 § 2 (relative to the height and weight of members of fire or police forces); first two paragraphs revised, 1971, 370.

SECT. 6, first sentence revised, 1949, 430; 1966, 18; 1970, 154; 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; 1970, 155 § 1; last paragraph revised, 1970, 155 § 2.

SECT. 6B added, 1967, 780 § 10 (providing for unassembled examinations for certain positions); revised, 1969, 298 § 2; paragraph inserted after second paragraph, 1970, 468 § 1.

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; first two paragraphs revised, 1971, 683 § 2; third paragraph amended, 1969, 6 § 1; paragraph inserted after

third paragraph, 1964, 521; amended, 1967, 74 § 1; 1971, 683 § 3; 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; last sentence amended, 1970, 468 § 2.

SECT. 8B added, 1967, 780 § 12 (authorizing the director to waive residence requirements in certain cases); revised, 1970, 6; 1971, 197 § 1.

SECT. 8C added, 1968, 655 (providing for competitive examinations for management interns); second paragraph, sentence added, 1970, 468 § 3.

SECT. 8D added, 1970, 7 (exempting certain students employed by cities or towns from civil service law).

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; revised, 1971, 237 § 1.

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; first paragraph, two sentences added, 1971, 235 § 1; third paragraph, two sentences added; 1971, 235 § 2; fourth paragraph amended, 1971, 235 § 3.

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; first sentence revised, 1971, 186; sentence added at end, 1952, 214; revised, 1971, 796.

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; 1971, 232 § 1; paragraph inserted after first paragraph,

1970, 281 § 1; second paragraph amended, 1969, 9 § 2; revised, 1971, 232 § 2; fifth paragraph amended, 1967, 57 § 1; sixth paragraph revised, 1968, 636; 1971, 214; seventh paragraph amended, 1967, 780 § 14; ninth paragraph revised, 1966, 127 § 2; 1969, 36 § 1; amended, 1970, 392; tenth paragraph revised, 1966, 290; paragraph A amended, 1966, 192; revised, 1967, 112; amended, 1968, 91; 1969, 8; 1971, 213; paragraph B amended, 1965, 237; revised, 1966, 349; 1967, 125; 1967, 683 § 1; 1968, 652 § 3; amended, 1970, 65; 1971, 685 § 2; paragraph added at end, 1969, 896; revised, 1971, 685 § 3; 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; seventeenth paragraph amended, 1970, 50; paragraph added at end, 1968, 652 § 8. (See 1955, 643 § 12; 1962, 743 §§ 4, 5, 7; 1970, 281 § 3.)

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; three paragraphs added, 1971, 683 § 4.

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; amended, 1970, 9 § 1; paragraph 2 revised, 1947, 426; 1962, 510; second sentence stricken out and two sentences inserted, 1969, 45 § 3; fourth sentence added, 1969, 217; amended, 1970, 9 § 2; revised, 1971, 480; 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; second sentence amended, 1971, 212; sentence inserted after second sentence, 1970, 319.

SECT. 15G added, 1967, 780 § 15 (relative to appointment from lists of three eligible persons willing to serve); amended, 1968, 652 § 10; 1971, 195.

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; first paragraph amended, 1971, 439 § 1; second paragraph revised, 1971, 439 § 2; third paragraph stricken out, 1971, 439 § 3. (See 1962, 743 §§ 6, 7.)

SECT. 16B added, 1971, 185 (providing for transfer of civil service employees from the official service to the labor service).

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; amended, 1971, 179 § 2; paragraph added, 1971, 179 § 3.

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. 19 revised, 1971, 197 § 2.

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); amended, 1971, 184.

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; paragraph inserted after first paragraph, 1971, 183. (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; 1970, 8; revised, 1971, 182 § 1; second paragraph revised, 1968, 506; four paragraphs added, 1971, 182 § 2.

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; second sentence revised, 1971, 219; third sentence amended, 1971, 1051 § 1. (See 1954, 627 §§ 65, 67.)

SECT. 23A added, 1954, 627 § 6 (defining "Disabled Veteran"); revised, 1956, 430 § 1; first paragraph amended, 1958, 69 § 1; 1971, 1051 § 2. (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. 23C added, 1971, 346 (providing that certain police officers and fire fighters have equal preference with veterans in their placement on eligible lists for promotion.)

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.

SECTS. 27–28 repealed, 1971, 181.

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; sentence inserted after fifth sentence, 1971, 234.

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; second and third sentences stricken out, 1971, 188 § 1.

SECT. 37 amended, 1939, 238 § 40; repealed, 1971, 188 § 2.

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. 41 repealed, 1970, 141.

SECT. 42 amended, 1939, 238 § 44; revised. 1960, 722; sentence added at end, 1964, 364; section revised, 1970, 720 § 1.

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; second sentence revised, 1970, 72 § 1; paragraphs (*b*) and (*c*) revised, 1948, 240; paragraph (*b*), first sentence amended, 1968, 637 § 4; revised, 1970, 72 § 2; second sentence revised, 1962, 205; paragraph (*d*) amended, 1955, 407 § 1; 1968, 637 § 5; revised, 1970, 72 § 3; 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 stricken out, 1965, 33 § 1; eighth sentence revised, 1970, 72 § 4; 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; first sentence revised, 1970, 72 § 5; paragraph (*i*) added, 1965, 33 § 3; paragraph (*j*) added, 1971, 179 § 4. (See 1955, 407 § 3; 1956, 629 § 3; 1969, 766 § 48.)

SECT. 45 amended, 1934, 249 § 2; revised, 1945, 667 § 2; amended, 1955, 407 § 2; 1970, 72 § 6; revised, 1970, 711. (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 reemployment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60; revised, 1947, 12; first two sentences revised, 1960, 231 § 1; 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; third paragraph amended, 1971, 152; paragraph added at end, 1950, 376 § 1; 1970, 49. (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; revised, 1970, 162 § 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. 48C added, 1970, 51 (increasing minimum age requirement for certain lifeguards). (See 1970, 437 §§ 1, 2.)

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.

SECT. 51 revised, 1971, 237 § 2.

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; amended, 1971, 1012 § 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; 1971, 1012 § 2; definition of "Political subdivision" revised, 1948, 507 § 1; 1967, 597 § 4; amended, 1967, 814 § 1; 1969, 751 § 8; revised, 1971, 1012 § 3; 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; revised, 1971, 287; definition of "System" revised, 1967, 597 § 5; 1971, 1012 § 4; 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; 1971, 1012 § 5; paragraph added, 1964, 532 § 2.

SECT. 3, subdivision (1), paragraph (*a*), clause (*i*) amended, 1970, 751; 1971, 94; 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, 403 § 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; 1970, 662 § 1; 1971, 969 § 1; revised, 1971, 992 § 1; 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; 1970, 662 § 2; revised, 1971, 992 § 2; amended, 1971, 1012 § 18; 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; paragraph added, 1971, 886; 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; paragraph (*o*) added, 1971, 894; 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; 1970, 644 § 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; second sentence amended, 1968, 600 § 1; revised, 1971, 960 § 1; paragraph (*d*) revised, 1951, 545 § 2.

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; 1971, 831; 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; second sentence revised, 1971, 555 § 1. (See 1971, 555 § 67.)

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 (*b*) amended, 1971, 481 § 2; paragraph (*d*) revised, 1946, 267; subdivision (4), paragraph (*b*) amended, 1971, 481 § 3; paragraph (*c*) amended, 1950, 163; 1966, 266 § 1; paragraph (*f*) added, 1960, 240; amended, 1966, 266 § 2; subdivision (4½) added, 1967, 597 § 14; subdivision (4¾) added, 1971, 1012 § 6; 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; sentence inserted after sixth sentence, 1971, 1012 § 7; 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; amended, 1971, 1012 § 8; subdivision (2) amended, 1946, 432 § 3; sentence added, 1967, 597 § 17; 1971, 1012 § 9.

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; 1971, 766 § 1; paragraph (*e*) added, 1967, 597 § 18; paragraph (*f*) added, 1971, 1012 § 10. (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; 1971, 1012 § 11; 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; amended, 1971, 1012 § 12.

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; amended, 1971, 1012 § 13; 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; para-

graph (*h*) added, 1946, 603 § 3; subdivision (3), paragraph (*a*) revised, 1946, 166 § 3; last sentence amended, 1946, 403 § 9; subdivision (4), paragraph (*a*) amended, 1964, 532 § 3; 1953, 583 § 2; 1956, 306 § 4; 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; subdivision (7) added, under caption, 1971, 1012 § 14. (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. 41 amended, 1971, 555 § 2. (See 1971, 555 § 67.)

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; first paragraph amended, 1971, 682 § 1, 727 § 1. (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; 1971, 727 § 2.)

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; first two paragraphs revised, 1970, 697 § 1; paragraph added at end, 1957, 413; amended, 1958, 669 § 1; paragraph added at end, 1957, 708 § 1; amended, 1958, 669 § 2; paragraph added at end, 1970, 697 § 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; third paragraph amended, 1970, 738 § 1; revised, 1971, 931; last paragraph revised, 1969, 30 § 1. (See 1960, 724 § 2; 1963, 571 § 2; 1964, 464 § 2; 1969, 30 § 3; 1970, 738 § 2.)

SECT. 66, paragraph added at end, 1934, 285 § 4; amended, 1937, 102 § 4.

SECT. 68 revised, 1943, 545 § 1; 1945, 322.

SECTS. 68A–68C added, 1939, 503 § 3 (relative to the retirement of members of the state police). (See 1939, 503 § 5.)

SECT. 68C revised, 1943, 545 § 2.

SECTS. 68A–68C stricken out, 1945, 658 § 1. (See 1945, 658 § 11.)

SECT. 69 revised, 1946, 576 § 1; 1960, 728 § 5. (See 1960, 728 § 18.)

SECT. 70, paragraph added at end, 1934, 285 § 5; amended, 1937, 102 § 5; section revised, 1937, 416 § 4; repealed, 1939, 441 § 4. (See 1937, 416 § 5; 1939, 441 §§ 3, 5.)

SECT. 75, paragraph added at end, 1934, 285 § 6; amended, 1937, 102 § 6; section revised, 1938, 323 § 1; amended, 1957, 643 § 1; revised, 1960, 728 § 6. (See 1960, 728 § 18.)

SECT. 76 revised, 1938, 323 § 2; 1956, 649; 1957, 643 § 2.

SECT. 76A added, 1957, 643 § 2 (relative to the apportionment of the payment of pensions of probation officers in the superior court); revised, 1960, 757; amended, 1965, 837.

SECT. 77, paragraph (*a*) revised, 1936, 290 § 1; 1939, 243; first sentence revised, 1960, 728 § 7; 1965, 408; second sentence revised, 1963, 650; paragraph (*b*) amended, 1945, 483 § 3A; paragraph (*c*) added at end, 1936, 290 § 2; amended, 1945, 483 § 3B. (Affected, 1937, 102 § 7, 283.) (See 1948, 515; 1960, 728 § 18.)

SECT. 77A added, 1957, 750 § 1 (providing pensions for widows of laborers under the non-contributory pension system); paragraph defining Option B revised, 1963, 237 § 1; 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, 330 § 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; first paragraph amended, 1970, 644 § 2; 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; first sentence amended, 1970, 644 § 3. (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; amended, 1970, 644 § 4. (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; 1970, 382 § 1; sentence added at end, 1970, 382 § 2.

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); paragraph added at end, 1970, 607 § 1. (See 1943, 452 § 2; 1970, 607 § 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. 90D added, 1971, 300 (providing increases for certain employees retired for ordinary disability.)

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; first sentence amended, 1971, 953 § 2; second sentence revised, 1968, 747; 1971, 67. (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; section amended, 1971, 1012 § 16. (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; revised, 1971, 763. (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; 1970, 318; 1971, 506; last paragraph amended, 1971, 1012 § 17.

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; first paragraph amended, 1971, 640 § 2, 743 § 1; second paragraph revised, 1971, 1011 § 1. (See 1967, 408 § 4; 1971, 640 § 3, 743 § 2.)

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; paragraph (*h*) added, 1971, 946 § 1. (See 1969, 813 § 3.)

SECT. 3 revised, 1958, 355 § 1; amended, 1962, 193 § 2; 1971, 1052 § 1.

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; sentence added, 1971, 166.

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; amended, 1971, 432 § 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; tenth sentence revised, 1971, 432 § 2.

SECT. 10, first sentence amended, 1960, 389 § 4; first sentence stricken out and three sentences inserted, 1960, 505 § 1; section revised, 1965, 840 § 5; first paragraph revised, 1971, 825 § 1; second paragraph, sentence added at end, 1969, 813 § 2; section revised, 1971, 946 § 3; first paragraph revised, 1971, 1048 § 1. (See 1960, 389 § 6, 505 §§ 2, 3; 1969, 813 § 3; 1971, 1048 § 2.)

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; 1971, 791. (See 1961, 414 § 2; 1962, 647 § 5.)

SECTS. 12–13 added, 1970, 626 § 1 (permitting retired teachers to transfer group health and life insurance to the group insurance commission and to allow withholding of certain premiums by the teachers' retirement board).

SECT. 14 added, 1971, 946 § 2 (authorizing the group insurance commission and certain public authorities to make available to eligible active and retired employees certain regional area insurance in lieu of unregionalized group insurance for medical care).

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; paragraph (*j*) added, 1971, 946 § 4. (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; sentence inserted after second sentence, 1971, 196; 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; sentence added at end, 1970, 269.

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); amended, 1971, 432 § 3.

SECT. 9, sentence inserted after first sentence, 1961, 100; section revised, 1961, 334 § 4; 1965, 841 § 5; first paragraph revised, 1968, 100 § 3; section revised, 1971, 946 § 6.

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; 1970, 626 § 2; 1971, 203 § 1, 946 § 7.

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; sixth paragraph revised, 1971, 167.

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. 11E added, 1970, 626 § 3 (relative to payment of certain costs for group life and health insurance coverage for retired teachers).

SECT. 11F added, 1971, 203 § 2 (authorizing certain public authorities to negotiate for group disability income insurance covering nonoccupational injury or disease for public employees).

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).

SECT. 16 added, 1971, 946 § 5 (authorizing certain public authorities to contract for the services of a public health organization for certain eligible retired employees and 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; 1971, 766 § 2; 1969, 849 § 10; two sentences inserted after first sentence, 1949, 481 § 1; second sentence amended, 1969, 849 § 11; 1971, 766 § 3; 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; section revised, 1970, 147 § 1. (See 1970, 147 § 2.)

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; revised, 1971, 766 § 4. (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 certain county treasurers in anticipation of serial loans); sentence inserted after first sentence, 1970, 44.

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; revised, 1960, 801 § 5; 1963, 841 § 1; amended, 1966, 463 § 1; revised, 1969, 859 § 3; amended, 1969, 867 § 1; 1970, 20 § 1, 526 § 1, 769 § 3; 1971, 843 § 2. (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; 1970, 20 § 3, 769 § 4; 1971, 843 § 27.)

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; 1970, 70.

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; 1971, 755 § 1; paragraph (4A) added, 1971, 1091; 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; 1971, 755 § 3.)

SECT. 52, second paragraph revised, 1938, 73 § 1.

SECT. 54 revised, 1948, 591 § 2. (See 1948, 591 §§ 4–7.)

SECT. 55 amended, 1949, 774 § 6.

Chapter 36. — Registers of Deeds.

SECT. 3 revised, 1937, 219 § 1; 1939, 214 § 3.

SECT. 4 amended, 1947, 352 § 2.

SECT. 5 revised, 1947, 352 § 1; 1960, 761 § 2; 1969, 399 § 1; paragraph added at end, 1970, 769 § 1. (See 1970, 769 § 4.)

SECT. 5A added, 1971, 578 (providing for a second assistant register in Norfolk county.)

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; first sentence amended, 1971, 209.

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; stricken out, 1970, 769 § 2. (See 1970, 769 § 4.)

Chapter 37. — Sheriffs.

SECT. 2 revised, 1937, 219 § 2.

SECT. 17 amended, 1945, 63; 1946, 121; paragraph added, 1966, 463 § 2; revised, 1970, 789 § 1. (See 1966, 463 § 5; 1970, 789 § 2.)

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 7–11 revised, 1970, 492; 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; 1970, 783 § 1; third sentence amended, 1949, 510; 1970, 783 § 2; last sentence revised, 1945, 632 § 3; 1959, 301 § 1; 1967, 670 § 1. (See 1970, 783 § 3.)

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, first paragraph, third sentence revised, 1970, 78 § 1; 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; first paragraph, sentence added at end, 1970, 571; third paragraph amended, 1964, 195.

SECT. 23B revised, 1960, 437 § 4.

SECT. 23C added, 1960, 437 § 5 (relative to the remedy in case of noncompliance with the law requiring that certain meetings be open to the public); revised, 1964, 323 § 1. (See 1960, 437 § 7.)

SECT. 24 amended, 1970, 78 § 2.

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, 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; 1971, 3; paragraph added, 1951, 798 § 2; stricken out, 1969, 849 § 24; paragraph added, 1968, 621; revised, 1969, 758 § 3; 1970, 238, 674; paragraph inserted, 1971, 71, 128, 952; paragraph added, 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. 4E added, 1970, 889 (authorizing school committees to contract for the operation of model educational programs).

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; 1970, 382 § 3; 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, 142 § 1 (authorizing cities and towns to appropriate money for stocking inland waters therein with fish and for liberating game therein); amended, 1941, 599 § 4; first sentence revised, 1950, 101; amended, 1965, 117; third sentence amended, 1965, 201; clause (42) added, 1951, 113 (allowing the granting of token awards by a playground or recreation commission); 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 estuaries as reservations); clause (54) added, 1962, 672 § 1 (authorizing cities and towns to appropriate money for participation with the water resources commission in developing water resources); clause (55) added, 1963, 479 § 2 (authorizing the payment to skin divers for certain services); clause (56) added, 1963, 697 § 3 (authorizing the development of places of historical value and the establishment and maintenance of historical commission); clause (57) added, 1964, 581 § 2 (authorizing the director of personnel and standardization to establish 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; clause (64) added, 1970, 82; clause (65) added, 1971, 784 § 1. (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; 1971, 766 § 5.

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; 1971, 766 § 6; 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); amended, 1971, 766 § 7.

SECT. 6 amended, 1971, 766 § 7.

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); third and fourth sentences stricken out and five sentences inserted, 1971, 893 § 1; sixth sentence (as appearing in 1957, 223 § 1) revised, 1971, 893 § 2; last two sentences revised, 1961, 258; thirteenth and fourteenth sentences (as appearing in 1957, 223 § 1) stricken out and three sentences inserted, 1971 893 § 3; 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); sentence inserted after third sentence, 1971, 517 § 3.

SECT. 8E added, 1969, 391 § 1 (authorizing cities and towns to establish youth commissions).

SECT. 8F added, 1970, 153 (authorizing cities and towns to establish consumer advisory 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, first sentence revised, 1970, 12; 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 (16A) added, 1971, 83; 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; 1970, 470; 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; amended, 1971, 438.

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; second sentence revised, 1971, 81.

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. 49 amended, 1971, 766 § 8.

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).

SECT. 55 added, 1970, 337 (authorizing cities and towns to contract for certain annuities for employees of municipal hospitals).

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; first sentence revised, 1971, 569; sentence inserted after first sentence, 1968, 336.

SECT. 18, first sentence revised, 1962, 203; fifth sentence revised, 1962, 387; 1969, 870 § 1; sixth sentence revised, 1970, 271; stricken out and two sentences inserted, 1971, 1018; 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; second paragraph amended, 1970, 80.

SECT. 22, first paragraph amended, 1970, 678 § 1. (See 1970, 678 § 2.)

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; first two sentences stricken out and five sentences inserted, 1971, 644; 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).

SECTS. 24–29 added, under caption, 1970, 849 § 3 (defining the powers and duties of the metropolitan area planning council).

Chapter 40C. — Historic Districts.

New chapter inserted, 1960, 372.

SECT. 3 revised, 1966, 525 § 1. (See 1966, 525 § 2.)

SECTS. 2–13 stricken out and new sections 2–17 inserted, 1971, 359 § 1.

Chapter 40D. — Industrial Development of Cities and Towns.

New chapter inserted, 1967, 772 § 1.

SECT. 1, clauses (k) and (l) revised, 1970, 326; clause (p½) added, 1971, 1017 § 1.

SECT. 20, paragraph added, 1967, 815.

SECT. 21 added, 1971, 1017 § 2 (authorizing cities and towns to establish authorities for the financing of solid waste disposal facilities).

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; second sentence stricken out and two sentences inserted, 1971, 151 § 1; 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; last two sentences revised, 1971, 8.

SECT. 19A added, 1933, 70 § 1 (requiring the filing with the state secretary of certificates of appointment or election of clerks or assistant or tem-

porary 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; amended, 1971, 64 § 1.

SECT. 19H added, 1971, 64 § 2 (regulating the additional compensation payable to a city or town clerk for serving as a member of the board of registrars of voters).

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. 41A added, 1971, 441 (authorizing the city or town treasurer to deliver payroll checks to department heads for the employees of such departments).

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, first paragraph amended, 1971, 766 § 9; 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. 69G added, 1970, 233 (authorizing cities and towns to establish an office of lands and natural resources).

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 motor vehicles 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; amended, 1971, 1061.

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; first sentence revised, 1971, 172. (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 inserted after first paragraph, 1970, 181; 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. 98C added, 1970, 628 (relative to the wearing of identification by uniformed police officers and certain other uniformed persons).

SECT. 98D added, 1971, 231 (requiring cities and towns to issue identification cards to their full-time police officers).

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); revised, 1971, 956 § 1.

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; 1970, 27; 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; clause (1) stricken out and clauses (2)–(6) renumbered clauses (1)–(5), 1970, 227. (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; 1971, 379 § 1.

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); first paragraph revised, 1971, 217.

SECT. 100F added, 1970, 613 (authorizing indemnification of harbor masters against certain actions and claims).

SECT. 100G added, 1971, 310 (providing for the payment of funeral and burial expenses of police officers and fire fighters killed in the performance of duty).

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; amended, 1971, 766 § 10. (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. 108L added, 1970, 835 (establishing a career incentive pay program for full-time police officers and for partial reimbursement by the commonwealth).

SECT. 108M added, 1971, 115 (providing certain benefits for police officers attending law enforcement and related courses at certain educational institutions).

SECT. 109 revised, 1960, 592 § 2; 1964, 54; first sentence revised, 1970, 381; sentence inserted after first sentence, 1971, 151 § 2.

SECT. 110, sentence added at end, 1950, 242.

SECT. 110A added, 1947, 265 (authorizing the closing of public offices in cities and towns on Saturdays).

SECT. 111 revised, 1932, 109; amended, 1936, 242; revised, 1937, 15; 1941, 368; fourth sentence stricken out and two sentences inserted, 1943, 280; first paragraph revised, 1946, 301; same paragraph stricken out and three paragraphs inserted, 1948, 330 § 1; same three paragraphs stricken out and one paragraph inserted, 1949, 475 § 1; same paragraph revised, 1951, 242 § 1. (See 1948, 330 § 2; 1951, 242 § 2.)

SECT. 111A amended, 1934, 107; revised, 1949, 172; first sentence stricken out and two sentences inserted, 1956, 46; first sentence amended, 1960, 154; 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).

SECTS. 17C–17D added, 1971, 311 (permitting the question of a four-year term for mayors in certain cities to be placed on the official ballot used at regular city elections).

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; second sentence revised, 1970, 24.

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. 9, subsection (*b*) amended, 1970, 786 § 1; sentence added at end, 1970, 786 § 2; subsection (*c*), sentence added at end, 1970, 786 § 3; amended, 1971, 37 § 1.

SECT. 10, subsection (*c*), first sentence amended, 1970, 786 § 4; sentence inserted after second sentence, 1970, 786 § 5.

SECT. 12, first paragraph amended, 1970, 786 § 6; revised, 1971, 37 § 2.

SECT. 12A added, 1970, 237 (providing for resubmission of a city or town charter for acceptance).

SECT. 16, sentence added at end, 1970, 786 § 7.

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; 1971, 766 § 11; clause (1) revised, 1969, 481 § 1; amended, 1970, 63; clause (2) amended, 1969, 481 § 2; clause (3A) added, 1966, 234 § 1; clause (4) amended, 1971, 54; clause (4B) added, 1970, 79 § 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; clause (21) revised, 1970, 79 § 2; 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; 1970, 55; 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 952, 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; third paragraph amended, 1971, 766 § 12. 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; section repealed, 1971, 766 § 11. (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; 1970, 64 § 1; paragraph added at end, 1970, 132. (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; 1970, 64 § 2. (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, 1954, 46; amended, 1971, 766 § 14; paragraph added, 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, first sentence amended, 1971, 766 § 15; 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 transactions by the director of accounts). [For prior temporary legislation, see 1926, 210; 1929, 335.]

SECT. 51 amended, 1934, 355; repealed, 1938, 458.

SECT. 53 revised, 1960, 592 § 3; 1962, 246; amended, 1967, 46 § 7; second sentence revised, 1968, 598 § 2; amended, 1970, 525.

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. 53C added, 1970, 344 (establishing a revolving fund for payment of police officers for off-duty work details in certain cities and towns).

SECT. 54 amended, 1933, 200; 1946, 358 § 24; revised, 1948, 194 § 1; 1949, 243; amended, 1953, 83; 1954, 47; first sentence amended, 1971, 299; sentence inserted after first sentence, 1962, 257; revised, 1970, 53.

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; last two sentences revised, 1971, 545.

SECT. 55A revised, 1948, 143 § 2, 194 § 2; 1950, 224; amended, 1954, 48.

SECT. 56 revised, 1969, 849 § 62; 1971, 766 § 16. (See 1969, 849 § 79).

SECT. 56A added, 1934, 229 § 1 (relative to the financial year of cities); revised, 1969, 849 § 63; 1971, 766 § 17. (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); amended, 1971, 766 § 18. (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; 1971, 766 § 18.

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); amended, 1970, 92.

SECT. 14 revised, 1949, 256; second sentence stricken out and two sentences inserted, 1955, 96; sixth sentence revised, 1970, 86.

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.

SECT. 21 amended, 1971, 893 § 4.

Chapter 46. — Return and Registry of Births, Marriages and Deaths.

SECT. 1, first paragraph amended, 1968, 42 § 1; second paragraph amended, 1933, 280 § 1; revised, 1968, 84 § 1, 358 § 1; third paragraph amended, 1971, 254; 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. 3B added, 1971, 288 (requiring physicians to report a birth whenever the mother and child are not admitted immediately to a hospital for postnatal care).

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; second sentence revised, 1971, 266; 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. 19B added, 1970, 151 (providing for the issuance of abbreviated certified copies of restricted birth 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; repealed, 1971, 571.
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); amended, 1970, 547 § 1. (See 1970, 547 § 6.)
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; amended, 1970, 547 § 2. (See 1970, 547 § 6.)
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; amended, 1970, 547 § 3. (See 1970, 547 § 6.)
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. 57G added, 1971, 1082 (increasing the annual rate of compensation of certain heads of fire and police departments).
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; 1970, 283.

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); first sentence revised, 1970, 354; sentence added at end, 1962, 345.

SECT. 89 added, 1970, 295 (providing that no fire fighter shall be required to carry firearms).

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; first paragraph stricken out and two paragraphs inserted, 1971, 382 § 1; 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; amended, 1971, 382 § 2, 320 § 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; first paragraph amended, 1971, 382 § 3; 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; amended, 1971, 382 § 4.

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; revised, 1971, 382 § 5; 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; sentence added, 1971, 382 § 6.

SECT. 29 amended, 1947, 34 § 4; 1956, 134; first sentence revised, 1967, 763; section revised, 1970, 89.

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; section amended, 1971, 201. (See 1938, 440 § 23.)

SECT. 36 amended, 1933, 254 § 12; 1943, 453 § 24; 1955, 67 § 3; 1962, 437 § 14; revised, 1971, 932. (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; first sentence revised, 1971, 382 § 7.

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; section revised, 1971, 382 § 8.

SECT. 45 revised, 1943, 108; 1945, 715 § 7; first sentence revised, 1962, 437 § 21; section repealed, 1971, 320 § 2.

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; fifth sentence revised, 1971, 59. (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; third sentence revised, 1971, 920 § 1; last sentence revised, 1969, 825 § 1. (See 1971, 920 § 11.)

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; first sentence stricken out and three sentences inserted, 1971, 224; 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; 1971, 512 § 1; second sentence revised, 1968, 114; last three sentences revised, 1954, 183 § 2; 1963, 210; last sentence amended, 1968, 488; paragraph added, 1971, 512 § 2. (See 1933, 254 § 66.)
SECT. 7A added, 1943, 229 § 2 (relative to the certification of nomination petitions for preliminary elections in cities).

SECT. 8, first paragraph amended, 1932, 135 § 4; section amended, 1933, 35 § 1; first sentence amended, 1938, 473 § 6; section revised, 1943, 334 § 4; first paragraph amended, 1955, 288 § 2; 1957, 14; revised, 1957, 278 § 1; amended, 1971, 202; second paragraph amended, 1951, 805 § 5; 1963, 307; third sentence revised, 1970, 869 § 1. (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; paragraph revised, 1971, 920 § 1A; 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; last sentence revised, 1971, 920 § 2; third paragraph revised, 1937, 77 § 2; amended, 1943, 334 § 5; revised, 1947, 74; paragraph inserted after third paragraph, 1948, 63. (See 1971, 920 § 11.)

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; second sentence revised, 1971, 322.

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; fourth paragraph amended, 1970, 41; seventh paragraph revised, 1961, 261; 1962, 272; amended, 1964, 55 § 1. (See 1937, 384, 435.)

SECT. 34A added, 1971, 920 § 6 (requiring the state secretary to prepare certain papers for absentee voting at each biennial or special state primary). (See 1971, 920 § 11.)

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; first paragraph, second sentence revised, 1971, 920 § 3; third paragraph, first sentence revised, 1967, 191; sentence added at end, 1949, 194; revised, 1957, 26. (See 1971, 920 § 11.)

SECT. 37A added, 1971, 920 § 4 (relating to party designation by absentee voters in a primary). (See 1971, 920 § 11.)

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; sentence inserted after first sentence, 1971, 920 § 5. (See 1971, 920 § 11.)

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; 1971, 935. (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; revised, 1971, 920 § 7; second paragraph amended, 1964, 254; paragraph added, 1966, 66. (See 1937, 384, 435; 1971, 920 § 11.)

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; 1971, 920 § 8. (See 1971, 920 § 11.)

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; amended, 1970, 104 § 1; 1971, 920 § 8A. (See 1971, 920 § 11.)

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; second paragraph amended, 1970, 104 § 2.

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; 1971, 820 § 3.

SECT. 2 amended, 1943, 411 § 1; 1971, 820 § 4.

SECT. 3 repealed, 1971, 820 § 5.

SECT. 4 revised, 1935, 482 § 2; amended, 1936, 185; revised, 1937, 412; amended, 1971, 820 § 6.

SECT. 5 revised, 1943, 209 § 1.

SECT. 6 revised, 1943, 411 § 2; amended, 1971, 820 § 7.

SECT. 7 revised, 1943, 411 § 3; amended, 1947, 267 § 1; amended, 1971, 820 § 8.

SECT. 7A added, 1947, 267 § 3 (authorizing the division of precincts in certain towns for the sole purpose of facilitating voting therein).

SECT. 9 amended, 1971, 820 § 9.

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; 1971, 820 § 10.

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).

SECT. 33E, second paragraph, three sentences added at end, 1970, 61.

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; amended, 1971, 65.

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; first sentence revised, 1970, 869 § 2; third paragraph amended, 1933, 35 § 2; 1938, 190; second sentence of same paragraph revised, 1938, 436 § 2; same paragraph amended, 1946, 78; 1955, 256; second sentence revised, 1970, 869 § 3; 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. 41A added, 1970, 869 § 4 (relative to the election of governor and lieutenant governor as a team).

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; first paragraph revised, 1970, 869 § 5; second paragraph amended, 1953, 212, 432; 1964, 55 § 2; 1965, 584 § 4; last paragraph amended, 1943, 411 § 12; first sentence revised, 1970, 869 § 6; last sentence revised, 1962, 437 § 38; sentence added at end, 1970, 424 § 1.

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; 1970, 869 § 7; last paragraph revised, 1970, 869 § 8.

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; sentence inserted after first sentence, 1970, 62. (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; 1970, 869 § 10.

SECT. 77A added, 1970, 869 § 9 (relative to the election of governor and lieutenant governor).

SECT. 78 revised, 1932, 135 § 2; amended, 1967, 564 § 12; sentence added at end, 1970, 424 § 2.

SECT. 78A added, 1970, 424 § 3 (relative to the candidates for presidential electors and the office of president and vice president).

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; 1971, 409 § 1, 920 § 9. (See 1971, 920 § 11.)

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*) re-

vised, 1966, 368 § 1; amended, 1969, 545 §§ 1, 2; 1971, 409 § 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; 1971, 409 § 3.

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; sentence inserted after first sentence, 1971, 409 § 4; 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; 1971, 920 § 10; paragraph added at end, 1946, 118; stricken out, 1969, 39. (See 1971, 920 § 11.)

SECTS. 103B–103Q added, under caption ABSENT VOTING FOR FEDERAL SERVICE PERSONNEL, 1962, 511 § 1. (See 1962, 511 § 5.)

SECT. 103B, definition of "Federal service personnel" revised, 1971, 783.

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; first sentence revised, 1971, 178; sentence added, 1971, 208; 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; seventh sentence revised, 1971, 253.

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. 11A added, 1971, 301 (imposing a penalty for altering the district designation of a nomination paper).

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; revised, 1971, 1074 § 1. (See 1967, 816 § 2.)

SECT. 2 revised, 1939, 507 § 1; 1948, 250 § 1; 1960, 432 § 1; amended, 1965, 127 § 1; revised, 1970, 498 § 1; amended, 1971, 42 § 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; revised, 1970, 498 § 2; amended, 1971, 42 § 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; two sentences inserted after the second sentence, 1971, 895 § 1; 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; first paragraph amended, 1971, 926; 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; section revised, 1971, 984 § 1. (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 (*a*), last sentence amended, 1970, 601 § 2; subsection (*b*), paragraph (1) amended, 1969, 849 § 64; paragraph (2) amended, 1969, 849 § 65; paragraph (3) revised, 1971, 1005 § 3. (See 1968, 566 § 3; 1969, 546 §§ 16, 34; 1969, 849 § 79; 1970, 601 § 11.)

SECT. 18B added, 1971, 497 § 13 (relating to the distribution of a portion of the Highway Fund to the cities and towns.) (See 1971, 497 § 15.)

SECT. 18C added, 1971, 813 § 3 (regulating the manner of distribution of the amounts credited in the Local Aid Fund to the cities and towns).

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; amended, 1971, 813 § 4. (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); amended, 1971, 1075 § 1.

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; section repealed, 1970, 601 § 1. (See 1951, 641 §§ 18, 19; 1964, 468 § 2; 1970, 601 § 11.)

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); paragraph added at end, 1970, 560 § 1. (See 1969, 531 § 2; 1970, 560 § 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; 1971, 768 § 1. (See 1969, 559 § 2; 1971, 768 § 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).

SECT. 37, subsection (*b*), paragraph (1) amended, 1970, 566 § 1.

SECT. 39, subsection (*b*), last sentence revised, 1970, 566 § 2; subsection (*e*), paragraph (3) revised, 1970, 566 § 3.

SECT. 41, subsection (*b*), paragraph (2) amended, 1970, 566 § 4.

SECT. 43, subsection (*b*) amended, 1970, 566 § 5.

SECT. 46 amended, 1970, 566 § 6.

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; amended, 1971, 116 § 42. (See 1937, 400 §§ 1, 2, 4, 5, 7; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45.)

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; revised, 1971, 871.

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; 1970, 270 § 1 (see 1970, 270 § 3); 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); subsection (*b*) revised, 1970, 219 § 1 (see 1970, 219 § 2); clause Fourth revised and clause Fourth A added, 1970, 600 § 1 (see 1970, 600 § 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); 1967,

212 § 1 (see 1967, 212 § 2); amended, 1970, 234 § 1 (see 1970, 234 § 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; sentence added at end, 1970, 270 § 2 (see 1970, 270 § 3); clause amended, 1971, 449 § 1 (see 1971, 449 § 2); revised, 1971, 1110 § 1 (see 1971, 1110 § 11); 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; first paragraph revised, 1966, 359 § 1 (see 1966, 359 § 5); 1971, 1110 § 2 (see 1971, 1110 § 11); paragraph (*a*), sentence added at end, 1969, 292 § 1; paragraph (*e*) revised, 1971, 1110 § 3 (see 1971, 1110 § 11); paragraph (*f*), sentence added at end, 1969, 292 § 2 (see 1969, 292 § 5); paragraph revised, 1971, 1110 § 4 (see 1971, 1110 § 11); 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 revised, 1971, 1110 § 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 revised, 1971, 1110 § 6*; 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 revised, 1971, 1110 § 7*; clause Twenty-second D added, 1965, 881; clause revised, 1971, 1110 § 8*; 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 Twenty-seventh revised, 1971, 555 § 3 (see 1971 555 § 67); clause Twenty-eight revised, 1971, 555 § 4 (see 1971, 555 § 67); 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 revised, 1970, 179 § 1 (see 1970, 179 § 2); 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; 1970, 456 § 1 (see 1970, 456 § 2); amended, 1971, 1069 § 1 (see 1971, 1069 § 2); clause Forty-second added, 1964, 715 § 1 (see 1964, 715 § 2); amended, 1965, 267 § 1 (see 1965, 267 § 3; 1966, 385); revised, 1971, 1110 § 9 (see 1971, 1110 § 11); clause Forty-third added, 1965, 267 § 2 (see 1965, 267 § 3; 1966, 385); revised, 1971, 1110 § 10 (see 1971, 1110 § 11); 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, first sentence amended, 1971, 766 § 19; 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; paragraph added, 1971, 286. (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.)

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* See 1971, 1110 § 11.

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; section revised, 1971, 766 § 19. (See 1933, 254 § 66.)

SECT. 21A added, 1971, 889 (providing for additional compensation for assessors and assistant assessors who have completed certain courses of study).

SECT. 21B added, 1971, 895 § 2 (requiring assessors to attend certain training programs).

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; second paragraph revised, 1971, 563; paragraph added at end, 1938, 175 § 2; 1949, 104 § 1; section revised, 1971, 766 § 20. Temporarily affected, 1954, 43. (See 1951, 798 § 8; 1952, 359; 1953, 119; 1955, 202 § 2; 1969, 849 § 79.)

SECT. 23A amended, 1963, 160 § 14; 1971, 766 § 21.

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; 1971, 766 § 21; 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.)

SECTS. 38B–38C added, 1970, 118 (authorizing assessors to require written returns and testimony under oath).

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; 1971, 262 § 1.

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; second sentence revised, 1971, 766 § 22; 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 proceedings for the abatement of such taxes); revised, 1933, 325 § 18. (See 1932, 218 § 2; 1933, 325 § 19.)

SECT. 65B added, 1938, 478 § 3 (relative to appeals to the appellate tax board from the refusal of assessors to abate certain taxes on real estate); revised, 1945, 621 § 7.

SECT. 65C added, 1953, 476 § 1 (providing for late entry of certain appeals to the appellate tax board). (See 1953, 476 § 2.)

SECT. 65D added, 1956, 452 § 1 (relative to certain appeals filed with the appellate tax board). (See 1956, 452 § 2.)

SECT. 69 amended, 1935, 218 § 3; 1939, 366 § 3; revised, 1965, 597 § 3.

SECT. 70A added, 1945, 351 § 1 (regulating the procedure after abatement of a local tax, assessment, rate or charge).

SECT. 71 amended, 1963, 160 § 24.

SECT. 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; revised, 1971, 262 § 2. (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; fifth sentence revised, 1971, 766 § 23. (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; clause 10 revised, 1971, 273 § 1; clause 11 revised, 1971, 273 § 2; clauses 15–16 revised, 1971, 273 § 3. (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. 17 revised, 1971, 766 § 23.

SECT. 18 repealed, 1932, 54 § 1.

SECT. 19, paragraph added at end, 1970, 218 § 1. (See 1970, 218 § 2.)

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; fourth sentence revised, 1971, 269; 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; 1971, 716 § 2. (See 1971, 716 § 3.)

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; two paragraphs added at end, 1970, 85. (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; first sentence amended, 1970, 235 § 1; second paragraph amended, 1941, 231; sentence inserted before last sentence, 1947, 133; paragraph inserted after the second paragraph, 1938, 415 § 5. (See 1935, 414 § 4; 1966, 263 § 3; 1970, 235 § 4.)

SECT. 63 amended, 1933, 325 § 11; revised, 1936, 392 § 3; third sentence amended, 1970, 235 § 2. (See 1970, 235 § 4.)

SECT. 65 amended, 1933, 325 § 12; 1938, 305; 1971, 716 § 1. (See 1971, 716 § 3.)

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; 1970, 235 § 3; paragraph added at end, 1935, 354 § 1. (See 1935, 224 § 6, 354 § 3, 414 § 4; 1966, 263 § 3; 1970, 235 § 4.)

SECT. 69 amended, 1935, 224 § 4; sentence added at end, 1945, 226 § 1. (See 1935, 224 § 6.)

SECT. 69A added, 1945, 226 § 2 (relative to the conclusiveness of decrees foreclosing tax titles).

SECT. 70 amended, 1935, 224 § 5. (See 1935, 224 § 6.)

SECT. 71 amended, 1941, 319 § 2. (See 1941, 319 §§ 3, 4.)

SECT. 75 amended, 1936, 189 § 1.

SECT. 76 revised, 1935, 318 § 1; amended, 1936, 189 § 2. (See 1935, 318 §§ 2, 8.)

SECT. 76A added, 1935, 354 § 2 (providing for redemption in part from tax sales in certain cases); paragraph added at end, 1939, 181; amended, 1953, 674 § 10. (See 1935, 354 § 3.)

SECT. 76B added, 1938, 415 § 6 (relative to the effect of errors or irregularities in respect to water rates and charges included in a tax title account).

SECT. 76C added, 1945, 268 (providing for notice to certain municipal officers of certain action in connection with tax titles).

SECT. 77, paragraph added at end, 1938, 339 § 3; amended, 1953, 654 § 37.

SECT. 77A added, 1945, 78 (relative to recording of deeds of cities and towns conveying land acquired through foreclosure of tax titles).

SECT. 77B added, 1947, 224 § 1 (making permanent certain temporary provisions of law relative to certain land acquired by municipalities). (See 1947, 224 § 2.) [For prior temporary legislation, see 1938, 358; 1939, 123; 1941, 296.]

SECT. 78 amended, 1933, 325 § 13; repealed, 1936, 194. (See 1933, 325 § 20.)

SECT. 79, 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; seventh sentence revised, 1970, 142; 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; two sentences inserted after third sentence, 1970, 250. (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; paragraph (6) added, 1967, 699 § 1; paragraph (7) amended, 1971, 978 § 1A. (See 1967, 699 § 2; 1968, 278 § 5; 557 § 2; 1971, 978 § 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.)

SECTS. 1–8 revised, 1971, 555 § 5. (See 1971, 555 § 67.)

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 (*b*) revised, 1971, 555 § 6; subsection (*d*) revised, 1966, 698 § 17. (See 1954, 387 § 2; 1955, 780 § 10; 1957, 644 § 5; 1971, 555 § 67.)

SECT. 11 revised, 1955, 592 § 3.

SECT. 12 revised, 1971, 555 § 7. (See 1971, 555 § 67.)

SECT. 12A added, 1954, 679 § 6 (relative to the exemption of certain unearned income); first sentence revised, 1957, 437 § 1; section revised, 1971, 555 § 7. (See 1954, 679 § 7; 1957, 437 § 2; 1971, 555 § 67.)

SECT. 13 revised, 1955, 527; 1957, 644 § 4. (See 1957, 644 § 5.)

SECT. 14 revised, 1971, 555 § 8. (See 1971, 555 § 67.)

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. 17, subsection (*a*) amended, 1971, 555 § 9; subsection (*b*) amended, 1970, 561 § 1; subsection (*c*), paragraph (1) revised, 1971, 555 § 10; subsection (*d*) amended, 1971, 555 § 11. (See 1970, 561 § 2; 1971, 555 § 67.)

SECT. 18 amended, 1971, 555 § 12. (See 1971, 555 § 67.)

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; 1971, 555 § 13. (See 1939, 486 § 3; 1954, 611 § 3; 1955, 780 § 10; 1957, 435 § 4; 1958, 491 § 3; 1971, 555 § 67.)

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); repealed, 1971, 555 § 14. (See 1971, 555 § 67.)

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; section revised, 1971, 555 § 15. (See 1945, 735 § 5; 1954, 391 § 2; 1955, 780 § 10; 1958, 54 § 2; 1971, 555 § 67.)

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); revised, 1971, 555 § 16. (See 1971, 555 § 67.)

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; first paragraph revised, 1970, 601 § 3; second paragraph amended, 1966, 698 § 23. (See 1933, 350 § 9; 1961, 252 § 2; 1964, 488 § 2; 1970, 601 § 11.)

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; section repealed, 1971, 555 § 17. (See 1956, 597 § 2; 1962, 596 § 3; 1971, 555 § 67.)

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); paragraph (*d*) added, 1971, 555 § 18. (See 1958, 308 § 2; 1971, 555 § 67.)

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; 1971, 555 § 19; definition of "Eligible individual" revised, 1969, 535 § 1. (See 1969, 535 § 3; 1971, 555 § 67.)

SECT. 2 revised, 1957, 544 § 1; 1966, 698 § 27; amended, 1971, 555 § 20. (See 1957, 544 § 2; 1971, 555 § 67.)

SECT. 3, paragraph added, 1966, 14 § 8; section revised, 1966, 698 § 28; first paragraph stricken out, 1968, 286 § 1; last paragraph revised, 1971, 555 § 21. (See 1968, 286 § 2; 1971, 555 § 67.)

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; section repealed, 1971, 555 § 22. (See 1966, 14 § 71; 1971, 555 § 67.)

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; 1971, 555 § 23; paragraph (*b*) amended, 1966, 698 § 35; paragraphs (*c*), (*d*) and (*e*) revised, 1966, 698 § 36. (See 1971, 555 § 67.)

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; 1971, 555 § 25; paragraph defining "Taxable year" revised, 1962, 613 § 1. (See 1933, 327 § 7; 1971, 555 § 67.)

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; last paragraph revised, 1971, 555 § 26. (See 1959, 456 § 5; 1971, 555 § 67.)

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; amended, 1971, 555 § 29. (See 1939, 447 § 3; 1948, 486 §§ 2–4; 1971, 555 § 67.)

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. 22A added, 1971, 555 § 27 (further regulating payment of excise tax by certain domestic insurance companies). (See 1971, 555 § 67.)

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. 24A added, 1971, 555 § 31 (relating to the effect of retaliatory taxes on the excise tax imposed on certain insurance companies). (See 1971, 555 § 67.)

SECT. 25 amended, 1943, 531 § 5; 1945, 721 § 4; 1960, 558 § 7; 1953, 654 § 53; 1971, 555 § 28. (See 1943, 531 § 7; 1945, 721 § 5; 1971, 555 § 67.)

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; 1971, 555 § 32; paragraph 2 revised, 1943, 459 § 1; 1966, 14 § 18; 1969, 538; 1971, 555 § 32; 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 revised, 1970, 634 § 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; 1970, 634 § 7; 1971, 555 § 67.)

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. 31A added, 1970, 634 § 2 (providing for a credit to certain manufacturing, business, agricultural and commercial fishing corporations). (See 1970, 634 § 7.)

SECT. 31B added, 1970, 634 § 3 (providing for lowering of certain rates). (See 1970, 634 § 7.)

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; third paragraph, first sentence revised, 1970, 601 § 4. (See 1933, 327 § 7; 1935, 473 § 7; 1956, 550 § 13; 1970, 601 § 11.)

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; subdivision (*a*), clause (1) revised, 1971, 555 § 33; subsection (*f*), clause 2 revised, 1970, 562. (See 1933, 342 § 6; 1961, 419 § 2; 1971, 555 § 67.)

SECT. 38A revised, 1966, 698 § 59; 1971, 555 § 34. (See 1971, 555 § 67.)

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; 1971, 555 § 35. (See 1935, 473 § 7; 1956, 550 § 13; 1971, 555 § 67.) [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; section revised, 1970, 634 § 4. (See 1937, 383 § 3; 1964, 723 §§ 6, 7; 1970, 634 § 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.

SECTS. 38E–38F added, 1970, 848 § 2 (providing for tax credits for certain corporations).

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; 1971, 555 § 36. (See 1971, 555 § 67.)

SECT. 42B revised, 1937, 383 § 2; 1970, 634 § 5. (See 1937, 383 § 3; 1970, 634 § 7.)

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; first sentence revised, 1970, 601 § 5; third sentence revised, 1970, 601 § 6. (See 1957, 434 § 2; 1958, 503 § 2; 1970, 601 § 11.)

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; revised, 1971, 555 § 37; paragraph (*d*) added, 1957, 629 § 1; subdivision (2) revised, 1966, 698 § 68; 1971, 555 § 38; 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; 1971, 555 § 67.)

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; revised, 1971, 799 § 1. (See 1961, 283 § 2; 1971, 799 § 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 chapter shall be due and payable when the tax return therefor is required to be filed, see 1950, 816; affected, 1951, 750; 1952, 623; 1953, 246 § 5; repealed, 1954, 70 § 2.

New chapter inserted, 1947, 632 § 1. (See 1947, 632 § 3.)

Chapter stricken out and new chapter 63A inserted, 1955, 580 § 1. (See 1955, 580 § 2.)

For prior changes see Table of Changes contained in Acts and Resolves of 1954.

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. 1, definitions of "Domestic corporation" and "Foreign corporation" revised, 1971, 555 § 39; definition of "Net income" revised, 1971, 745. (See 1971, 555 § 67.)

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; second sentence revised, 1971, 497 § 1; third sentence stricken out, 1969, 546 § 28; paragraph added at end, 1957, 617 § 6; amended, 1965, 451 § 2; revised, 1969, 721 § 2; second sentence revised, 1971, 497 § 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; 1971, 497 § 15.)

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; clause (*a*) amended, 1970, 878 § 1; clause (*b*) revised, 1970, 878 § 2; section revised, 1971, 497 § 3. (See 1971, 497 § 15.)

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; 1971, 555 § 44A. (See 1971, 555 § 67.)

SECT. 2 revised, 1945, 663 § 2; 1946, 326 § 2; amended, 1953, 654 § 77; 1971, 555 § 44B, 901 § 1. (See 1971, 555 § 67.)

SECT. 2A added, 1953, 627 § 2 (exempting certain meals from the excise imposed by this chapter); clause (*a*) amended, 1970, 888 § 16; clause (*d*) added, 1961, 477. (See 1970, 888 § 31.)

SECT. 3 revised, 1945, 663 § 3; 1946, 326 § 3; amended, 1971, 555 § 44C. (See 1971, 555 § 67.)

SECT. 4 revised, 1953, 617.

SECT. 5, first sentence amended, 1969, 673 § 1; second sentence amended, 1970, 195 § 1; third sentence amended, 1953, 654 § 78. (See 1970, 195 § 2.)

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; 1971, 245 § 1. (See 1956, 720 §§ 2–4; 1960, 774 §§ 6, 8, 9, 10; 1964, 563 § 4; 1966, 435 §§ 6, 7; 1969, 361 § 5; 1971, 245 § 4.)

SECT 7, first two sentences stricken out and three sentences inserted, 1957, 373 § 1. (See 1957, 373 § 2.)

SECT. 9, first paragraph amended, 1964, 469; paragraph added at end, 1956, 322 § 1. (See 1956, 322 § 2.)

SECT. 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; section revised, 1971, 245 § 3. (See 1969, 361 § 5; 1971, 245 § 4.)

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 sentence revised, 1971, 497 § 4; 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; 1971, 497 § 15.)

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.

SECT. 13 revised. 1971, 497 § 5. (See 1971, 497 § 15.)

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; revised, 1971, 497 § 6; two sentences added, 1957, 728 § 3. (See 1956, 718 §§ 14, 15; 1957, 728 § 5; 1971, 497 § 15.)

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; 1971, 497 § 7. (See 1956, 718 §§ 14, 15; 1960, 375 § 3; 1971, 497 § 15.)

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.)

SECT. 14 revised, 1971, 497 § 8. (See 1971, 497 § 15.)

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.

SECT. 7A added, 1970, 699 (providing for the abatement of excises on certain room occupancy accounts).

Chapter 64H. — Tax on Retail Sales of Certain Tangible Personal Property.

New chapter inserted, 1967, 757 § 1. (See 1967, 757 § 10.)

SECT. 1, paragraph (5) revised, 1971, 555 § 40; paragraph (9) amended, 1971, 555 § 41; paragraph (12), clause (*f*) added, 1970, 563 § 1. (See 1970, 563 § 2; 1971, 555 § 67.)

SECT. 3, second paragraph revised, 1967, 797 § 2; section revised, 1970, 683; paragraph (*c*) amended, 1971, 555 § 42. (See 1971, 555 § 67.)

SECT. 6, paragraph (*c*) amended, 1970, 566 § 7; paragraph (*e*) amended, 1968, 341; paragraphs (*g*)–(*h*) revised, 1971, 555 § 44; paragraph (*i*) revised, 1971, 1088; paragraph (*k*) amended, 1971, 850; paragraph (*o*) amended, 1968, 502 § 1; paragraph (*p*) amended, 1968, 711 § 1; paragraphs (*r*)–(*s*) revised, 1971, 555 § 45; paragraph (*u*) revised, 1968, 87 § 1; paragraph (*w*) added, 1968, 69; paragraph (*x*) added, 1970, 597; paragraph (*y*) added, 1971, 555 § 45A. (See 1968, 87 § 2; 1971, 555 § 67.)

SECT. 8, paragraphs (*f*)–(*i*) added, 1968, 89 § 1. (See 1968, 89 § 3.)
SECT. 13, paragraph (*a*) amended, 1971, 749 § 1.
SECT. 14 repealed, 1969, 546 § 4. (See 1969, 546 § 34.)
SECT. 20, first two sentences revised, 1970, 601 § 7. (See 1970, 601 § 11.)
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. 26 amended, 1970, 564 § 1.
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; paragraph added, 1971, 555 § 47. (See 1971, 555 § 67.)
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. 15, first paragraph amended, 1971, 749 § 2.
SECT. 21, first paragraph, first sentence revised, 1970, 601 § 8; third sentence revised, 1970, 601 § 9. (See 1970, 601 § 11.)
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. 27 amended, 1970, 564 § 2.
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; amended, 1971, 555 § 51; first paragraph amended, 1968, 535; paragraph added after table, 1949, 792 § 2; revised, 1961, 403; 1969, 600 § 2; amended, 1969,

675 § 1; second and third paragraphs revised, 1970, 566 § 8; paragraph inserted after third paragraph, 1971, 555 § 52; paragraph added, 1967, 463 § 2. (See 1941, 415 § 2, 605 § 2; 1966, 698 § 87; 1969, 600 § 3; 1970, 566 § 9; 1971, 555 § 67.)

SECT. 2 repealed, 1971, 555 § 53. (See 1971, 555 § 67.)

SECT. 3 amended, 1939, 380.

SECT. 7 revised, 1957, 429 § 1; 1971, 555 § 54. (See 1957, 429 § 2; 1971, 555 § 67.)

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; revised, 1971, 555 § 55. (See 1971, 555 § 67.)

SECT. 13 amended, 1971, 555 § 56. (See 1971, 555 § 67.)

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; stricken out, 1970, 338; section revised, 1971, 555 § 57. (See 1961, 469 § 4; 1969, 541 § 4; 1971, 555 § 67.)

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; amended, 1971, 555 § 58. (See 1961, 469 § 4; 1971, 555 § 67.)

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. 27 stricken out and new sections 27–27A inserted, 1971, 555 § 59. (See 1971, 555 § 67.)

SECT. 32 amended, 1939, 451 § 36; last sentence stricken out, 1945, 523 § 4; last sentence revised, 1971, 555 § 60. (See 1971, 555 § 67.)

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); sentence added at end, 1970, 565 § 1. (See 1970, 565 § 2.)

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; 1971, 555 § 61. (See 1969, 541 § 4; 1971, 555 § 67.)

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. 2 revised, 1971, 555 § 62. (See 1971, 555 § 67.)

SECT. 3 revised, 1969, 562.

SECT. 4 amended, 1970, 601 § 10. (See 1970, 601 § 11.)

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; 1970, 30.

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"); amended, 1970, 778.

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. 49 amended, 1970, 37 § 1.

SECT. 51 revised, 1962, 750 § 2.

SECT. 52 amended, 1970, 37 § 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. 1 amended, 1971, 297.

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.

SECT. 32 added, 1971, 595 (authorizing charitable organizations to become members of The Common Fund for Nonprofit Organizations, a New York nonprofit membership corporation).

Chapter 68A. — Limitations Upon the Conduct of Certain Trusts and Corporations Having Charitable Interests.

New chapter inserted, 1971, 367 § 1. (See 1971, 367 § 2.)

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 paragraph amended, 1947, 399; 1948, 357; section revised, 1950, 758; 1951, 747; amended, 1952, 497; first paragraph revised, 1954, 627 § 21; 1963, 492. (See 1954, 627 §§ 65, 67.)

SECT. 7C added, 1957, 692 (providing for the granting of certain scholarships to certain students at the State Teachers College at Fitchburg); amended, 1960, 403 § 2.

SECT. 7D added, 1963, 702 (establishing additional special education scholarships); 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; amended, 1970, 888 § 17. (See 1960, 750 § 3; 1970, 888 § 31.)

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).

SECT. 35 added, under caption, 1971, 1005 § 4 (establishing a bureau of transitional bilingual education).

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. 2, paragraph (*c*) revised, 1970, 871 § 6; amended, 1971, 930 § 1. (See 1971, 930 § 2.)

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, 437 § 1; section amended, 1970, 455 § 1. (See 1970, 455 § 2.)

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; three sentences added, 1971, 922 § 1.

SECT. 1A added, 1966, 130 (providing for the opening of each school day with a period of silent meditation).

SECT. 1B added, 1970, 264 (permitting public school students to participate in voluntary prayer with the approval of their parents).

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); sentence added at end, 1970, 246 § 1.

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); two sentences inserted after second sentence, 1971, 1115.

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; clause (*o*) added, 1971, 265; clause (*p*) added, 1971, 919. (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. 32 amended, 1970, 547 § 4. (See 1970, 547 § 6.)
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; first sentence revised, 1970, 279.
SECTS. 37C and 37D added, 1965, 641 § 1 (providing for the elimination of racial imbalance in the public schools).
SECT. 37D, paragraph inserted after second paragraph, 1971, 958; 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. 37F added, 1970, 362 (authorizing the school committees of cities and towns to employ legal counsel for general purposes).
SECT. 38, two sentences inserted after first sentence, 1965, 164; third sentence revised, 1970, 780; sentence added, 1960, 333 § 2; paragraph added, 1971, 507.
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; 1970, 454 § 1; second paragraph amended, 1965, 172; revised, 1970, 454 § 2; 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. 38J added, 1970, 33 (providing tenure rights for school adjustment counsellors).

SECT. 38K added, 1970, 434 (authorizing a public relations bureau in the school department).

SECT. 38L added, 1971, 379 § 2 (authorizing city, town or regional school committees to buy certain indemnification insurance).

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; 1971, 323. (See 1967, 860 § 2.)

SECT. 42 revised, 1934, 123; first sentence revised, 1947, 597 § 2; amended, 1956, 132 § 2; sentence inserted after first sentence, 1970, 388 § 1; 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; paragraph added, 1970, 389, 491; 1971, 307. (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); first sentence revised, 1971, 518.

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; section revised, 1970, 426.

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; 1970, 721; 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; amended, 1970, 443 § 3. (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 71A. — Transitional Bilingual Education.

New chapter inserted, 1971, 1005 § 2.

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 establish activity fees in state colleges); first sentence amended, 1963, 642 § 7; revised, 1964, 561 § 9.

SECT. 1C and 1D added, 1963, 642 § 8.

SECT. 2 amended, 1932, 127 § 11; 1960, 403 § 8.

SECT. 2A added, 1938, 246 § 2 (making the constitutions of the United States and of this commonwealth required subjects of instruction in state teachers colleges); amended, 1960, 403 § 9.

SECT. 3 amended, 1932, 127 § 12; first sentence revised, 1952, 618 § 2; section revised, 1960, 403 § 10; amended, 1963, 642 § 9. (See 1952, 618 §§ 4–12.)

SECT. 4 amended, 1932, 127 § 13; 1960, 403 § 11.

SECT. 4A amended, 1932, 127 § 14; sentence added at end, 1952, 618 § 3; section revised, 1960, 403 § 12; amended, 1963, 642 § 10. (See 1952, 618 §§ 4–12.)

SECT. 4B added, 1954, 350 (regulating the dismissal of certain teachers in state teachers colleges); revised, 1956, 480; first sentence amended, 1960, 403 § 13; 1963, 642 § 11; revised, 1964, 561 § 10.

SECT. 5 amended, 1932, 127 § 15; 1960, 403 § 14; revised, 1963, 642 § 12. (Temporarily affected, 1933, 233; 1934, 130; 1935, 277.)

SECT. 5A added, 1963, 429 (establishing the State College Research Foundation); repealed, 1963, 642 § 12A.

SECT. 6 amended, 1932, 127 § 16; 1960, 403 § 15; revised, 1963, 642 § 12.

SECT. 7 amended, 1932, 127 § 17; revised, 1935, 21; 1948, 620 § 3; sentence added at end, 1950, 60; section revised, 1957, 309; 1958, 605 § 3; amended, 1959, 246 § 4, 592; revised, 1960, 403 § 16; amended, 1963, 86, 642 § 13; last sentence stricken out and two sentences inserted, 1964, 561 § 11; section repealed, 1965, 572 § 19. (See 1948, 620 § 6; 1959, 477.)

SECTS. 8 and 9 added, 1948, 620 § 4 (relative to the establishment of community colleges by the department of education and providing courses therein). (See 1948, 620 § 6.)

SECT. 8 amended, 1959, 246 § 5; revised, 1960, 403 § 17; amended, 1963, 642 § 14.

SECT. 9 repealed, 1958, 605 § 4.

SECTS. 10–18 added, 1963, 642 § 15 (relative to the administration of the state colleges). (See 1963, 642 §§ 16, 17.)

SECT. 10, second sentence revised, 1964, 561 § 12.

SECT. 16, second paragraph amended, 1964, 357 § 4; third paragraph amended, 1964, 357 § 5; second sentence revised, 1968, 739 § 1; amended, 1970, 148; last paragraph amended, 1967, 846. (See 1964, 357 § 11).

SECT. 19 added, 1968, 334 (changing names of certain state colleges).

SECT. 20 added, 1970, 834 (providing for admission of certain police to state colleges on a cooperative plan).

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; sentence added at end, 1970, 730.

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; third sentence revised, 1970, 69.

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; two sentences added at end, 1970, 548.

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, first sentence stricken out, 1971, 121; 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 75D. — Private Business Schools.

New chapter inserted, 1971, 1096 § 1. (See 1971, 1096 § 2.)

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; 1971, 437; second paragraph amended, 1971, 875.

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.

SECT. 5 revised, 1971, 622 § 1.

SECT. 6, sentence added at end, 1970, 246 § 2.

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; third paragraph revised, 1971, 285.

SECT. 15A added, 1966, 583 (exempting certain physicians and nurses from civil liability in carrying out public health programs); section repealed, 1967, 309 § 1.

SECT. 15A added, 1971, 491.

SECT. 16 amended, 1971, 622 § 2.

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; clauses (1) and (2) revised, 1970, 636 § 1; second paragraph amended, 1970, 636 § 2.

SECT. 19C revised, 1970, 636 § 3.

SECT. 19D amended, 1970, 636 § 4.

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 1694, 579 § 8.)

SECT. 7A revised, 1971, 697.

SECT. 7C amended, 1966, 530 § 2.

SECT. 7D revised, 1965, 573; 1967, 476 § 1; 1970, 795 § 1.

SECT. 7E amended, 1967, 476 § 2; revised, 1970, 795 § 2.

SECT. 7F revised, 1970, 795 § 3.

SECT. 7H added, 1971, 818 (authorizing taking authorities to pay sums of less than five hundred dollars to certain persons in whom rights to damages have vested).

SECT. 8 amended, 1936, 187 § 1; first sentence amended, 1960, 49; second sentence revised, 1959, 626 § 2; sentence inserted after second sentence, 1943, 251 § 2; section repealed, 1964, 579 § 4. (See 1943, 251 § 4; 1959, 626 § 6.)

SECT. 8A added, 1959, 626 § 3 (relative to land takings and providing that offers in settlement or pro tanto for such takings shall be made within certain periods of time); second paragraph amended, 1963, 793 § 2; 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.)

SECT. 7, paragraph added, 1971, 315.

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; first sentence amended, 1941, 595; revised, 1971, 270; third sentence amended, 1954, 286; revised, 1956, 311 § 1; last sentence stricken out and new paragraph added, 1938, 489 § 1; 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; amended, 1971, 607. (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; paragraph added, 1971, 606.

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. 7M added, 1971, 633 (authorizing the department of public works to acquire land for certain purposes to replace land acquired for federal highway programs).

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; third sentence revised, 1971, 541; two sentences added, 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.

SECTS. 31–32 added, 1971, 497 § 14 (relative to the portion of the Highway Fund allocated for reimbursement to cities and towns).

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).

SECT. 42 added, 1970, 208 (requiring notice to public utility companies of certain excavations on private land).

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. 2E added, 1970, 342 § 1 (authorizing the department of public works to exclude persons and motor vehicles from state highways or portions thereof).

SECT. 8 revised, 1960, 88.

SECT. 9 revised, 1958, 158.

SECT. 11A added, 1941, 710 § 1 (relative to the registration and operation of certain bicycles); first paragraph amended, 1961, 518 § 2; second paragraph revised, 1961, 518 § 3. (See 1961, 518 § 5.)

SECT. 11B added, 1961, 518 § 4 (further regulating the operation of bicycles on the highways of the commonwealth); third sentence stricken

out and three sentences inserted, 1962, 346; ninth sentence revised, 1971, 484. (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. 4C added, 1971, 572 (restricting trucks to right hand travel lanes on multi-lane highways).

SECT. 5 amended, 1936, 49; 1952, 461 § 2; 1970, 143. (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; third sentence revised, 1971, 479; 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; definition of "Licensed private driver school" inserted, 1971, 770 § 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; "incompetent person" defined, 1970, 252; "manufacturer" defined, 1948, 511 § 2; revised, 1956, 268; definition of "motor cycle" revised, 1950, 321 § 1; 1965, 85 § 1; 1970, 138; definition of "motor vehicles" amended, 1932, 182; 1938, 36; revised, 1948, 93; 1950, 321 § 2; definition of "nonresident" 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; "retread or recap" and "other than first quality" defined, 1970, 475 § 2; 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; 1970, 475 § 3.)

SECT. 1A amended, 1933, 372 § 3; 1934, 264 § 2; last sentence revised, 1948, 572 § 1; section revised, 1950, 471; sentence inserted after first sentence, 1971, 211; 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 revised, 1962, 231 § 1; sentence added, 1971, 754 § 2; 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; 1971, 754 § 4.)

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; first sentence stricken out and two sentences inserted, 1970, 353; fourth paragraph, second sentence revised, 1971, 500; 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; sentence added at end, 1970, 254; stricken out, 1971, 959. (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; sentence added, 1971, 207.

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; 1971, 175; twelfth and thirteenth sentences stricken out and one sentence inserted, 1955, 124; twelfth sentence (as appearing in 1933, 51) revised, 1968, 110; sentence inserted after twelfth sentence, 1971, 206; stricken out, 1971, 934; 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, 1941, 443; 1964, 187; revised, 1965, 392; paragraph added at end, 1970, 684. (See 1932, 123 § 2; 1954, 570 § 2; 1959, 618 § 2; 1962, 395 § 3, 709 § 2; 1963, 409 § 2; 826 § 2; 1965, 69 § 2, 627 § 2.)

SECT. 7A revised, 1932, 41, 271 § 2. (See 1932, 271 § 7.)

SECT. 7B added, 1932, 271 § 3 (prerequisites to operation of school bus). (See 1932, 271 § 7.)

SECTS. 7A and 7B stricken out, and new sections 7A–7C inserted, 1945, 241 § 1. (See 1945, 241 § 3.)

SECT. 7A, first sentence amended, 1950, 140; first sentence stricken out and two sentences inserted, 1950, 525; first sentence amended, 1951, 416; revised, 1961, 581; amended, 1962, 395 § 2; revised, 1964, 178; 1965, 71; first sentence stricken out and two sentences inserted, 1966, 268; first sentence amended, 1967, 202 § 1; revised, 1971, 136; amended, 1971, 1032 § 1; sentence inserted after first sentence, 1967, 202 § 2; 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; clause (8) added, 1971, 803. (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; amended, 1970, 101.

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. 7M added, 1970, 475 § 1 (regulating the sale of retread or recapped tires). (See 1970, 475 § 3.)

SECT. 7N added, 1970, 635 § 1 (authorizing the voiding of certain motor vehicle contracts of sale); revised, 1971, 687 § 1. (See 1970, 635 § 2; 1971, 687 § 2.)

SECT. 7O added, 1970, 840 (prohibiting removal of pollution emission reduction devices).

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; amended, 1970, 100.

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; 1970, 251; 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; sentence inserted after second sentence, 1971, 132. (See 1932, 271 § 7.)

SECT. 16, sentence inserted after second sentence, 1961, 66; section revised, 1965, 239; fifth sentence revised, 1968, 11; 1971, 1032 § 2; paragraph added, 1971, 412.

SECT. 17, sentence added at end, 1932, 271 § 4; section amended, 1947, 406; revised, 1948, 564 § 1; second sentence revised, 1963, 716, amended, 1964, 185; revised, 1965, 474; last sentence revised, 1964, 176. (See 1932, 271 § 7.)

SECT. 18 amended, 1945, 125; revised, 1948, 564 § 2; first paragraph amended, 1956, 500; revised, 1960, 341; amended, 1962, 338 § 18; first sentence revised, 1969, 76; amended, 1970, 342 § 2; 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; 1971, 127; 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; last sentence revised, 1971, 1071 § 3. (See 1971, 1071 § 9.)

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; clause (b), third sentence revised, 1971, 174.

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. 22F added, 1971, 1033 § 1 (designating certain operators of motor vehicles as habitual traffic offenders and providing for revocation or suspension of their licenses or rights to operate motor vehicles). (See 1971, 1033 § 4.)

SECT. 23, first paragraph revised, 1954, 74; amended, 1963, 331; 1970, 186; sentence added, 1971, 1033 § 2; paragraph added, 1933, 69. (See 1971, 1033 § 4.)

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; 1971, 1071 § 4; paragraph (1) (*b*) revised, 1964, 200 § 1; paragraph (1) (*c*) revised, 1939, 82; amended, 1955, 198 § 1; revised, 1964, 200 § 2; 1970, 253; 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; 1971, 1007. (See 1937, 230 § 2; 1971, 1071 § 9.)

SECT. 24A revised, 1970, 321.

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; first paragraph revised, 1971, 176; 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 accompanied 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; sentence inserted after first sentence, 1970, 534 § 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; fourth, fifth and sixth sentences stricken out and two sentences inserted, 1970, 534 § 2; 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. (See 1970, 534 § 4.)

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; first paragraph, sentence added, 1971, 117.

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; revised, 1971, 770 § 2; 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; 1971, 453; 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, 1969, 742 § 3; sentence added, 1971, 194. (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, first paragraph amended, 1970, 670 § 1; 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; paragraph defining "Personal injury protection" added, 1970, 670 § 2; sentence added, 1971, 794. (See 1935, 459 § 5; 1945, 384 § 3; 1959, 282 § 6; 1963, 358 § 4; 476 § 3; 1964, 517 § 4; 1967, 736 § 11; 1970, 670 § 10.)

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; 1970, 670 § 3; last sentence revised, 1950, 162 § 3; 1954, 126 § 3. (See 1935, 459 § 5; 1964, 517 § 4; 1970, 670 § 10.)

SECT. 34E revised, 1949, 571 § 5.

SECT. 34F revised, 1949, 571 § 6.

SECT. 34H, first paragraph amended, 1933, 119 § 4; revised, 1971, 939 § 1; 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; 1971, 939 § 7.)

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); first sentence revised, 1971, 939 § 2. (See 1971, 939 § 7.)

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. 34M–34N added, 1970, 670 § 4 (providing for personal injury protection under motor vehicle liability insurance and bonds and for an assigned claims plan). (See 1970, 670 § 10.)

SECT. 34O added, 1971, 978 § 1 (providing for compulsory property protection for all registered motor vehicles); second paragraph, subparagraph (1) amended, 1971, 1079 § 2; paragraph added at end, 1971, 1079 § 3. (See 1971, 978 § 2.)

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, definitions of "Director" and "Division" revised, 1971, 103 § 3; definition of "motorboat" revised, 1961, 140 § 1.

SECT. 2 revised, 1961, 140 § 2.

SECT. 3, paragraph (*a*) amended, 1961, 505; second sentence revised, 1971, 769; 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. 4B added, 1971, 137 (providing penalties for removing, defacing or altering certain motorboat identification numbers).

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 (*b*) revised, 1971, 110; subsection (*c*) revised, 1967, 27 § 3.

SECT. 16 revised, 1970, 589 § 1. (See 1970, 589 § 4.)

SECTS. 20–35 added, 1970, 589 § 2 (regulating the use of certain snow traveling vehicles and certain recreation vehicles and requiring registration thereof).

SECT. 20, definition of "Law enforcement officer" revised, 1971, 103 § 4.

SECT. 24, third paragraph amended, 1971, 551 § 1. (See 1971, 551 § 2.)

SECT. 26, fourth paragraph amended, 1971, 264; seventh paragraph amended, 1970, 732 § 1.

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 90D. — Motor Vehicle Certificates of Title.

New chapter inserted, 1971, 754 § 1. (See 1971, 754 § 4.)

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. 10B added, 1970, 878 § 3 (establishing the Harbors and Inland Waters Maintenance Fund).

SECT. 11, first sentence revised, 1950, 516; 1955, 5; amended, 1955, 448 § 1; sentence inserted after first sentence, 1955, 448 § 2; two paragraphs added, 1971, 967.

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. 49B added, 1970, 878 § 4 (providing for removal of certain wharfs and piers).

SECT. 52, paragraph added at end, 1968, 626.

SECT. 59 amended, 1969, 384; 1971, 135 § 1.

SECT. 59A added, 1967, 507 (relative to tort liability for persons discharging oil in certain inland waters); sentence added at end, 1969, 373.

SECT. 59B added, 1970, 693 § 2 (requiring marinas to obtain licenses issued by the division of water pollution control). (See 1970, 693 § 3.)

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; third paragraph amended, 1970, 489.

SECT. 41, sentence added, 1971, 902 § 1.

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. 61A added, 1971, 989 (authorizing cities and towns to provide police officers to the metropolitan district commission upon request of the commission or the superintendent of the metropolitan district police).

SECT. 62 revised, 1938, 396; amended, 1941, 658 § 1; revised, 1950, 730 § 1; 1971, 1004 § 5. (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; repealed, 1971, 1004 § 6.

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); amended, 1970, 171.

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. 24B revised, 1971, 314.

SECT. 24C, second sentence revised, 1969, 789 § 2.

SECT. 25 amended, 1962, 670 § 4; second sentence revised, 1971, 652.

SECT. 28 revised, 1970, 883 § 2.

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); repealed, 1971, 805 § 2.

SECT. 46A added, 1970, 794 (making credit bureaus liable for gross negligence in furnishing certain information to certain persons); repealed, 1971, 805 § 2.

SECT. 48 added, 1970, 272 (providing a right of cancellation of certain contracts); subsection B, second paragraph revised, 1970, 660.

SECT. 49 added, 1970, 883 § 1 (prohibiting certain collection practices).

SECTS. 50–68 added, 1971, 805 § 1 (regulating the consumer credit reporting law).

SECT. 69 added, 1971, 1025 (regulating multi-level distribution companies).

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. 4, second paragraph amended, 1971, 130.

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).

SECT. 9, paragraph (1) revised, 1970, 736 § 1; amended, 1971, 241; paragraph (5) added, 1970, 736 § 2.

Chapter 93B. — Regulation of Business Practices Between Motor Vehicle Manufacturers, Distributors and Dealers.

New chapter inserted, 1970, 814 § 1.

Chapter 93C. — Protection of Consumers Against Careless and Erroneous Billings.

New chapter inserted, 1971, 860 § 1.

Chapter 93D. — Control of Outdoor Advertising Adjacent to the Interstate and Primary Systems.

New chapter inserted, 1971, 1070 § 1.

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); definition of "Commissioner" inserted, 1971, 795 § 1; 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 "Director" revised, 1971, 795 § 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.

SECTS. 25–31 revised, 1971, 1066 § 1.

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.
SECTS. 42A–42J stricken out and new sections 42A–42J inserted, 1970, 690 § 1.
SECT. 42K repealed, 1970, 690 § 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, 425 § 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. 117H, paragraph added at end, 1970, 229.

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.

SECTS. 118–139A stricken out and new sections 118–132 inserted, 1970, 891 § 1.

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; 1970, 891 §§ 2, 3;

SECT. 187 revised, 1948, 598 § 2; first paragraph revised, 1970, 891 § 4; 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; section amended, 1961, 600 § 3; 1970, 891 § 5.

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; 1970, 443 § 4; third paragraph amended, 1965, 229 § 2; 1970, 443 § 5; fourth paragraph amended, 1956, 299 § 2; revised, 1970, 178; sixth paragraph amended, 1965, 229 § 3; 1970, 443 § 6; ninth paragraph amended, 1965, 27; last paragraph revised, 1960, 200; section repealed, 1971, 1071 § 2. (See 1954, 577 § 4; 1971, 1071 § 9.)

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; 1970, 443 § 7; repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187C repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187D added, 1955, 718 § 2 (providing a penalty for the unauthorized making or altering of a prescription); amended, 1965, 229 § 5; 1970, 443 § 8, 345; revised, 1971, 1071 § 5. (See 1971, 1071 § 9.)

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; section repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187F added, 1961, 603 (further regulating the shipment of harmful drugs into the commonwealth); revised, 1965, 515 § 2; repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187G added, 1969, 586 (relating to search warrants in connection with harmful drugs and implements used therewith); repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 187H added, 1970, 539 (relative to the forfeiture and disposition of all harmful drugs and the articles, implements and paraphernalia used in, for or in connection with the unlawful use or possession of any harmful drug); repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

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.

SECTS. 190–191 stricken out and new section 190 inserted, 1970, 891 § 6.

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; revised, 1970, 443 § 9; 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; 1970, 443 § 10; third paragraph amended, 1965, 229 § 8; 1970, 443 § 11.

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; 1970, 443 § 12; paragraph (*b*) amended, 1961, 345 § 5; 1970, 443 § 13; paragraph (*c*) amended, 1959, 248; paragraph (*d*) amended, 1970, 443 § 14; 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; amended, 1970, 681.

SECTS. 217–217D stricken out and sections 217–217E inserted, 1960, 204 § 3 (further regulating the sale, possession and distribution of narcotic drugs).

SECTS. 197–217E repealed, 1971, 1071 § 2. (See 1971, 1071 § 9.)

SECT. 225, paragraph added at end, 1939, 69.

SECT. 227 amended, 1971, 795 § 2.

SECT. 228 amended, 1971, 795 § 3.

SECT. 229 amended, 1971, 795 § 4.

SECT. 230 amended, 1971, 795 § 5.

SECT. 231 amended, 1971, 795 § 6.

SECT. 231A added, 1971, 795 § 7 (regulating the collection of samples of certain feeding stuff by the commissioner for analysis).

SECT. 232 amended, 1971, 795 § 8.

SECT. 233 amended, 1971, 795 § 9.

SECT. 234 amended, 1971, 795 § 10.

SECT. 235 amended, 1971, 795 § 11.

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. 249H added, 1971, 397 (directing the director of standards to promulgate rules and regulations relative to heating oils).

SECT. 250 revised, 1933, 67 § 6.

SECT. 252 amended, 1933, 67 § 7.

SECT. 254 amended, 1933, 67 § 8; 1971, 795 § 12.

SECT. 255 amended, 1933, 67 § 9; 1971, 795 § 13.

SECT. 256 revised, 1933, 67 § 10; amended, 1971, 795 § 14.
SECT. 256A added, 1971, 795 § 15 (providing for delivery of certain analysis samples to the Massachusetts agricultural experiment station).
SECT. 257 revised, 1933, 67 § 11; amended, 1971, 795 § 16.
SECT. 258 revised, 1933, 67 § 12; amended, 1971, 795 § 17.
SECT. 259 amended, 1971, 795 § 18.
SECT. 260 amended, 1971, 795 § 19.
SECT. 261 amended, 1971, 795 § 20.

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; sec-

tion 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. 295E, paragraph added, 1971, 134.

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); second paragraph amended, 1970, 891 § 7.

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. 11, eighteenth paragraph, clause (2), subsection (*d*) amended, 1970, 874 § 2.

SECT. 12, subsection A, paragraph (1) revised, 1970, 874 § 3.

SECT. 13, subsection (*a*) amended, 1964, 75 § 1; subsection (*d*) amended, 1964, 75 § 2; subsection (*e*) stricken out and subsections (*e*) and (*f*) inserted, 1970, 874 § 4.

SECT. 13A added, 1970, 874 § 5 (requiring certain wholesalers and distributors of insecticides within the commonwealth to be licensed and to comply with certain regulations).

SECT. 14 repealed, 1964, 75 § 3.
SECT. 18 amended, 1962, 521 § 3.
SECT. 19 amended, 1962, 521 § 4.
SECT. 20 amended, 1962, 521 § 5; revised, 1970, 874 § 6.
SECT. 21 amended, 1962, 521 § 6.
SECTS. 21A–21C added, under caption, 1962, 521 § 7 (regulating the application of pesticides).
SECT. 21C, second paragraph amended, 1970, 874 § 7.

Chapter 94C. — Controlled Substances Act.

New chapter inserted, 1971, 1071 § 1. (See 1971, 1071 § 9.)

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 ($b\frac{1}{2}$) added, 1934, 98 (establishing fees for sealing certain liquid-measuring meters); section revised, 1937, 74; paragraph ($b\frac{1}{2}$) added, 1937, 305 § 1; section revised, 1949, 34 § 1; paragraph (j) revised, 1955, 184; 1960, 447 § 3; 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).
SECT. 56C added, 1971, 131 (requiring cash registers or other certain devices for totalling monetary value of customer purchases to be within view of customer).

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; repealed, 1970, 775.
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; 1970, 225.

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; amended, 1970, 176 § 1.

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. 4, paragraph added, 1971, 325.
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 — 316A added, 1970, 880 (providing that attempts to exclude or modify the warranty of merchantability or fitness for a purpose in a sale of consumer goods shall be unenforceable).
SECT. 2 — 318 revised, 1971, 670 § 1. (See 1971, 670 § 2.)
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; revised, 1971, 777.

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; first two sentences revised, 1971, 544 § 1. (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. 2C added, 1971, 806 (authorizing the issuance of cease orders to violators of pollution regulations by the commissioner of public health).

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; repealed, 1971, 1076 § 3. (See 1954, 581 §§ 4, 5; 1959, 418 §§ 5–8.)

SECT. 4B repealed, 1971, 1076 § 3.

SECT. 4C amended, 1956, 715 § 4; repealed, 1971, 1076 § 3.

SECT. 4D added, 1959, 418 § 3; amended, 1969, 838 § 13; repealed, 1971, 1076 § 3. (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. 4I added, 1971, 539 (authorizing the department of public health to establish a program for the prevention of the disease erythroblastosis fetalis).

SECT. 4J added, 1971, 1084 § 1 (authorizing payment by the department of public health for hospital or nursing care for certain multiple-handicapped children).

SECT. 5, paragraph added at end, 1941, 388; same paragraph revised, 1945, 615; section revised, 1957, 678 § 1; second, third and fourth paragraphs stricken out and three paragraphs inserted, 1959, 522; paragraph inserted after second paragraph, 1960, 172 § 1; same paragraph stricken out and two paragraphs inserted, 1963, 390 § 1; 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; paragraph amended, 1970, 443 § 15.

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); first paragraph amended, 1971, 1024 § 1; third paragraph revised, 1971, 1024 § 2.

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); second paragraph amended, 1970, 841 § 1; paragraph added at end, 1963, 483; amended, 1970, 841 § 2; paragraph added at end, 1970, 841 § 3.

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).

SECTS. 67F–67H added, 1971, 1095 (requiring certain hearing tests for pre-school children and offering certain diagnostic hearing tests at the expense of the commonwealth).

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; fifth sentence amended, 1970, 614; last sentence amended, 1970, 357.

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; paragraph inserted after second paragraph, 1970, 881; 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; stricken out and two sentences inserted, 1971, 766

§ 24. (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. 125 revised, 1970, 649 § 1.

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. 127A, paragraph added, 1971, 261.

SECT. 127B, first paragraph amended, 1966, 78.

SECT. 127C, paragraph added at end, 1969, 242.

SECT. 127G, sentence added, 1971, 843 § 3. (See 1971, 843 § 27.)

SECT. 128H amended, 1971, 373.

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; third paragraph revised, 1971, 800; paragraph inserted after fifth paragraph, 1971, 797.

SECT. 142D added, 1969, 836 (authorizing the department of public health to form air pollution districts.)

SECT. 142E added, 1970, 838 (relative to control of air pollution by agencies of state and local governments).

SECT. 142F added, 1971, 1013 § 1 (providing a criminal penalty for discharging extra fuel into the atmosphere from an aircraft). (See 1971, 1013 § 2.)

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; section revised, 1970, 839. (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); amended, 1970, 443 § 16.

SECTS. 190–199 added, 1971, 1081 § 1 (providing for a program of lead paint poisoning prevention and control). (See 1971, 1081 § 3.)

SECT. 196 amended, 1971, 1081 § 2. (See 1971, 1081 § 3.)

Chapter 111A. — Drug Addiction Rehabilitation.

New chapter inserted, 1963, 763 § 2.

Chapter repealed, 1969, 889 § 23A.

Chapter 111B. — Alcoholism.

New chapter inserted, 1971, 1076 § 1. (See 1971, 1076 § 22.)

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; paragraph added at end, 1970, 540; section revised, 1971, 662. 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. 9B added, 1970, 325 (authorizing temporary registration as qualified physicians under designated circumstances).

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. 12D added, 1970, 717 § 2 (requiring physicians to include the generic or chemical names when prescribing drugs by brand name).

SECT. 12E added, 1970, 816 (authorizing drug dependent minors of twelve years or older to consent to hospital and medical care for said drug dependency).

SECT. 12F added, 1970, 847 (as renumbered by 1971, 335 § 1) (permitting physicians to render emergency medical treatment of minors without civil liability).

SECT. 12G added, 1971, 335 § 2 (authorizing disclosure by physicians and hospitals of certain medical information concerning certain patients).

SECT. 13 amended, 1937, 425 § 2; revised, 1956, 344; amended, 1970, 443 § 17. (See 1937, 425 § 15.)

SECT. 14 amended, 1937, 425 § 3; 1970, 443 § 18. (See 1937, 425 § 15.)

SECT. 15 amended, 1937, 425 § 4; 1970, 443 § 19. (See 1937, 425 § 15.)

SECT. 16 revised, 1937, 425 § 5; 1948, 557; 1950, 363 § 1; first paragraph amended, 1955, 676 § 1; 1970, 443 §§ 20, 21; second paragraph amended, 1970, 443 § 22; third paragraph amended, 1970, 443 § 23; fourth paragraph amended, 1952, 585 § 22; 1970, 443 § 24; fifth paragraph amended, 1970, 443 § 25. (See 1937, 425 § 15; 1950, 363 § 2; 1951, 767; 1955, 676 §§ 2, 3.)

SECT. 17 revised, 1937, 425 § 6; amended, 1970, 443 § 26. (See 1937, 425 § 15.)

SECT. 17A added, 1937, 425 § 7 [defining certain duties of the board of registration in chiropody (podiatry)]; amended, 1970, 443 § 27. (See 1937, 425 § 15.)

SECT. 18 amended, 1937, 425 § 8; 1970, 443 § 28. (See 1937, 425 § 15.)

SECT. 19 amended, 1937, 425 § 9; revised, 1951, 105; amended, 1970, 443 § 29. (See 1937, 425 § 15.)

SECT. 20 amended, 1937, 425 § 10. (See 1937, 425 § 15.)

SECT. 21 amended, 1937, 425 § 11; revised, 1948, 550 § 19; amended, 1970, 443 § 30. (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); first paragraph amended, 1970, 584; 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; first paragraph revised, 1971, 620; 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 para-

graph 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 "Good moral character" inserted, 1971, 390 § 2; definition of "Practice of Architecture" revised, 1957, 679 § 1; amended, 1971, 390 § 1. (See 1957, 679 §§ 4, 5.)

SECT. 60B, first paragraph revised, 1969, 101; amended, 1971, 390 § 3; second paragraph revised, 1953, 558 § 1; 1971, 753 § 1.

SECT. 60C, clause (*c*) revised, 1943, 167; section revised, 1962, 94; paragraph added, 1967, 503; section revised, 1971, 390 § 4.

SECT. 60D revised, 1953, 558 § 2; amended, 1971, 753 § 2. (See 1953, 558 § 4.)

SECT. 60E, paragraph added at end, 1953, 558 § 3; amended, 1971, 753 § 3.

SECT. 60F revised, 1957, 679 § 2. (See 1957, 679 §§ 4, 5.)

SECT. 60G amended, 1971, 282 § 1, 390 § 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. 60K amended, 1971, 390 § 6.

SECT. 60L amended, 1971, 390 § 7.

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; definitions of "Land surveying" and "Land surveyor" revised, 1970, 707 § 3; definition of "Practice of engineering" amended, 1970, 707 § 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; first sentence revised, 1970, 707 § 4.

SECT. 81J revised, 1958, 584 § 4; subsection (1), clause (*c*) amended, 1966, 76 § 1; clause (*d*) added, 1966, 76 § 2; section revised, 1970, 707 § 5. (See 1958, 584 §§ 11–13.)

SECT. 81K revised, 1958, 584 § 5; second paragraph revised, 1970, 707 § 6.

SECT. 81L, paragraph inserted after first paragraph, 1958, 584 § 6; stricken out, 1970, 707 § 7.

SECT. 81M revised, 1958, 584 § 7; first paragraph amended, 1970, 707 § 8; paragraph added at end, 1970, 707 § 9. (See 1958, 584 §§ 11–13.)

SECT. 81N revised, 1960, 472 § 1; amended, 1970, 707 § 10. (See 1960, 472 § 2.)

SECT. 81O repealed, 1970, 707 § 11.

SECT. 81P; paragraph inserted before first paragraph, 1970, 707 § 12; second paragraph revised, 1971, 282 § 2; 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; second, third and fourth sentences revised, 1969, 588; sixth sentence revised, 1963, 490; seventh sentence revised, 1971, 829; 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; section amended, 1971, 781.

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; paragraph inserted after second paragraph, 1971, 334.

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; 1970, 160; 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; first paragraph amended, 1971, 973; paragraph inserted after first paragraph, 1966, 422.

SECT. 87BBB amended, 1971, 277.

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; first paragraph, third sentence amended, 1969, 243; paragraph amended, 1970, 416; paragraph added at end, 1969, 166; amended, 1970, 328.

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.

SECTS. 87WWW–87ZZZ added, under caption, 1970, 521 § 2 (providing for the registration of certified health officers).

SECTS. 87AAAA–87BBBB added, under caption, 1970, 781 § 2 (providing for certification of waste treatment facility operators).

SECTS. 87CCCC–87DDDD added, under caption, 1971, 942 § 2 (regulating the certification of operators of drinking water supply facilities).

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).

SECTS. 108–117 added, under caption, 1970, 865 § 2 (relative to the registration of nursing home administrators).

SECTS. 118–129 added, under caption, 1971, 1021 § 2 (regulating the registration and licensing of psychologists).

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); stricken out and sections 7–13 inserted, 1971, 653.

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); two sentences added at end, 1970, 285.
SECT. 42B added, 1970, 415 (prohibiting use of a cemetery for the making of a commercial motion picture film without permission).
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; 1970, 97; 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. 2 amended, 1971, 1001.

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; amended, 1970, 343 § 1.

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 stricken out and new chapter 117 (with same title) inserted, 1971, 908.

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; amended, 1970, 169 § 1; revised, 1971, 698 § 1; fourth paragraph amended, 1970, 443 § 31. (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; 1970, 169 § 3; 1971, 698 § 4.)

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 sentence (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; section revised, 1970, 169 § 2; last sentence revised, 1971, 698 § 2. (See 1960, 659 § 2; 1968, 36 § 3; 1970, 169 § 3; 1971, 698 § 4.)

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; first paragraph revised, 1970, 343 § 2.

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 chapter inserted, 1969, 800 § 1.

SECT. 6, clause (17) added, 1971, 1084 § 2.

SECT. 7, paragraph inserted after first paragraph, 1971, 1084 § 3.

SECT. 13 revised, 1971, 826.

SECT. 20 revised, 1970, 701 § 2. (See 1970, 701 § 4.)

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; 1970, 888 § 5; subsection D revised, 1969, 859 § 7; subsection F added, 1970, 825. (See 1970, 888 § 31.)
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. 29A added, 1970, 386 (providing for liability of parents for legal fees and expenses incurred by minors in criminal proceedings).
SECT. 30 repealed, 1961, 396 § 5.
SECT. 31 repealed, 1961, 396 § 5.
SECT. 33 revised, 1970, 404 § 1.
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. 39A, paragraph inserted after second paragraph, 1971, 918; paragraph added, 1971, 630 § 1.
SECT. 39B, paragraph inserted after first paragraph, 1970, 407.
SECT. 39C added, 1971, 630 § 2 (requiring certain reports relative to child abuse by social services workers and school officials).
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; paragraph added, 1971, 336.
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.*

* See 1948, 310 §§ 30, 31.

SECT. 58B added, 1957, 194 § 1 (providing for the imposition of non-criminal fines upon juveniles for violation of the motor vehicle laws); 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.)

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.

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*[See 1948, 310 §§ 30, 31.

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.)

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.)

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*See 1948, 310 §§ 30, 31.

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; revised, 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. 26EE, 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 au-

thorities); 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.

SECT. 1, definition of "Handicapped persons of low income" inserted after definition of "Federal legislation", 1970, 812 § 1.
SECT. 3A added, 1970, 851 § 1 (authorizing the establishment of regional housing authorities).
SECT. 5, sixth paragraph amended, 1971, 565 § 1.
SECT. 11, paragraph (*m*) stricken out and paragraphs (*m*) and (*n*) inserted, 1970, 851 § 2.
SECT. 15, sentence inserted after fifth sentence, 1970, 359 § 1.
SECT. 26 amended, 1970, 694 § 2.
SECT. 29, first paragraph, second sentence revised, 1970, 851 § 3.
SECT. 31, subparagraph (*a*) revised, 1970, 851 § 5.
SECT. 32, first paragraph revised, 1971, 1114 § 1; second paragraph, clause (*e*), sentence added at end, 1970, 851 § 4.
SECT. 34 revised, 1970, 359 § 2; first paragraph revised, 1971, 603; seventh paragraph, subdivision (b) first paragraph amended, 1971, 1114 § 2; second paragraph amended, 1971, 1114 § 3; third, fourth and fifth paragraphs stricken out and two paragraphs inserted, 1971, 1114 § 4.
SECT. 35 revised, 1970, 359 § 3.
SECT. 37 revised, 1970, 359 § 4.
SECT. 38, caption preceding said section revised, 1970, 812 § 2; paragraph added at end, 1970, 812 § 3.
SECT. 40, clause (*a*), sentence added at end, 1970, 812 § 4; clause (*c*) revised, 1970, 812 § 6; sentence added at end, 1970, 740; clause (*e*), three sentences added at end, 1970, 853; clause (*f*), sentence added at end, 1970, 812 § 5.
SECT. 41 revised, 1970, 359 § 5; first paragraph amended, 1971, 1114 § 5; second paragraph stricken out, 1971, 1114 § 6.
SECT. 43, last sentence revised and paragraph added at end, 1970, 854 § 1; second paragraph, sentence added, 1971, 1114 § 7.

SECT. 44, first paragraph, clause (*a*) revised, 1970, 854 § 2; clause (b) revised, 1971, 1114 § 8; second paragraph, last sentence stricken out and two sentences inserted, 1970, 854 § 3.

SECT. 48, paragraph inserted after first paragraph, 1971, 168.

SECT. 55, clause (*d*) revised, 1970, 419.

SECT. 57, third paragraph, clauses (*b*) and (*c*) revised, 1970, 409.

SECT. 59 revised, 1970, 359 § 6.

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. — Treatment and Commitment of Mentally Ill and Mentally Retarded Persons.

Chapter stricken out and new chapter 123 (with new title) inserted, 1970, 888 § 4. (See 1970, 888 § 31.)

For prior changes see Table of Changes contained in Acts and Resolves of 1970.

The following references are to chapter 123, as so inserted:

SECT. 1, definition of "Facility" amended, 1971, 760 § 1; definition of "Probate court" stricken out, 1971, 760 § 1A.

SECT. 4, second paragraph, sentence added, 1971, 760 § 2.

SECT. 6, paragraph (*a*) amended, 1971, 760 § 3; paragraphs (*b*) and (*c*) stricken out and paragraph (*b*) inserted, 1971, 760 § 4.

SECT. 7 revised, 1971, 760 § 5.

SECT. 8, two paragraphs added, 1971, 760 § 6.

SECT. 9 revised, 1971, 760 § 7.

SECT. 10, paragraph added, 1971, 575 § 1.

SECT. 11, last two sentences stricken out, 1971, 760 § 8.

SECT. 12, paragraph (*b*) amended, 1971, 760 § 9; paragraphs (*d*) and (*e*) revised, 1971, 760 § 10.

SECTS. 13-14 revised, 1971, 760 § 11.

SECT. 15, paragraphs (*a*)-(*d*) revised, 1971, 760 § 12.

SECT. 16, paragraphs (*b*)-(*e*) revised, 1971, 760 § 13; paragraph (*f*) amended, 1971, 760 § 14.

SECT. 17, paragraph (*a*) revised, 1971, 760 § 15; paragraph (*d*) stricken out, 1971, 760 § 16.

SECT. 18, paragraph (*a*) amended, 1971, 760 § 17.

SECT. 28A added, 1971, 530 (requiring superintendents of state mental institutions to make immediate reports to the district attorney of the death of any person confined therein).

SECT. 30, sentence inserted before first sentence, 1971, 462.

SECT. 34, paragraphs (*b*) and (*c*) added, 1971, 575 § 2.

SECT. 35, third paragraph amended, 1971, 1076 § 4.

SECT. 38 revised, 1971, 1071 § 6.

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, first paragraph, second sentence stricken out, 1970, 888 § 18; paragraph added at end, 1956, 715 § 15; amended, 1970, 888 § 19; revised, 1971, 1076 § 5. (See 1970, 888 § 31; 1971, 1076 § 22.)
SECT. 19, paragraph inserted before first paragraph, 1956, 715 § 16; amended, 1967, 619 § 2; 1969, 889 § 22; revised, 1970, 888 § 6; amended, 1971, 760 § 18; section revised, 1971, 1076 § 6. (See 1970, 888 § 31.)

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. 27 revised, 1971, 399.
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; 1971, 1076 § 7. (See 1955, 770 §§ 117, 123; 1971, 1076 § 22.)
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. 86A–86C repealed, 1971, 1076 § 8. (See 1971, 1076 § 22.)
SECTS. 86D and 86E added, 1967, 723 (authorizing day work outside certain prisons).
SECT. 86D, second paragraph revised, 1970, 478.
SECT. 86F added, 1967, 821 § 1 (providing for work release programs in houses of correction); amended, 1971, 26.
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; revised, 1970, 460.
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; revised, 1970 § 298. (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); amended, 1970, 263. (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; 1971, 464. (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; repealed, 1971, 1076 § 8. (See 1971, 1076 § 22.)

SECT. 140 amended, 1971, 1076 § 9. (See 1971, 1076 § 22.)

SECT. 141 amended, 1941, 174 § 1; revised, 1947, 578; first sentence amended, 1956, 731 § 10; revised, 1960, 765 § 7; section revised, 1970, 299.

SECT. 144 amended, 1950, 460; 1970, 505.

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; amended, 1971, 592 § 2. (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 (*c*) revised, 1971, 650; 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 (*h*) added, 1971, 987 § 2; paragraph added, 1965, 619.

SECT. 6 amended, 1933, 291 § 2; 1941, 598 § 4.

SECT. 7 revised, 1961, 398.

SECT. 8 repealed, 1971, 29.

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.

Caption preceding section 40 revised, 1971, 990 § 1.

SECT. 40 amended, 1971, 990 § 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; sentence inserted after first sentence, 1971, 991. (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 (4) revised, 1971, 951 § 1; subsection (5) amended, amended, 1946, 575 § 1; revised, 1958, 229 § 1; second paragraph revised, 1950, 716; 1959, 295 § 1; 1971, 43.

SECT. 3, first paragraph revised, 1935, 454 § 2; 1943, 269; 1958, 208 § 2; 1959, 295 § 2; 1963, 805 § 2; 1971, 76; clause (*a*) revised, 1971, 951 § 2; clause (*b*) revised, 1946, 575 § 2; 1958, 229 § 2; 1971, 955; clause (*c*) amended, 1941, 382; clause (*d*) revised, 1946, 575 § 3; 1953, 663; 1971, 721 § 1; clause (*e*) revised, 1939, 505 § 1; 1971, 87 § 1; 1958, 116; clause (*f*) amended, 1935, 454 § 3; revised, 1971, 721 § 2; clause (*g*) revised, 1971, 87 § 2; clause (*h*) amended, 1935, 454 § 4; clause (*i*) revised,939, 505 § 2; 1967, 14; clause (*j*) revised, 1946, 575 § 4; 1971, 986; 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; fifth paragraph revised, 1971, 542. (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; third, fourth and fifth paragraphs stricken out and seven paragraphs inserted, 1971, 718 § 1; sixth paragraph stricken out, 1969, 546 § 31; last paragraph revised, 1971, 718 § 2. Temporarily affected, 1948, 220; 1949, 294 § 4; 1951, 178; 1953, 246 § 14, 499; 1955, 276; 1957, 280; 1959, 32; 1961, 137; 1963, 290; 1965, 292. (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. 8 revised, 1971, 721 § 3.

SECT. 9, first paragraph revised, 1971, 96; 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; revised, 1971, 987 § 3. (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; definition of "Agents" revised, 1967, 347 § 8; definition of "Contagious disease" revised, 1966, 54; definitions of "Director" and "Division" revised, 1967, 347 § 9; definition of "Do-

mestic animals" added, 1935, 70; definition of "Pet shop" added, 1971, 993 § 1. (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; 1971, 32.

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. 39 revised, 1971, 312 § 1.

SECT. 39A added, 1971, 993 § 2 (requiring certain pet shop operators to obtain licenses from the director of animal health).

SECT. 40 revised, 1946, 416 § 1; amended, 1971, 312 § 2.

SECT. 42 revised, 1966, 53.

SECT. 43 revised, 1946, 416 § 2; amended, 1971, 993 § 3.

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 "Scallop" revised, 1971, 133 § 1; definition of "Shellfish" inserted, 1963, 131; last paragraph revised, 1945, 98 § 2.

SECT. 2, second paragraph revised, 1949, 566 § 1; amended, 1950, 628 § 1; revised, 1951, 360; last paragraph revised, 1945, 98 § 3; same paragraph stricken out and three paragraphs inserted, 1962, 715 § 6.

SECT. 2A added, 1962, 715 § 7 (establishing the marine fisheries fund).

SECT. 3 revised, 1970, 861 § 1. (See 1970, 861 § 7.)

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; subsection (10) added, 1971, 1104.

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; amended, 1971, 91. (See 1943, 533 § 2.)

SECT. 37A added, 1958, 281 (relative to the taking of green crabs).

SECT. 38 revised, 1960, 642; first paragraph, first sentence stricken out and nine sentences inserted, 1970, 861 § 2; sixth and seventh sentences revised, 1971, 442 § 1; third paragraph, third sentence stricken out and eight sentences inserted, 1969, 737 § 1; fourth paragraph amended, 1969, 737 § 2; stricken out, 1970, 861 § 3; fifth paragraph revised, 1970, 861 § 4. (See 1969, 737 § 4; 1970, 861 § 7; 1971, 442 § 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; first sentence amended, 1970, 779 § 1.

SECT. 41A added, 1970, 779 § 2 (relative to penalties for possession of female lobsters from which eggs have been removed).

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. 52, first paragraph, sentence added at end, 1970, 236.

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; section revised, 1970, 861 § 5; first paragraph amended, 1971, 442 § 2; second paragraph amended, 1971, 442 § 3. (See 1970, 861 § 7; 1971, 442 § 4.)

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; 1970, 861 § 6. (See 1970, 861 § 7.)

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; second paragraph amended, 1971, 133 § 2.

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. 14, fourth paragraph revised, 1971, 60.

SECT. 26A added, 1971, 876 § 1 (providing protection for certain wild animals). (See 1971, 876 § 2.)

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; section revised, 1971, 1020.

SECT. 40A added, 1968, 444 § 1 (protecting the inland wetlands of the commonwealth).

SECT. 41 revised, 1970, § 136.

SECT. 42 revised, 1970, 612.

SECT. 45, sentence inserted after first sentence, 1971, 498.

SECT. 57, last sentence revised, 1968, 214.

SECT. 63 amended, 1970, 732 § 2.

SECT. 65 amended, 1970, 183; paragraph added at end, 1970, 732 § 3.

SECT. 71 revised, 1969, 167; 1970, 167.

SECT. 90, first paragraph amended, 1970, 224 § 1; second paragraph stricken out and two paragraphs inserted, 1970, 102; fifth and sixth paragraphs revised, 1971, 149; eighth paragraph, first sentence revised, 1970, 224 § 2.

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. 43 amended, 1970, 756 § 1.

SECT. 45 revised, 1970, 756 § 2.

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); revised, 1970, 756 § 3.

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. 2D, subdivision (2) amended, 1971, 902 § 2.

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).

SECT. 13 added, 1970, 542 (establishing an ocean sanctuary adjacent to the Cape Cod National Seashore).

SECTS. 14–15 added, 1971, 742 (establishing the Cape Cod Bay Ocean Sanctuary and the Cape and Islands Sanctuary).

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; amended, 1971, 951 § 3.

SECT. 3 amended, 1971, 951 § 4.

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; revised, 1970, 309; clause (45) added, 1967, 311; revised, 1970, 76; 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 sentence revised, 1970, 734 § 1; second paragraph revised, 1968, 24 § 5. (See 1968, 24 § 7.)

SECT. 15 amended, 1964, 384 § 2; 1970, 734 § 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. 9 amended, 1971, 477 § 1.

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; amended, 1971, 339, 705. (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; stricken out, 1970 § 185; 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, 1937, 264; 1971, 586 § 1. (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; second paragraph, sentence inserted after first sentence, 1970, 192 § 2; section revised, 1971, 477 § 2.

SECT. 16 revised, 1936, 368 § 3.

SECT. 16A revised, 1934, 385 § 6; 1937, 424 § 1; first sentence stricken out and two sentences inserted, 1970, 352.

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; 1970, 192 § 1; second paragraph amended, 1971, 586 § 2. (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; first two paragraphs stricken out and paragraph inserted, 1970, 453 § 1; paragraph in lines 77–105 amended, 1946, 305; 1953, 310; 1965, 570; 1968, 197 § 1A; 1970, 453 § 2; 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; stricken out, 1971, 729; 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); sentence added, 1970, 893; three paragraphs added, 1971, 1022 § 1.

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 revised, 1956, 105; fourth and fifth paragraphs stricken out and new paragraph inserted, 1937, 418.

SECT. 22A added, 1934, 385 § 15 (providing for the granting by the alcoholic beverages control commission in certain cases of permits to sell alcoholic beverages); sentence added at end, 1955, 322.

SECT. 23, sentence added at end of fourth paragraph, 1934, 370 § 6; last paragraph amended, 1934, 245; section revised, 1934, 385 § 16; fifth paragraph amended, 1935, 253 § 5; last four paragraphs stricken out, and five new paragraphs inserted, 1935, 440 § 23; second of the paragraphs so inserted revised, 1941, 578; fourth paragraph revised, 1938, 238; sentence added at end of next to last paragraph, 1939, 470 § 2; section revised, 1943, 542 § 12; first paragraph amended, 1965, 399; 1971, 260 § 1; fourth paragraph revised, 1971, 260 § 2; fifth paragraph, sentence added, 1967, 454; eighth paragraph revised, 1971, 260 § 3; paragraph added at end, 1955, 652; stricken out, 1971, 477 § 3.

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; section revised, 1971, 478.

SECT. 25 revised, 1968, 574 § 1; paragraph inserted after first paragraph, 1970, 768 § 1; fourth paragraph amended, 1970, 768 § 2; paragraph added 1970, 768 § 3.

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. 25A, clause (*b*) stricken out, 1970, 140 § 1; paragraph added, 1971, 494.

SECT. 25B, paragraph (*e*) revised, 1950, 261; section revised, 1970, 140 § 2.

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. 25E added, 1971, 833 (further regulating the sale of brand name alcoholic beverages to licensed wholesalers).

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; first sentence revised, 1971, 504; second sentence revised, 1967, 323; 1968, 24 § 6, 188 § 1, § 2; sentence added, 1968, 437; revised, 1971, 108. (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; fifth paragraph amended, 1971, 477 § 4; 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; first sentence revised, 1970, 649 § 2.

SECT. 2, first sentence revised, 1970, 649 § 3; sentence added at end, 1945, 697 § 5.

SECT. 3A added, 1969, 649 § 4 (providing for collection of costs incurred by cities and towns for demolition and removal of burnt, dangerous or dilapidated structures).

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. 22A added, 1970, 859 § 1 (authorizing the installation of kitchen and cooking facilities in certain lodging houses). (See 1970, 859 § 2.)
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; 1970, 296. (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; revised, 1970, 265.
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. 63 revised, 1971, 124.
SECT. 64, first sentence revised, 1961, 45 § 1.
SECT. 65 revised, 1948, 181 § 4; repealed, 1961, 45 § 2.
SECT. 66 revised, 1963, 322; amended, 1970, 710.
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. 107 revised, 1970, 316.

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; first sentence revised, 1971, 456 § 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; first paragraph amended, 1971, 456 § 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; revised, 1971, 456 § 3; 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; amended, 1971, 225.

SECT. 129C revised, 1969, 799 § 8; sixth paragraph stricken out, 1971, 456 § 4.

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; first sentence revised, 1971, 19; 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; 1971, 125. (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); first paragraph amended, 1971, 526.
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, paragraph added, 1971, 996. 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.

SECT. 6A added, 1971, 860 § 2 (regulating certain billing and finance charge procedures for consumer protection).

SECT. 7, subsection (*d*), item (4) added, 1970, 824 § 2.

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; revised, 1971, 604 § 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; section revised, 1971, 533.

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; 1971, 604 § 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; definition of "Building" inserted, 1945, 480; definition of "Clinic" inserted, 1971, 779 § 1; definition of "Commissioner" inserted, 1945, 480; definition of "Day care services for children" inserted, 1962, 720 § 1; definition of "Group residence" inserted, 1971, 1098 § 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; amended, 1970, 888 § 20; 1971, 1098 § 2; definition of "Miscellaneous hall" revised, 1970, 199 § 2; definition of "Place of assembly" inserted after paragraph in lines 12–14, 1943, 546 § 1; revised, 1945, 480; amended, 1970, 199 § 1; definition of "Public building" revised, 1945, 480; definition of "Public hall" revised, 1946, 363 § 1; 1970, 199 § 3; 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; 1970, 888 § 31.)

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).

SECTS. 3T–3V added, 1971, 837 § 1 (requiring the use of safety glazing materials in the construction of certain buildings). (See 1971, 837 § 2.)

SECT. 6 revised, 1946, 363 § 4; amended, 1949, 541 § 1; revised, 1957, 214 § 1.

SECT. 7, sentence added at end, 1949, 156 § 2; section revised, 1957, 214 § 2.

SECT. 8 amended, 1945, 697 § 1; 1949, 541 § 2; revised, 1957, 214 § 3.

SECT. 9 revised, 1945, 697 § 2; sentence inserted after first sentence, 1949, 156 § 5; section amended, 1949, 541 § 3; revised, 1957, 214 § 4; third sentence amended, 1959, 75; stricken out and two sentences inserted, 1970, 649 § 5.

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; amended, 1971, 779 § 2; revised, 1971, 1098 § 3. (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; amended, 1971, 779 § 3; revised, 1971, 1098 § 4. (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; amended, 1971, 779 § 4; revised, 1971, 1098 § 5. (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.)

SECT. 45 revised, 1963, 690 § 2; amended, 1971, 112. (See 1963, 690 § 5.)

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. 66, first sentence revised, 1970, 182.

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).

SECTS. 72–73 revised, 1971, 772 § 1.

SECT. 74 revised, 1941, 553 § 1; 1971, 772 § 1. (See 1941, 553 § 9.)

SECT. 75 revised, 1941, 553 § 2; amended, 1950, 112; 1968, 227 § 1; 1971, 772 § 2. (See 1941, 553 § 9.)

SECT. 76 revised, 1941, 553 § 3; repealed, 1971, 772 § 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; repealed, 1971, 772 § 3. (See 1941, 553 § 9.)

SECT. 80 repealed, 1941, 553 § 4. (See 1941, 553 § 9.)

SECT. 81 amended, 1971, 772 § 4.

SECT. 82 amended, 1941, 553 § 6; 1971, 772 § 5. (See 1941, 553 § 9.)

SECTS. 83–84 revised, 1971, 772 § 6.

SECT. 85 amended, 1941, 553 § 7; revised, 1955, 44. (See 1941, 553 § 9.)

SECT. 86 amended, 1941, 553 § 8; repealed, 1971, 772 § 7. (See 1941, 553 § 9.)

SECT. 88 repealed, 1971, 772 § 7.

SECT. 89 added, 1955, 152 § 1 (relative to the storage, distribution and exhibition of certain nitrate motion picture film); revised, 1971, 772 § 8.

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. 6, sentence added, 1971, 365.

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; 1971, 667 § 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; amended, 1971, 667 § 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; section revised, 1971, 570.

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; 1970, 568 § 1. (See 1953, 207 § 2; 1962, 27 § 2.)

SECT. 50 amended, 1935, 67; 1951, 36; revised, 1962, 574 § 1; 1970, 569.

SECT. 50A added, 1971, 605 (establishing the eligibility requirements for licensing certain nuclear steam power plant operators and engineers).

SECT. 52 repealed, 1948, 140.

SECT. 53, sentence added, 1965, 113.

SECT. 57 revised, 1952, 541 § 3; amended, 1971, 364.

SECT. 59 amended, 1971, 342.

SECT. 60 amended, 1951, 398.

SECT. 62 revised, 1971, 363.

SECT. 63 amended, 1952, 154.

SECT. 64 revised, 1961, 310; two sentences inserted after second sentence, 1962, 574 § 2.

SECT. 65, third sentence revised, 1971, 574.

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.)

SECTS. 70–80 added, 1970, 647 (relative to the inspection of hot water heating boilers and their appurtenances).

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; amended, 1970, 888 § 21. (See 1970, 888 § 31.)

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. 8, third sentence revised, 1971, 1076 § 10. (See 1971, 1076 § 22.)

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; stricken out, 1970, 886 § 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; 1970, 547 § 5. (See 1970, 547 § 6.)

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); last sentence stricken out, 1970, 886 § 2.

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); amended, 1970, 547 § 5A. (See 1970, 547 § 6.)

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.)

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. 25, first paragraph, sentence added at end, 1968, 738 § 3; second paragraph, sentence inserted after first sentence, 1970, 43.

SECT. 28, paragraph added at end, 1968, 22.

SECT. 29, first paragraph, sentence inserted after second sentence, 1970, 42.

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).

SECTS. 52–55 added, under caption, 1971, 486 § 3 (licensing the game of Beano).

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, first sentence stricken out and two sentences inserted, 1970, 591; 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 appearing in 1936, 394 § 1) amended, 1945, 710 § 8; last paragraph, as so appearing, amended, 1938, 99. (See 1932, 22 § 2; 1936, 394 §§ 2, 3; 1945, 415 § 2, 710 § 19; 1959, 353 § 2.)

SECT. 14 amended, 1938, 103.

SECT. 16 amended, 1941, 288.
SECT. 18 repealed, 1934, 182 § 2.
SECT. 19, sentence added at end, 1948, 550 § 28.
SECT. 20A added, 1946, 501 (relative to bonds to cover risk of damages from blasting operations conducted in several municipalities).
SECT. 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. 25C added, 1970, 29 (relative to the sale of certain decorating candles).
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 amended, 1945, 710 § 12; paragraph I revised, 1949, 512; amended, 1970, 81; paragraph J revised, 1958, 333; paragraph L amended, 1943, 546 § 4; 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 "employee" amended, 1970, 760 § 1; definition of "employment" amended, 1945, 584 § 2; revised, 1945, 646; amended, 1970, 760 § 2; 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. 3 amended, 1970, 760 § 3.

SECT. 6 amended, 1934, 132 § 1; 1937, 249; first paragraph amended, 1970, 760 § 4; 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. 10 amended, 1970, 760 § 5.

SECT. 11 amended, 1935, 328; revised, 1950, 453.

SECT. 17 amended, 1945, 430; revised, 1961, 585; amended, 1970, 760 § 6.

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; revised, 1970, 213.

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.

SECT. 24C amended, 1970, 760 § 7.

SECT. 24I revised, 1970, 760 § 8.

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, second sentence stricken out and two sentences inserted, 1971, 744; 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; 1970, 758 § 1. (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; 1970, 758 § 2. (See 1960, 614 § 3, 762 § 2; 1969, 838 § 74.)

SECT. 30C added, 1971, 1004 § 7 (relative to compensation for overtime work by certain employees of the commonwealth).

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; 1970, 497.

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; amended, 1970, 760 § 9; sentence inserted after first sentence, 1967, 357 § 1; fourth sentence amended, 1970, 760 § 10; first paragraph, next to last sentence revised, 1966, 183; sentence inserted before last sentence, 1971, 95; 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 paragraph 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; 1971, 417.

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. 95A added, 1970, 798 (authorizing employment of certain minors between the ages of sixteen and eighteen in industry while attending school).

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. 105C amended, 1970, 760 § 11.

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; 1970, 760 § 12; 1971, 387; sixth paragraph revised, 1971, 590.

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; 1970, 292. [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 (2) amended, 1971, 410; 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; revised, 1970, 340.

SECT. 178K amended, 1970, 445.

SECT. 178L amended, 1970, 463 § 1.

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; 1970, 760 § 12A; revised, 1970, 882 § 1; 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. 3A added, 1970, 760 § 12B (further defining "employee" and his rights.)

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. 5A added, 1970, 882 § 2 (relative to agricultural workers).

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; revised, 1971, 892 § 1. (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; 1971, 892 § 3.)

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; amended, 1970, 760 § 13; 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; 1970, 509 § 1. (See 1967, 718 § 10; 1970, 509 § 2.)

SECT. 2B added, 1971, 695 § 1 (providing compulsory health insurance for migrant workers). (See 1971, 695 § 2.)

SECT. 3, clause 2 amended, 1970, 760 § 14.

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; 1970, 307; revised, 1971, 892 § 2; paragraph added at end, 1956, 681. (See 1952, 558 § 5; 1955, 762 § 4; 1956, 185, 740 § 4; 1958, 616 § 2; 1959, 551 § 2; 162, 134 §§ 7, 8, 9; 1963, 586 §§ 3, 4; 1964, 644 §§ 7–11; 1965, 334 §§ 3, 4; 1966, 679 §§ 9, 10; 1971, 892 § 3.)

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; 1970, 760 § 15.

SECT. 17 amended, 1970, 760 § 16.

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 (3) amended, 1970, 760 § 17; 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, definition of "Base period" revised, 1951, 763 § 1; 1953, 560 § 1; 1956, 719 § 1; 1970, 703 § 1; (affected, 1957, 626); definition of "Benefit year" revised, 1951, 763 § 1; definition of "Employment" revised, 1971, 940 § 1; definition of "Payroll" revised, 1971, 940 § 1; definition of "Quarter" amended, 1956, 719 § 3; revised, 1969, 614 § 1; defini-

tion of "Partial unemployment" revised, 1951, 763 § 1; amended, 1956, 719 § 2; definition of "Total unemployment" amended, 1949, 476; revised, 1951, 763 § 1; definition of 'Remuneration" added, 1953, 635 § 1; revised, 1957, 632; definition of "Wages" amended, 1948, 603 § 1; revised, 1951, 763 § 1; amended, 1954, 279 § 1; definition of "American vessel" added, 1949, 639 § 2; definition of "Remuneration" added, 1951, 763 § 2; repealed, 1953, 635 § 2; definition of "Average weekly wage" added, 1951, 763 § 2; definition of "American aircraft" added, 1962, 414 § 1. (See 1949, 639 § 3; 1951, 763 § 22; 1953, 560 § 3; 1954, 279 § 2; 1956, 719 § 8; 1969, 614 § 6; 1970, 703 § 2; 1971, 940 § 22.)

SECTS. 2–3 revised, 1971, 940 § 2. (See 1971, 940 § 22.)

SECT. 4 repealed, 1971, 940 § 3. (See 1971, 940 § 22.)

SECTS. 4A–4B added, 1971, 940 § 4 (providing for coverage of public employees of hospitals and institutions of higher education). (See 1971, 940 § 22.)

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 (*a*) amended, 1971, 940 § 5; subsection (*c*) stricken out, 1971, 940 § 9; subsection (*e*) revised, 1966, 560 § 1; subsection (*f*) amended, 1971, 940 § 6; subsection (*g*) amended, 1962, 414 § 2; revised, 1964, 454; stricken out, 1971, 940 § 9; subsection (*j*) revised, 1962, 414 § 3; subsection (*k*) amended, 1971, 940 § 7; subsection (*p*) added, 1964, 358; subsection (*q*) added, 1968, 239 subsections *r–w* added, 1971, 940 § 8. (See 1949, 639 § 3; 1951, 763 § 22; 1954, 280 § 2; 1961, 393 § 2; 1971, 940 § 22.)

SECT. 7 repealed, 1971, 940 § 10. (See 1971, 940 § 22.)

SECT. 8, subsection (*a*) amended, 1950, 535; revised, 1970, 828; subsections (*g*) and (*h*) added at end, 1943, 534 § 2.

SECT. 10 repealed, 1971, 940 § 10. (See 1971, 940 § 22.)

SECT. 11 revised, 1941, 685 § 2; 1951, 763 § 4; amended, 1971, 940 § 11. (See 1951, 763 § 22; 1971, 940 § 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; first paragraph revised, 1971, 940 § 12; subsection (*b*) (1) revised, 1956, 719 § 7; subsection (*d*), paragraph (2) revised, 1966, 560 § 2; paragraph (4) stricken out, 1970, 866 § 2; subsection (*e*), paragraph (3) amended, 1970, 866 § 3; 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; 1970, 866 § 4; 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; 1970, 866 § 5; 1971, 940 § 22.)

SECT. 14A added, 1971, 940 § 13 (relative to the financing of benefits paid to employees of nonprofit organizations). (See 1971, 940 § 22.)

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; paragraph added, 1971, 940 § 14; 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; 1971, 940 § 22.)

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. 28A added, 1971, 940 § 15 (relative to benefits based on service in institutions of higher education). (See 1971, 940 § 22.)

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; 1970, 657 § 1; amended, 1971, 1083 §§ 1, 2; subsection (*b*) revised, 1951, 763 § 12; 1954, 673; subsection (*c*) added, 1946, 611; revised, 1949, 501; 1951, 763 § 12; 1954, 635; amended, 1957, 542; revised, 1958, 385; 1959, 589; 1960, 603; 1962, 476; amended, 1969, 614 § 5; amended, 1971, 940 § 16; subsection (*d*) added, 1971, 940 § 17. (See 1951, 763 § 22; 1956, 719 § 8; 1963, 438 § 2; 1965, 649 § 2; 1969, 614 § 6; 1970, 657 § 2; 1971, 940 § 22; 1083 § 3.)

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. 30A added, 1970, 866 § 1 (establishing an extended benefits program under the employment security law); paragraph added, 1971, 756 § 1. (See 1970, 866 § 5; 1971, 756 § 3.)

SECT. 30B added, 1971, 756 § 2 (extending benefits under the employment security act). (See 1971, 756 § 3.)

SECT. 31 revised, 1951, 763 § 13; 1971, 940 § 18. (See 1951, 763 § 22; 1971, 940 § 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; amended, 1971, 957 § 1. (See 1951, 763 § 22.)

SECT. 40 revised, 1951, 763 § 17; amended, 1970, 421. (See 1951, 763 § 22.)

SECT. 41 amended, 1971, 957 § 2.

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; sentence inserted before last sentence, 1971, 957 § 3. (See 1951, 763 § 22; 1954, 681 §§ 20, 22.)

SECT. 42B added, 1971, 957 § 4 (providing for recovery of benefits erroneously paid to a claimant).

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. 66, subsection (*g*) added, 1971, 940 § 19. (See 1971, 940 § 22.)

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; 1971, 923; 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; amended, 1971, 874 § 1; subsection 3B added, 1960, 163 § 2; amended, 1971, 874 § 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; subsections (6)–(8) revised, 1971, 661; subsection 9 added, 1969, 314; subsection (10) added, 1971, 726; subsection (11) added, 1971, 874 § 3; 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; 1971, 106; 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; subsection (*e*) revised, 1971, 120.

SECT. 3A added, 1966, 386 § 3 (relative to health and welfare trust fund agreements for visual services).

SECT. 10 amended, 1964, 467; 1968, 326; paragraph added at end, 1970, 110.

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; amended, 1971, 811; 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, first paragraph, sixth sentence revised, 1963, 407; paragraph added, 1943, 359; section amended, 1953, 314 § 6; paragraph added, 1971, 882.

SECT. 6 amended, 1945, 347; 1953, 314 § 6.

SECT. 7 amended, 1953, 314 § 6; 1971, 974. (See 1971, 892 § 3.)

SECT. 7A added, 1947, 380 (relative to procedure in certain claims under the workmen's compensation law where employees are unable to testify); revised, 1971, 702.

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; section revised, 1971, 888 § 1; sentence added, 1971, 941 § 1. (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; third paragraph amended, 1971, 773. (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; amended, 1970, 860; 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; 1971, 879 §§ 1 and 4. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7.)

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; 1971, 879 §§ 2 and 5. (See 1946, 321 § 4; 1956, 735 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7.)

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; 1971, 879 §§ 3 and 6. (See 1946, 321 § 4; 1963, 460 § 4; 1967, 482 § 7; 1969, 529 § 4; 1971, 879 § 7.)

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. 35B added, 1970, 667 § 1 (relative to workmen's compensation benefit payments for a subsequent injury). (See 1970, 667 § 2.)

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; amended, 1971, 700 § 1. (See 1943, 529 § 14; 1971, 700 § 2.)

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; first sentence revised, 1971, 1059; 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; amended, 1971, 1012 § 15.

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; paragraph added at end, 1970, 324. (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; revised, 1971, 819 § 1. (See 1935, 297 § 3; 1962, 750 §§ 73, 74; 1964, 723 §§ 6, 7; 1971, 819 § 12.)

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; repealed, 1971, 819 § 2. (See 1971, 819 § 12.)

SECT. 2B added, 1958, 441 (relative to the approval of certain proposed corporations); revised, 1962, 750 § 8; sentence added at end, 1970, 451.

SECT. 3A amended, 1965, 310.

SECT. 6, sentence added at end, 1949, 105.

SECT. 8, sentence added, 1969, 245 § 1; 1971, 111. (See 1969, 245 § 3.)

SECT. 9 amended, 1938, 327 § 1; revised, 1943, 295; first sentence revised, 1953, 32; section revised, 1962, 750 § 9; first paragraph amended, 1963, 59; section revised, 1964, 484 § 1; 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. 1, paragraph (*b*) amended, 1970, 443, § 32; revised, 1971, 113.
SECT. 2 amended, 1969, 829 § 1. (See 1969, 829 § 2.)
SECT. 3 amended, 1969, 392 § 29.
SECT. 6 revised, 1964, 459.
SECT. 8, second sentence revised, 1971, 259; sentence added at end, 1970, 444 § 1.

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. 47 amended, 1971, 929 § 2.

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; revised, 1971, 929 § 3. (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; first sentence revised, 1971, 929 § 4; 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); first sentence revised, 1971, 929 § 5.

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. 3B added, 1971, 317 § 1 (authorizing direct charge cooperatives).

SECT. 4 revised, 1949, 378 § 3; first sentence revised, 1958, 26; amended, 1971, 317 § 2; second paragraph amended, 1971, 317 § 2A.

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; 1971, 317 § 3.

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. 16, two sentences added at end, 1970, 137.
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. 83 amended, 1970, 284.
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, first sentence amended, 1936, 363 § 5; 1951, 24 § 4; 1971, 1076 § 13; sentence added at end, 1962, 362; (See 1971, 1076 § 22.)
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; 1971, 540; 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; sentence inserted after second sentence, 1971, 560; fifth sentence revised, 1970, 335; 1972, 561; third paragraph, second sentence revised, 1969, 96. (See 1939, 404 § 1; 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 "Regular routes" added, 1941, 653 § 3; definition of "Agricultural carrier by motor vehicle" inserted, 1941, 704 § 1; definitions of "Contract carrier by motor vehicle", "Motor carrier" and "Permit" revised, 1941, 704 § 2; definition of "Motor Carrier" revised, 1951, 664 § 3; definition of "Property" inserted, 1949, 346 § 1; revised, 1954, 87; 1956, 266; definition of "Motor Vehicle" stricken out and definition of "Commercial Motor Vehicle" inserted, 1951, 664 § 1; definition of "Private Carrier" inserted, 1951, 664 § 2; revised, 1952, 483; 1955, 569. (See 1941, 704 § 4.)

SECT. 3, introductory paragraph amended, 1945, 400 § 1; paragraph (*b*) revised, 1941, 592 § 1; paragraph (*c*) revised, 1945, 400 § 2; amended, 1946, 420 § 1; revised, 1947, 52 § 1; amended, 1959, 543 § 1; paragraph (*d*) revised, 1950, 189. (See 1945, 400 § 8; 1946, 420 § 2; 1947, 52 § 2.)

SECT. 4, second paragraph revised, 1945, 400 § 3; 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); amended, 1970, 310; paragraph added at end, 1970, 469.

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 sen-

tence 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. 93A added, 1971, 724 (authorizing a city or town to require a railroad to erect a fence along its tracks for the public safety).

SECT. 98 amended, 1970, 429 § 1.

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; first paragraph revised, 1971, 205 § 1; second paragraph amended, 1971, 205 § 2. (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. 151 amended, 1971, 303.

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. 168 amended, 1970, 627.

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. 241A added, 1970, 201 (relative to the removal of wreckage and debris caused by railroad derailments).

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 (*e¾*) inserted, 1971, 1100; 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; fifth paragraph amended, 1971, 1075 § 2.

SECT. 13, last paragraph stricken out, 1965, 650 § 2.

SECT. 19A added, 1970, 514 (providing that the Massachusetts Bay Transportation Authority and its employees be subject to certain provisions of the state labor relations law).

SECT. 23, first paragraph amended, 1971, 1075 § 3; third paragraph revised, 1971, 1075 § 4; fourth paragraph amended, 1965, 650 § 3; fifth paragraph amended, 1971, 1075 § 5.

SECT. 28, first paragraph amended, 1971, 1075 § 6; second paragraph revised, 1971, 1075 § 7; paragraph added at end, 1970, 513 § 5.

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. 12A added, 1971, 308 § 1 (authorizing gas and electric companies to issue convertible debentures).

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; sentence inserted after second sentence, 1971, 308 § 2.

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. 58A amended, 1971, 452.
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; second sentence revised, 1971, 274.
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; amended, 1971, 824.

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. 124C added, 1971, 767 (regulating the discontinuance of service by a gas or electric utility to a hospital, nursing home or similar facility).

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. 1B added, 1971, 243 (authorizing the department of public utilities to regulate certain water companies).

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. 15D added, 1970, 173 (prohibiting telephone company employees from working in excavations or trenches where there may be energized cables).

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 166A. — Community Antenna Television Systems.

New chapter inserted, 1971, 1103 § 1.

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; third sentence revised, 1970, 94 § 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. 11D added, 1971, 394 § 1 (requiring the commissioner of banks to promulgate rules and regulations establishing minimum security and protection standards for banks and credit unions).

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; 1971, 582; 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. 18B added, 1970, 587 (authorizing regulation of payment and advertising interest on deposits in non-federally-insured banks).

SECT. 20, first paragraph amended, 1933, 190; 1943, 22; 1961, 493 § 12; 1971, 177 § 1; paragraph added, 1958, 109; revised, 1971, 177 § 2.

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; 1970, 135.

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. 54A added, 1970, 125 (authorizing the registration of securities of banks in the name of a nominee).

SECT. 54B added, 1971, 454 (authorizing certain associations and corporations acting as fiduciaries to file securities by issue).

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); paragraph 5 revised, 1971, 1087 § 1; paragraph 6 amended, 1971, 313 § 4.

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; 1970, 305 § 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; 1970, 305 § 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. 22C added, 1971, 354 § 1 (authorizing co-operative and savings banks to pay supplemental or variable rates of dividends or interest on certain share and deposit accounts).

SECT. 23 revised, 1956, 244 § 1.

SECT. 25, last sentence of paragraph 1 revised, 1960, 232.

SECT. 26, first sentence revised, 1962, 169 § 3; amended, 1971, 354 § 2; 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; revised, 1971, 455 § 1; last sentence revised, 1960, 804 § 2; 1971, 92 § 1; sentence added, 1967, 312; stricken out, 1971, 455 § 2.

SECT. 35, first paragraph, first sentence amended, 1960, 804 § 3; 1964, 206 § 1; 1971, 352 § 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; 1971, 352 § 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; 1971, 52 § 1; 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; amended, 1971, 455 § 3; paragraph 9 revised, 1969, 278 § 5; paragraph 10, second and third sentences revised, 1963, 269; second sentence amended, 1968, 182; 1970, 303; fifth sentence revised, 1969, 322; paragraph 11 revised, 1960, 289; amended, 1963, 301; paragraph 13 added, 1960, 804 § 3; paragraph 14 added, 1971, 352 § 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; first four sentences

stricken out and four sentences inserted, 1970, 877; sentence inserted after fourth sentence, 1971, 505. (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; paragraph 9 added, 1970, 126.

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; clause (*h*) added, 1971, 155.

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; amended 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; amended, 1971, 857; 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. 51A added, 1970, 363 (relative to savings banks investments not otherwise authorized).

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; 1970, 124 § 1; 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; paragraph 2, two sentences added at end, 1970, 124 § 2.

SECT. 60B added, 1971, 354. § 3 (providing for the manner of payment of dividends on term deposits)

SECT. 61, paragraph 3 revised, 1967, 301; 1968, 224 § 5.

SECT. 65, first sentence amended, 1960, 58 § 1.

SECT. 66A added, 1971, 92 § 2 (authorizing the issuance by savings and co-operative banks of certain mortgage-backed securities).

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; third paragraph, second sentence revised, 1971, 401 § 1; fourth sentence amended, 1971, 401 § 2; sixth paragraph revised, 1971, 401 § 3; paragraph added, 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; paragraph (*c*) amended, 1961, 333 § 3; paragraph (*d*) amended, 1952, 257 § 1; subsection 2 amended, 1957, 204; 1961, 333 § 4; subsection 3, paragraph (*b*) amended, 1961, 333 § 5; paragraph (*c*) revised, 1959, 195; amended, 1965, 373 § 2; stricken out and paragraphs (*c*) and (*d*) inserted, 1968, 267; paragraph (*c*) amended, 1971, 354 § 5; paragraph (*d*), amended, 1970, 123; paragraph (*e*) added, 1971, 501; subsection 3A added, 1968, 184 § 1; subsection 3B added, 1971, 354 § 4; 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; first paragraph, first sentence revised, 1970, 304 § 1; second paragraph amended, 1970, 304 § 2; third paragraph amended, 1961, 333 § 7.

SECT. 17 revised, 1952, 257 § 2; last paragraph amended, 1968, 184 § 2; 1971, 354 § 6. (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; 1970, 122; 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; 1970, 308 § 1; subsection 3 amended, 1955, 118 § 2; revised, 1959, 108 § 1; 1963, 101; 1967, 227 § 1; 1970, 308 § 2; subsection 3A inserted, 1959, 174; revised, 1963, 146; amended, 1965, 306; last sentence revised, 1966, 169; clause (*a*) revised, 1968, 185; 1971, 52 § 2; subsection 4 revised, 1955, 146; 1958, 96; 1959, 108 § 2; 1960, 54; 1962, 125 § 1; amended, 1964, 227; revised, 1967, 227 § 2; amended, 1970, 223 § 1; subsection 4A

inserted, 1965, 307; revised, 1967, 227 § 3; subsection 5 amended, 1956, 34; 1962, 125 § 2; revised, 1963, 124; 1965, 266; amended, 1970, 223 § 2; subsection 8, sentence inserted after first sentence, 1952, 137; stricken out, 1957, 198 § 2; first paragraph amended, 1961, 333 § 8; subsection 10 amended, 1961, 333 § 9.

SECT. 24A added, 1959, 342 (authorizing co-operative banks to make or acquire loans guaranteed by the Federal Housing Administrator); revised, 1962, 124.

SECT. 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; sentence inserted after first sentence, 1970, 159; paragraph added at end, 1968, 184 § 6.

SECT. 26, first paragraph revised, 1966, 167 § 1; 1968, 163; 1970, 158; subsections 1 and 2 revised, 1955, 432 § 10; subsection 2, first sentence revised, 1962, 218; subsection 2A inserted, 1971, 389; subsection 2B inserted, 1971, 446; subsection 3 revised, 1960, 111; 1967, 280 § 1; subsection 3A added, 1967, 280 § 2; subsection 4A inserted, 1971, 461 § 1; subsection 5 amended, 1961, 493 § 20; subsection 6 revised, 1963, 100; amended, 1968, 187; 1970, 311; subsection 8 added, 1963, 279; second sentence amended, 1970, 302 § 1; fourth sentence revised, 1965, 814; 1968, 236; amended, 1970, 302 § 2; subsection 8 revised, 1971, 400; subsections 9 and 10 added, 1969, 220; subsection 11 added, 1971, 404; subsection 12 added, 1971, 436. (See 1955, 432, § 4.)

SECT. 27A added, 1971, 92 § 3 (authorizing certain corporations to issue certain mortgage-backed securities).

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 co-operative 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; section revised, 1970, 290; amended, 1971, 461 § 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; third paragraph, second sentence revised, 1971, 401 § 4; fourth sentence amended, 1971, 401 § 5; sixth paragraph revised, 1971, 401 § 6; paragraph added at end, 1970, 121.

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; third sentence revised, 1971, 122; fourth sentence revised, 1949, 287; 1957, 182; 1963, 416; two sentences inserted after fourth sentence, 1964, 226; fifth sentence revised, 1968, 173; 1970, 196; sentence inserted after fifth sentence, 1971, 420 § 1; sentence inserted after fourth sentence, 1960, 162; revised, 1963, 416; 1965, 313; ninth, tenth and eleventh sentences stricken out and four sentences inserted, 1970, 103.

SECT. 10A added, 1970, 200 § 1 (authorizing the establishment of special notice accounts and further regulating payments of dividends in credit unions); amended, 1971, 420 § 2.

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; revised, 1970, 95; 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; amended, 1971, 420 § 3.

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; revised, 1971, 420 § 4.

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; section revised, 1971, 525. (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; amended, 1971, 420 § 5.

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; clause (*e*) added, 1970, 275 § 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; paragraph 8 of subdivision (A) added, 1970, 200 § 2; subdivision (B) revised, 1945, 82; 1947, 178; second sentence revised, 1952, 163; sentence inserted after second sentence, 1955, 122; revised, 1959, 92; 1964, 213 § 1; paragraph 3 of subdivision (B) revised, 1952, 105 § 1; first sentence revised, 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; subsection (*b*), paragraph (7) revised, 1970, 306; subdivision (C) added, 1963, 318 § 3; subdivision (D) added, 1967, 231 § 3; revised, 1970, 197; subdivision (E) added, 1970, 275 § 2; section revised, 1971, 420 § 6; subdivision (B), subsection (*b*), paragraph 12 added, 1971, 522; subdivision (D), fifth sentence revised, 1971, 573.

SECT. 25, first paragraph revised, 1949, 286 § 2; 1962, 268 § 3; section revised, 1965, 331; 1970, 200 § 3; fifth paragraph amended, 1971, 420 § 7.

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; amended, 1970, 94 § 2; 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; revised, 1971, 420 § 8.

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; 1970, 293 § 1; paragraph added at end, 1970, 293 § 2.

SECTS. 34–35 added, 1971, 420 § 9 (further regulating credit unions).

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. 24, paragraph D amended, 1970, 648 § 3. (See 1970, 648 § 8.)
SECT. 25A added, 1965, 299 (authorizing trust companies to issue and sell capital notes and debentures).
SECT. 27, subsection B amended, 1963, 225; 1971, 362.
SECT. 30, first sentence amended, 1970, 648 § 4; revised, 1971, 316. (See 1970, 648 § 8.)
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; 1971, 313 § 1; clause 18 added, 1963, 143; 1971, 313 § 2; clause 19 added, 1971, 386.
SECT. 50 revised, 1968, 350.
SECT. 51 revised, 1963, 376; first paragraph revised, 1969, 337 § 3; 1970, 305 § 3; second paragraph revised, 1964, 279.
SECT. 54 revised, 1970, 648 § 5; subsection C added, 1971, 519. (See 1970, 648 § 8.)
SECT. 55, subsection A, paragraph (4) revised, 1965, 262 § 1; paragraph added, 1965, 262 § 2; amended, 1966, 220 § 1; subsection C revised, 1966, 220 § 2; 1969, 100; amended, 1970, 648 § 6. (See 1970, 648 § 8.)
SECT. 58, first paragraph amended, 1971, 313 § 3; paragraph added, 1966, 633 § 5.
SECT. 59, second paragraph revised, 1971, 1087 § 2.
SECT. 61 revised, 1962, 105; first paragraph revised, 1970, 832.
SECT. 64, first paragraph amended, 1964, 304; section revised, 1970, 648 § 2. (See 1970, 648 § 8.)
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; 1970, 642 § 1. (See 1943, 227 §§ 13, 14.)

SECT. 3 amended, 1963, 848 § 3; revised, 1968, 391 § 3; amended, 1970, 642 § 2.

SECT. 3A, first sentence revised, 1970, 876 § 1. (See 1970, 876 § 28.)

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; twenty-first and twenty-second paragraphs revised, 1971, 968 § 1. (See 1945, 593 § 2; 1971, 968 § 8.)

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; sentence inserted after sixth sentence, 1970, 876 § 2. (See 1970, 876 § 28.)

SECT. 19B added, 1939, 375 (authorizing domestic insurance companies to merge or consolidate with foreign insurance companies in certain cases); revised, 1941, 364 § 2; second paragraph, sentence added at end, 1970, 876 § 3. (See 1970, 876 § 28.)

SECT. 19C added, 1941, 364 § 3 (relative to rights of stockholders of merging or consolidating corporations); revised, 1970, 876 § 4. (See 1970, 876 § 28.)

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); subparagraph (3) revised, 1970, 876 § 5; subparagraph (7) revised, 1970, 876 § 6. (See 1970, 876 § 28.)

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. 22C revised, 1970, 387.

SECT. 22E added, 1970, 670 § 8 (relative to automatic renewal of motor vehicle insurance policies).

SECT. 22E stricken out and sections 22E–22H added, 1970, 744 § 1 (providing for renewal of certain motor vehicle insurance policies and for penalties for refusals to issue or renew same by insurance companies).

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; section revised, 1970, 787.

SECT. 29 revised, 1939, 167; 1955, 636.

SECT. 30 revised, 1970, 876 § 7. (See 1970, 876 § 28.)

SECT. 32 revised, 1938, 357 § 2; amended, 1941, 342 § 1.

SECT. 33 revised, 1946, 186.

SECT. 34 revised, 1970, 876 § 8. (See 1970, 876 § 28.)

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. 37A added, 1970, 876 § 9 (authorizing contributions by domestic insurance companies). (See 1970, 876 § 28.)

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. 47A added, 1970, 484 § 1 (relative to certain permissible direct businesses in which domestic insurance companies may engage).

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; eleventh paragraph, first sentence stricken out and two sentences inserted, 1970, 876 § 10. (See 1970, 876 § 28.)

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; 1970, 876 § 11; 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; 1970, 876 § 12; last paragraph stricken out, 1941, 342 § 3; sixth and seventh paragraphs stricken out and one paragraph inserted, 1970, 876 § 13. (See 1970, 876 § 28.)

SECT. 50, first sentence revised, 1945, 609 § 1; 1954, 320 § 3; third sentence amended, 1932, 180 § 33; 1957, 698 § 12.

SECT. 50 stricken out and sections 50–50B added, 1970, 876 § 14 (relative to articles of amendment of stock and mutual companies). (See 1970, 876 § 28.)

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 (*a*½) added, 1946, 471 § 6; clause (*c*) revised, 1961, 168 § 4; 1962, 202 § 5; clause (*e*) revised, 1939, 488 § 3. (See 1939, 488 § 9).

SECT. 54A added, 1932, 165 (permitting certain insurance companies to make outside the commonwealth contracts insuring personal property against all risks or hazards); amended, 1938, 198.

SECTS. 54B–54D added, 1945, 384 § 2 (authorizing multiple line underwriting, so called, by certain domestic and foreign stock and mutual insurance companies). (See 1945, 384 § 3.)

SECT. 54B revised, 1946, 285; 1950, 475 § 1.

SECT. 54C revised, 1961, 168 § 5.

SECT. 54E added, 1951, 510 (to afford more complete insurance coverage for dwelling houses); revised, 1955, 339.

SECT. 54F added, 1957, 170 (extending the authorization of insurance companies to include other coverage of commercial property in a fire insurance policy).

SECT. 57 revised, 1970, 876 § 15. (See 1970, 876 § 28.)

SECT. 58, second paragraph stricken out, 1970, 876 § 16. (See 1970, 876 § 28.)

SECT. 59, sentence added at end, 1948, 286; revised, 1970, 876 § 17. (See 1970, 876 § 28.)

SECT. 60, third paragraph, sentence added at end, 1970, 876 § 18. (See 1970, 876 § 28.)

SECT. 61, sentence inserted after first sentence, 1965, 260 § 1; stricken out, 1968, 391 § 10; section repealed, 1970, 876 § 19. (See 1970, 876 § 28.)

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; revised, 1970, 580; 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; revised, 1970, 484 § 2; 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 insur-

ance 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; first sentence revised, 1970, 538; 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. 66E added, 1971, 218 (authorizing a domestic life company to invest in a limited partnership).

SECT. 70, second sentence revised, 1954, 320 § 4; section amended, 1957, 698 § 13; revised, 1958, 155; 1970, 876 § 20. (See 1970, 876 § 28.)

SECT. 71, first sentence stricken out and four sentences inserted, 1954, 320 § 5; section revised, 1970, 876 § 21. (See 1970, 876 § 28.)

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; section revised, 1970, 876 § 22. (See 1941, 365 § 2; 1970, 876 § 28.)

SECT. 78 revised, 1970, 876 § 23. (See 1970, 876 § 28.)

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; revised, 1970, 642 § 3; third paragraph revised, 1952, 51; 1970, 876 § 24; fourth paragraph revised, 1970, 876 § 25. (See 1945, 313 § 5; 1970, 876 § 28.)

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. 102D added, 1970, 598 (authorizing certain insurance companies to issue "association" policies).

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; provision (11) stricken out, 1971, 1076 § 15; 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); amended, 1971, 849.

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; amended, 1971, 939 § 3; 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; 1971, 939 § 7.)

SECT. 113B, first paragraph amended, 1964, 391; paragraph inserted after first paragraph, 1935, 459 § 4; first two paragraphs revised, 1968, 643 § 2; second paragraph, sentence added at end, 1970, 785; paragraph inserted after first paragraph, 1970, 670 § 7; 1971, 977 § 1A; third paragraph amended, 1951, 251; 1962, 509; 1963, 430; revised, 1963, 828; 1964, 292; amended, 1971, 977 § 1; paragraph added at end, 1968, 660. (See 1935, 459 § 5; 1970, 670 § 10.)

SECT. 113C, second paragraph amended, 1971, 520 § 1, 896 § 1; paragraph added at end, 1968, 643 § 3; revised, 1970, 670 § 9. (See 1970, 670 § 10; 1971, 520 § 2.)

SECT. 113D, first paragraph revised, 1933, 119 § 2; first sentence of same paragraph revised, 1962, 178 § 1; third paragraph revised, 1971, 939 § 4; fourth paragraph revised, 1933, 146 § 1; amended, 1960, 264; fifth paragraph revised, 1971, 939 § 5; sixth paragraph revised, 1933, 146 § 2; amended, 1934, 46; first sentence of sixth paragraph amended, 1938, 311; paragraph revised, 1971, 939 § 6; 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; 1971, 939 § 7.)

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; section revised, 1970, 545.

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; amended, 1971, 656.

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. 113M added, 1971, 1078 § 1 (requiring the licensing of motor vehicle damage appraisers). (See 1971, 1078 § 3.)

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; paragraph added at end, 1970, 642 § 4. (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; revised, 1970, 642 § 5.

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; amended, 1970, 642 § 6; 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. 132G, first paragraph amended, 1970, 642 § 7; second paragraph amended, 1970, 642 § 8; paragraph inserted after seventh paragraph, 1970, 642 § 9; paragraph inserted after eighth paragraph, 1970, 642 § 10.

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; first sentence revised, 1970, 642 § 11. (See 1943, 227 §§ 13, 14; 1965, 567 § 2.)

SECT. 141 revised, 1960, 568 § 2; 1970, 484 § 3.

SECT. 142 revised, 1943, 227 § 8; first sentence revised, 1950, 345 § 1; amended, 1969, 747 § 1; second paragraph revised, 1970, 642 § 12. (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; revised, 1970, 642 § 13. (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); revised, 1971, 968 § 2. (See 1971, 968 § 8.)

SECT. 162B added, 1954, 464 (authorizing agents and brokers to accept payment of insurance premiums in installments and to finance insurance payments).

SECT. 163, first paragraph, first sentence revised, 1971, 968 § 3; paragraph added at end, 1941, 502; same paragraph revised, 1943, 85; six paragraphs added, 1971, 961. (See 1971, 968 § 8.)

SECT. 163A added, 1971, 968 § 4 (relative to educational requirements for certain appointed insurance agents and brokers). (See 1971, 968 § 8.)

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. 166, fifth sentence revised, 1971, 968 § 5. (See 1971, 968 § 8.)

SECT. 166A added, 1971, 968 § 6 (relative to educational requirements for an insurance agent or broker license). (See 1971, 968 § 8.)

SECT. 166B added, 1971, 968 § 7 (relative to revocation of insurance agent or broker licenses). (See 1971, 968 § 8.)

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. 187B, four sentences added at end, 1970, 504.

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).

SECTS. 193L–193N added, 1970, 484 § 4 (relative to insurance companies and regulating insurance holding companies).

SECT. 193O added, 1971, 1077 § 1 (prohibiting certain unfair claim settlement practices by insurers).

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; second sentence revised, 1971, 896 § 2.

SECT. 5, subdivision (*a*), paragraph (1) revised, 1970, 784.

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 175D. — Massachusetts Insurers Insolvency Fund.

New chapter inserted, 1970, 261 § 1. (See 1970, 261 § 2.)

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. 35, subsection (1) amended, 1971, 538.

SECT. 40, first sentence amended, 1960, 238; 1961, 493 § 26; 1968, 328 § 1; 1970, 446 § 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; 1971, 543 § 1; 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; revised, 1971, 543 § 2; 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; first sentence amended, 1970, 443 § 33; second sentence amended, 1970, 443 § 34; first paragraph revised, 1971, 543 § 3.

SECT. 6, first sentence revised, 1960, 307 § 2; paragraph (*d*) added, 1957, 115 § 1. (See 1957, 115 § 2.)

SECT. 7 amended, 1971, 434 § 1.

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. 13, second sentence stricken out and two paragraphs inserted, 1971, 434 § 2.

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).

SECT. 17 amended, 1971, 434 § 3.

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.

SECT. 4A added, 1970, 327 (authorizing optometric service corporations to enter into certain contracts).

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.
SECTS. 1–6 stricken out and sections 1–6A inserted, 1971, 819 § 3. (See 1971, 819 § 12.)
SECT. 7 amended, 1955, 170; revised, 1960, 19; sentence inserted after first sentence, 1962, 77; sentence added at end, 1969, 421 § 5; section stricken out and sections 7 and 7A inserted, 1971, 819 § 4. (See 1971, 819 § 12.)
SECT. 8 repealed, 1947, 559 § 3.
SECTS. 9–11B stricken out and sections 9–11C inserted, 1971, 819 § 5. (See 1971, 819 § 12.)
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; amended, 1971, 819 § 6; sentence inserted after first sentence, 1971, 819 § 7; second sentence amended, 1962, 750 § 54. (See 1971, 819 § 12.)
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. 17G added, 1970, 463 § 2 (authorizing certain cities and towns to make and pay over payroll deductions to collective bargaining agencies); third paragraph amended, 1971, 281.
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; first paragraph amended, 1957, 245; 1963, 832 § 1; 1971, 819 § 8; paragraph inserted after first paragraph, 1963, 832 § 2; second paragraph amended, 1957, 698 § 17; last paragraph revised, 1964, 434. (See 1933, 236 § 2; 1971, 819 § 12.)
SECT. 27 amended, 1934, 328 § 22; 1971, 819 § 9. (See 1971, 819 § 12.)
SECT. 28 amended, 1971, 819 § 10. (See 1971, 819 § 12.)

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. 6A added, 1970, 222 (requiring plans to be filed with certain deeds).
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.)
SECT. 57 added, 1970, 294 § 1 (prohibiting mortgagees from imposing a penalty for prepayment of a mortgage due to an eminent domain taking). (See 1970, 294 § 2.)
SECT. 58 added, 1971, 684 § 1 (further regulating the construction of instruments passing title to real estate bounded on a way, watercourse or monument). (See 1971, 684 § 2.)

Chapter 183A. — Condominiums.

New chapter inserted, 1963, 493 § 1.

SECT. 1, definition of "Building" revised, 1967, 868; 1969, 564; 1970, 139 § 1.
SECT. 3 amended, 1970, 139 § 2.
SECT. 6, paragraph (*c*) amended, 1964, 731 § 1.
SECT. 8, clause (*c*) amended, 1970, 139 § 3; clause (*f*) amended, 1965, 56 § 1.
SECT. 9, last paragraph amended, 1965, 56 § 2.
SECT. 16 revised, 1970, 139 § 4.

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); paragraph inserted after first paragraph, 1970, 313; section revised, 1970, 824 § 1. (See 1970, 824 § 3.)

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 recording thereof); revised, 1964, 311 § 1. (See 1956, 348 §§ 2, 3; 1964, 311 §§ 2, 3.)

SECT. 25 added, 1959, 294 § 1 (protecting land titles against the effects of indefinite references). (See 1959, 294 § 2.)

SECTS. 26–30 added, 1961, 448 § 1 (protecting land titles from uncertain and obsolete restrictions and providing proceedings in equity with respect thereto).

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. 26 amended, 1971, 423 § 2.

SECT. 28, second sentence revised, 1971, 423 § 3.

SECT. 40 amended, 1937, 118

SECT. 46, clause Sixth added at end, 1963, 242 § 2.

SECT. 47, second and third sentences stricken out and sentence inserted, 1971, 423 § 4.

SECT. 48, paragraph added at end, 1949, 48.

SECT. 59 revised, 1962, 389; 1970, 336.

SECT. 61, first sentence revised, 1971, 423 § 5.

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 185A. — Housing Court of the City of Boston, Jurisdiction and Powers.

New chapter inserted, 1971, 843 § 1. (See 1971, 843 § 27.)

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); paragraph inserted after first paragraph, 1970, 666 § 1. (See 1970, 666 § 2.)

SECT. 15C added, 1971, 445 § 1 (regulating the inclusion of tax escalation provisions in leases of residential property). (See 1971, 445 § 2.)

SECT. 15D added, 1971, 658 (requiring a lessor to execute and deliver a copy of a lease to lessee within a specified period of time).

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; 1970, 119 § 1. (See 1939, 32 § 5; 1970, 119 § 5.)

SECT. 7 revised, 1971, 423 § 6.

SECT. 7A repealed, 1971, 423 § 7.

SECT. 9 amended, 1939, 32 § 2; 1970, 119 § 2. (See 1939, 32 § 5; 1970, 119 § 5.)

Chapter 189. — Dower and Curtesy.

SECT. 1, paragraph (1) amended, 1945, 238 § 1; revised, 1956, 316 § 1; amended, 1970, 637 § 1. (See 1970, 637 § 2.)

SECTS. 1A and 2 repealed, 1971, 423 § 8.

SECT. 3 revised, 1936, 91 § 1; 1971, 423 § 9. (See 1936, 91 § 2.)

SECT. 4 revised, 1971, 423 § 10.

SECT. 5 repealed, 1971, 423 § 11.

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; amended, 1970, 637 § 1. (See 1945, 238 § 2; 1956, 316 § 3; 1970, 637 § 2.)

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. 1 amended, 1971, 291.

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; revised, 1970, 462; 1971, 411.

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. 6 revised, 1970, 317 § 1.

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; amended, 1970, 111; revised, 1970, 888 § 12A; paragraph added at end, 1955, 413 § 1. (See 1955, 413 § 2; 1956, 317 § 3; 1958, 163 § 2; 1970, 888 § 31.)

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; revised, 1971, 548 § 1. (See 1933, 221 § 8; 1971, 548 § 2.)
SECT. 10 revised, 1954, 552 § 2.
SECT. 19 revised, 1954, 465 § 2. (See 1954, 465 §§ 3, 4.)
SECT. 20 revised, 1971, 448 § 1. (See 1971, 448 § 2.)

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; 1970, 888 § 22. (See 1970, 888 § 31.)
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. 25 amended, 1970, 888 § 23. (See 1970, 888 § 31.)

SECT. 26 revised, 1956, 314 § 11; amended, 1971, 423 § 12.

SECT. 30 amended, 1939, 57.

SECT. 32 repealed, 1970, 120 § 3.

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); revised, 1971, 263.

SECT. 42 revised, 1956, 314 § 13.

SECT. 43 revised, 1956, 314 § 14.

SECT. 43A revised, 1956, 314 § 15.

SECT. 44 amended, 1971, 423 § 13.

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. 3 amended, 1970, 120 § 2.
SECT. 3A added, 1970, 120 § 1 (facilitating distributions to foreign fiduciaries).
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; amended, 1970, 172.

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; amended, 1971, 255 § 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; stricken out, 1970, 127; paragraph added at end, 1970, 157.
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; first paragraph, last sentence revised, 1970, 152.
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; 1971, 255 § 2.
SECT. 33A amended, 1971, 255 § 3.
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; revised, 1970, 668.
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.)
SECT. 8A added, 1971, 290 (permitting the entry of a new libel for divorce during a contested hearing upon a libel).
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. 34B added, 1970, 472 (permitting a judge of probate to order a husband or wife to vacate the marital home).
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.
SECT. 47 revised, 1971, 544 § 2.

Chapter 209. — Husband and Wife.

SECT. 1, second sentence stricken out, 1971, 423 § 14.
SECT. 2 revised, 1963, 765 § 1.
SECT. 6 revised, 1963, 765 § 2.
SECT. 10 revised, 1948, 550 § 42.
SECT. 14 amended, 1971, 423 § 15.
SECT. 16 amended, 1971, 423 § 16.
SECT. 18 revised, 1971, 423 § 17.
SECTS. 19–20 repealed, 1971, 423 § 18.
SECT. 21 amended, 1939, 32 § 3; 1970, 119 § 3. (See 1939, 32 § 5; 1970, 119 § 5.)
SECTS. 22–23 repealed, 1971, 423 § 18.
SECT. 24 revised, 1971, 423 § 19.
SECT. 32, sentence added at end, 1938, 136; section revised, 1968, 370.
SECT. 32D added, 1970, 450 (providing that a decree for separate support may require one of the parties to convey real property).
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); fourth sentence amended, 1970, 216.
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; first paragraph, first sentence revised, 1970, 404 § 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); revised, 1970, 404 § 3.
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; first sentence stricken out and two sentences inserted, 1971, 388.
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; first sentence revised, 1970, 567.

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; amended, 1970, 452; first paragraph revised, 1971, 897. (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; amended, 1970, 728. (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. 3A added, 1970, 592 (providing injunctive relief against unauthorized use of a person's name, portrait or picture).

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. 10A added, 1971, 732 § 1 (establishing a cause of action for certain persons to protect the natural resources and environment).

SECT. 22 amended, 1948, 309; 1971, 843 § 4. (See 1971, 843 § 27.)

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; second paragraph, last sentence amended, 1970, 888 § 24. (See 1954, 556 § 10; 1963, 820 § 2; 1970, 888 § 31.)

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. 34, sentence added, 1971, 275.

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; two sentences added at end, 1970, 602.

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; 1970, 105.
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. 48 repealed, 1970, 317 § 2.
SECT. 51 repealed, 1955, 418 § 2. (See 1955, 418 § 3.)
SECT. 56B added, 1971, 947 (authorizing the appointment of a guardian ad litem to institute contempt proceedings involving minors).
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 aud 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; 1971, 680 § 1.
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; 1971, 435 § 1. (See 1943, 464 § 2.)
SECT. 24A revised, 1939, 392; 1947, 348; amended, 1968, 669 § 1.
SECT. 24B added, 1971, 851 (providing a third assistant register of probate for Plymouth county).
SECT. 25 amended, 1947, 347; revised, 1957, 511; 1971, 852 § 1.

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; 1971, 792. (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; last sentence stricken out, 1970, 526 § 2; section revised, 1971, 1092. (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. 32B added, 1971, 511 (providing for the appointment of two messengers for the probate court of Norfolk county).

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; 1971, 680 § 2. (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; 1971, 435 § 2. (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; last paragraph revised, 1971, 852 § 2. (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; 1971, 680 § 3. (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 "*Hampden*" revised, 1965, 440 § 1; 1971, 577 § 1; last paragraph under caption "*Hampden*" revised, 1965, 440 § 2; 1971, 577 § 2; second

* Void for non-acceptance.

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; first paragraph under caption "*Worcester*" revised, 1970, 713 § 1; 1971, 821 § 1; third paragraph under caption "*Worcester*" revised, 1971, 821 § 2; sixth paragraph under caption "*Worcester*" revised, 1968, 342 § 1; 1970, 713 § 2; 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; 1971, 1090 § 1; second paragraph amended, 1966, 699 § 6; second sentence revised, 1969, 845 § 6; fourth paragraph revised, 1971, 688. (See 1941, 664 §§ 2, 3; 1947, 588 §§ 2, 3; 1951, 762 § 4; 1956, 738 §§ 1A, 13, 14, 744 §§ 2, 3; 1963, 810 § 23; 1959, 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; revised, 1971, 717 § 1; second sentence revised, 1961, 526 § 1; third sentence revised, 1970, 594 § 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; first three paragraphs stricken out and four paragraphs inserted, 1970, 585 § 1; second sentence revised, 1971, 18; amended, 1971, 56, 883; third sentence amended, 1971, 93; second paragraph revised 1971, 765 § 1; fourth paragraph revised, 1971, 101, 765 § 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; 1970, 585 § 2; 1971, 765 § 3; paragraph added at end, 1969, 398 § 1; second sentence amended, 1969, 725; paragraph added, 1971, 100. (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; 1971, 717 § 2; second sentence revised, 1961, 526 § 2; third sentence revised, 1970, 594 § 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. 19C added, 1970, 582 (providing certain equity powers to district courts).

SECT. 21 amended, 1953, 168; revised, 1960, 160; 1963, 810 § 3; 1964, 496 § 1; amended, 1967, 21 § 1; revised, 1970, 106 § 1; amended, 1971, 271 § 1. (See 1964, 496 § 2; 1967, 21 § 2; 1970, 106 § 2; 1971, 271 § 2.)

SECT. 22 amended, 1937, 310; first sentence revised, 1954, 328 § 1; 1971, 858 § 2. (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; 1970, 888 § 25. (See 1970, 888 § 31.)

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. 43C, first sentence amended, 1971, 867 § 1.

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; 1970, 623.

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; last sentence stricken out and two sentences inserted, 1971, 252. (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. 61, first sentence revised, 1971, 82 § 1; second sentence revised, 1971, 704.

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; 1970, 93 § 1; first sentence amended, 1971, 10, 58, revised, 1971, 114, 153, amended, 1971, 566 § 1; second sentence revised, 1971, 44, 82 § 2; section revised, 1971, 774; first sentence revised, 1971, 898; amended, 1971, 916; second sentence revised, 1971, 834. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2; 1955, 633 § 2; 1970, 93 § 2; 1971, 566 § 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.

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* Void for non-acceptance.

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; second and third sentences stricken out, 1970, 245 § 1; section revised, 1971, 884 § 1. (See 1946, 512 § 3, 609 § 3; 1963, 774 §§ 2, 3; 1964, 479 § 1; 1966, 539 § 2; 1969, 854 § 2; 1970, 245 § 4; 1971, 884 § 3.)

SECT. 76 amended, 1932, 269 § 1; 1935, 366 § 1; 1937, 378 § 1; revised, 1939, 451 § 60; amended, 1945, 476 § 1; 1946, 453, 498 § 1; revised, 1946, 530, 578; amended, 1946, 600; revised, 1947, 576; 1948, 667 § 1; 1949, 461 § 1; 1951, 768 § 1A; 1959, 609 § 6; 1963, 810 § 13; 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.)

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; 1971, 863 § 1; second paragraph, second sentence revised, 1970, 247. (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; first paragraph amended, 1971, 863 § 2. (See 1948, 667 §§ 6, 7; 1949, 312 § 2, 805 § 3; 1951, 768 § 3B; 1952, 114 § 1;

1955, 741 §§ 2, 3; 1956, 738 §§ 13, 14; 1958, 675 §§ 3, 4; 1960, 745 § 3; 746 § 3, 796 § 3; 1963, 810 § 22; 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; 1971, 142 § 2; paragraph (1) amended, 1960, 801 § 1, 816; 1961, 362 § 1, 479, 480 § 1, 532, 612 § 3, 613 § 1; revised, 1962, 725; amended, 1962, 761 § 1; 1963, 549, 841 §§ 2, 3; 1964, 654, 664, 667, 676, 677, 678, 695 §§ 1, 2, 700, 701; 1965, 686, 781, 782, 789, 870, 900 § 3; 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; 1970, 675 §§ 1, 2, 815 §§ 1, 2; 1971, 5, §§ 1, 2, 17, 102 §§ 1, 2, 105 §§ 1, 2, 142 § 3; 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; section revised, 1971, 668 § 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; third paragraph revised, 1970, 115 § 2; section revised, 1971, 668 § 2. (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; 1970, 115 § 3.)

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; second paragraph revised, 1971, 99; third paragraph revised, 1966, 532 § 1; 1970, 511 § 1; fourth paragraph revised, 1971, 78; fifth paragraph revised, 1971, 293; 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; 1970, 511 § 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. 6C added, 1970, 593 (providing for the designation of an assistant clerk for criminal business in the Essex Superior Court).

SECT. 6D added, 1971, 31 § 1 (providing for the designation of an assistant clerk of Norfolk county to perform the duties of criminal clerk in the superior court for Norfolk county). (See 1971, 31 § 2.)

SECTS. 6E–6G added, 1971, 118 (providing for the designation of assistant clerks to perform certain duties of clerks in the superior court for Worcester and Middlesex counties).

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; last sentence revised, 1970, 755.

SECT. 34D added, under caption, 1960, 565 § 1 (establishing the Massachusetts defenders committee); revised, 1962, 366 § 1; second paragraph, sentence added at end, 1970, 369. (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; second paragraph revised, 1970, 752 § 1; third paragraph revised, 1960, 719; fourth paragraph revised, 1968, 482; fifth paragraph revised, 1958, 676; paragraph inserted after fifth paragraph, 1964, 570 § 2; revised, 1971, 830. (See 1970, 752 § 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); revised, 1971, 707 § 1. (See 1971, 707 § 2.)

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 § 1; stricken out, 1970, 20 § 2. (See 1935, 182 §§ 5, 6; 1938, 347 § 3; 1941, 448 § 3; 1945, 388 § 3; 1946, 593 § 2; 1963, 766 §§ 2, 3; 1966, 463 § 5; 1970, 20 § 3.)

SECT. 73A added, 1938, 347 § 2; amended, 1941, 448 § 2; repealed, 1945, 388 § 2. (See 1938, 347 § 3; 1941, 448 § 3.)

SECT. 76 revised, 1935, 182 § 3; first sentence stricken out and two new sentences added, 1939, 258 § 1; second and third sentences revised, 1939, 165 § 2. (See 1935, 182 §§ 5, 6; 1939, 165 § 3, 258 § 2.)

SECT. 76A added, 1945, 179 § 1 (providing for the appointment of an assistant messenger of the superior court in Suffolk county).

SECT. 77 revised, 1951, 120; amended, 1954, 172 § 2; revised, 1957, 228 § 4; 1964, 570 § 5.

SECT. 80 amended, 1935, 182 § 4; 1954, 172 § 3; revised, 1957, 228 § 5; 1964, 570 § 6. (See 1935, 182 § 6.)

SECT. 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. 92A added, 1971, 459 (providing interpreters for the deaf in court proceedings).

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; section amended, 1968, 666 § 5, 692; 1969, 888 §§ 1, 2; 1970, 570; last paragraph revised, 1968, 209 § 1; 1970, 394 § 1. (See 1946, 262 §§ 4, 5; 1949, 774 § 5; 1962, 781 § 3; 1963, 790 §§ 3, 4; 1968, 209 § 2; 1969, 888 § 3; 1970, 394 § 2.)

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. 86A amended, 1971, 843 § 5. (See 1971, 843 § 27.)

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. 6, first sentence amended, 1971, 843 § 6. (See 1971, 843 § 27.)
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.
SECT. 27 repealed, 1970, 888 § 26. (See 1970, 888 § 31.)

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.
SECT. 7 amended, 1971, 843 § 7. (See 1971, 843 § 27.)
SECT. 8 amended, 1971, 843 § 8. (See 1971, 843 § 27.)

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; 1946, 614 § 1; 1947, 506 § 1A; 1949, 427 § 2; 1958, 238 § 1; 1965, 683 § 1; 1967, 666 § 1; 1971, 801 § 1. (See 1971, 801 § 2.)
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. 6D added, 1970, 670 § 5 (defining the right to recover damages for pain and suffering in certain tort actions). (See 1970, 670 § 10.)

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; 1971, 843 § 9. (See 1935, 318 § 8; 1971, 843 § 27.)

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. 60 amended, 1971, 843 § 10. (See 1971, 843 § 27.)

SECT. 60A amended, 1971, 843 § 11. (See 1971, 843 § 27.)

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. 85I added, 1970, 349 (exempting certain ski patrol members from civil liability for providing emergency care, treatment or transportation of certain injured persons).

SECT. 85J added, 1971, 450 (providing treble damages in certain fraud or deceit cases in personal property sales).

SECT. 85K added, 1971, 785 § 1 (limiting the liability of certain charitable organizations).

SECT. 85L added, 1971, 865 § 1 (providing for the recovery of damages against the operator of a motor vehicle by a guest on proof of ordinary negligence). (See 1971, 865 § 2.)

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 shop lifting); amended, 1971, 447.

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; first sentence revised, 1970, 99. (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; section amended, 1971, 867 § 2. (See 1933, 255 § 2.)

SECT. 111 amended, 1971, 843 § 12. (See 1971, 843 § 27.)

SECT. 113, two sentences added at end, 1945, 328; section amended, 1971, 843 § 13. (See 1971, 843 § 27.)

SECT. 115 amended, 1939, 451 § 63.

SECT. 117 revised, 1960, 207 § 4.

SECT. 118 revised, 1960, 207 § 5.

SECT. 119 amended, 1971, 843 § 14. (See 1971, 843 § 27.)

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; 1971, 843 § 15. (See 1933, 300 § 4; 1971, 843 § 27.)

SECT. 135, first paragraph amended, 1971, 843 § 16; two paragraphs inserted after first paragraph, 1941, 187 § 1; last paragraph amended, 1959, 109; 1960, 171. (See 1941, 187 § 2; 1971, 843 § 27.)

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. 140B, two paragraphs added, 1971, 141.

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; 1971, 785 § 1A. (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; 1971, 785 § 1B.

SECT. 145 amended, 1939, 451 § 64; 1953, 104.

SECT. 146, paragraph added, 1965, 491 § 2.

SECT. 146A added, 1971, 843 § 17 (establishing those sections which apply to civil actions before the Boston housing court). (See 1971, 843 § 27.)

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 232. — Set-off and Tender.

SECT. 9 amended, 1971, 843 § 18. (See 1971, 843 § 27.)

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).

SECTS. 20C–20I added, 1970, 408 (authorizing the granting of immunity to witnesses under certain conditions).

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); amended, 1970, 888 § 27. (See 1970, 888 § 31.)

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.)

SECT. 79I added, 1971, 532 (making certain evidence in an action to recover from an insurer for theft of personal property from a motor vehicle or trailer prima facie evidence of forcible entry).

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 sentence stricken out and two sentences inserted, 1955, 38 § 1. (See 1949, 347 § 5.)

SECT. 5 amended, 1955, 38 § 2.

SECT. 11 amended, 1934, 150.

SECT. 15 repealed, 1936, 161 § 1. (See 1936, 161 § 3.)

SECT. 24 amended, 1941, 90; sentence added at end, 1956, 278.

SECTS. 25 and 26 stricken out, and sections 25, 26, 26A, 26B inserted, 1945, 428 § 1 (providing for emergency jurors and for the waiver of a full jury). (See 1945, 428 § 3.)

SECT. 25, first sentence amended, 1955, 38 § 3; third sentence amended, 1949, 347 § 4. (See 1949, 347 § 5.)

SECT. 26B amended, 1965, 355 § 1; 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; section revised, 1970, 616; clause Fifteenth added, 1971, 349.

Chapter 236. — Levy of Executions on Land.

SECT. 5 revised, 1953, 338 § 4. (See 1953, 338 § 5.)

SECT. 18 revised, 1939, 32 § 4; amended, 1970, 119 § 4. (See 1939, 32 § 5; 1970, 119 § 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.)

SECT. 55 repealed, 1971, 423 § 20.

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; revised, 1971, 347 § 1. ((See 1946, 175 § 2.)

SECT. 6, two sentences added at end, 1952, 151 § 2.

SECT. 6A added, 1941, 242 § 2 (relative to conditions of bonds in actions of summary process for recovery of possession of land after tax title foreclosures).

SECT. 8A added, 1965, 888 (providing that violations of standards of fitness for human habitation shall constitute a defense in actions of summary process to recover possession of rented or leased premises); 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. 13 amended, 1971, 423 § 21.

SECT. 15, sentence added at end, 1946, 204.

SECT. 16 repealed, 1971, 423 § 22.

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. 15 revised, 1970, 116.

SECT. 20 revised, 1971, 378.

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; first two sentences revised, 1971, 475 § 1. (See 1935, 410 §§ 2, 3; 1941, 338 § 2; 1947, 264 § 2; 1959, 187 § 3; 1969, 276 § 2; 1971, 475 § 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. 17, two sentences added, 1971, 347 § 2.

SECT. 20A added, 1970, 476 (requiring notice to cities and towns in certain actions of automobile tort where default or judgment has been entered).

SECT. 24, sentence added at end, 1969, 290; stricken out and two sentences inserted, 1971, 347 § 3.

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); revised, 1971, 258.

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 253. — Mills, Dams and Reservoirs.

SECT. 33 amended, 1970, 595 § 1.

SECTS. 35–38 stricken out and sections 35–38 inserted, 1970, 595 § 2.

SECTS. 44–49 stricken out and sections 44–49 inserted, 1970, 595 § 3.

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); revised, 1970, 665; 1971, 712. (See 1968, 394 § 2.)

SECT. 12F added, 1970, 457 (subjecting creditors in consumer transactions to certain defenses of the borrower).

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. 31B revised, 1970, 297.

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; definition of "Retail buyer" or "buyer" revised, 1970, 187; definition of "Retail instalment contract" or "Contract" amended, 1971, 340; definition of "Retail installment sale" or "sale" revised, 1970, 96. (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. 19A added, 1971, 343 (providing that the holder of a motor vehicle retail installment contract shall be subject to all defenses which the retail buyer may have against the retail seller).

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. 14A added, 1971, 148 (limiting the charges for group credit life insurance issued in connection with insurance premium finance agreements).

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 "Retail installment sale agreement" amended, 1970, 91; revised, 1971, 341 § 1; definition of "Revolving credit agreement" amended, 1971, 341 § 2; 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; 1970, 163; 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. 25A added, 1970, 202 (providing that a holder of a retail installment sale agreement shall be subject to certain defenses).

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; clause (2) revised, 1970, 822 § 1; subsection B amended, 1969, 517 § 50; clause (6), second paragraph revised, 1967, 775 § 11; clause revised, 1969, 517 § 51; subsection C, paragraph 1, sentence inserted after first sentence, 1970, 822 § 2; clause (e) revised, 1967, 775 § 12; paragraph 3 revised, 1970, 822 § 3; subsection D revised, 1969, 517 § 52; clause (6), second sentence stricken out, 1970, 822 § 4; clause (7) revised, 1970, 822 § 5; subsection E added, 1966, 587 § 5; revised, 1969, 517 § 53; subsection F added, 1969, 788. (See 1966, 587 § 7; 1970, 822 § 6.)

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. 1, Fifth clause amended, 1970, 888 § 28. (See 1970, 888 § 31.)

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. 8 amended, 1971, 843 § 19. (See 1971, 843 § 27.)

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; section revised, 1971, 858 § 1. (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; 1970, 46.

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. 28 repealed, 1971, 1076 § 14. (See 1971, 1076 § 22.)

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 (24) amended, 1970, 443 § 35; 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; 1971, 880 § 1. (See 1971, 880 § 4.)

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; 1971, 880 § 2. (See 1971, 880 § 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; second paragraph revised, 1971, 267; 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; section revised, 1971, 880 § 3. (See 1934, 324 § 2; 1954, 556 § 10; 1955, 418 § 3, 744 § 2; 1971, 880 § 4.)

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; 1970, 664. (See 1955, 223 § 2.)

SECT. 54 repealed, 1970, 546.

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; 1971, 843 § 20. (See 1953, 319 §§ 39, 40; 1971, 843 § 27.)

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; 1971, 843 § 21. (See 1933, 246 § 2; 1971, 843 § 27.)

SECT. 8A amended, 1953, 319 § 29; revised, 1971, 843 § 22. (See 1953, 319 §§ 39, 40; 1971, 843 § 27.)

Chapter 264. — Crimes against Governments.

SECT. 5 revised, 1932, 298; amended, 1933, 153 § 3; 1934, 56; revised, 1941, 117 § 1; first sentence revised, 1971, 74; third sentence revised, 1959, 59 § 4; sentence added, 1971, 655. (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. 13 revised, 1971, 426.

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. 13E added, 1971, 531 (providing a penalty for assault and battery during an attempted larceny from an aged or infirm person and for stealing a handbag from the person of a female); repealed, 1971, 1011 § 2.

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; revised, 1971, 900.

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; last sentence revised, 1971, 123.

SECT. 29A added, 1971, 119 (requiring police to notify owners of stolen motor vehicles when recovered).

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.

SECT. 37B, paragraph added, 1971, 90 § 1.

SECT. 37C, paragraph added, 1971, 90 § 2.

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. 60 revised, 1971, 681.

SECT. 60A added, 1967, 817 § 2 (providing that the unlawful taking of a trade secret constitutes larceny).

SECT. 69A added, 1970, 128 (prohibiting the fraudulent use of a labor union seal, trademark or insignia).

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. 87 amended, 1971, 210.
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; 1970, 406.
SECT. 102A amended, 1970, 422.
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. 120B added, 1971, 1039 (permitting certain property owners to enter on land of others without being guilty of 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); amended, 1971, 30.
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).
SECT. 142 added, 1971, 36 (requiring scrap copper wire dealers to keep records of purchases).

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); revised, 1970, 177.

SECT. 13C added, 1971, 524 (making it a criminal offense to disrupt court proceedings).

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. 32 amended, 1970, 278.

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; 1971, 150.

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 commissions 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; amended, 1971, 456 § 5; three paragraphs added at end, 1968, 737 § 14; fourth paragraph stricken out, 1969, 799 § 15; paragraph added, 1969, 441; 1971, 456 § 6. (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. 12E added, 1971, 223 (prohibiting the discharge of a firearm within a certain distance of a building).
SECT. 13 revised, 1968, 122; amended, 1970, 391; revised, 1971, 408.
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; 1971, 784 § 2.
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. 1A added, 1970, 471 § 1 (regulating the sale of eyeglasses and sunglasses). (See 1970, 471 § 1A.)
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; first sentence revised, 1970, 134 § 1; 1971, 79; two paragraphs added at end, 1970, 134 § 2.
SECT. 16A added, 1971, 358 (providing an alternative noncriminal disposition of violations of the anti-litter laws).
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. 17A added, 1971, 474 (prohibiting the importation of certain rubbish, garbage or other waste and the disposal thereof in dumping facilities).
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); first paragraph, sentence added at end, 1970, 533 § 1. (See 1970, 533 § 2.)

SECT. 20 added, 1971, 304 (prohibiting the burning of refuse, rubbish or demolition debris within certain marine or shoreline boundaries).

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); revised, 1971, 486 § 1.

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. 16A added, 1970, 650 (providing the punishment of organizers of criminal gambling syndicates).

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. 22B added, 1971, 486 § 2 (authorizing the game of beano to be conducted under a license).

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).

SECT. 49 added, 1970, 826 (reestablishing the crime of usury); paragraph(*e*) revised, 1971, 368.

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 inserted, 1945, 278 § 1. (relative to obscene books and other obscene matter) (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; last sentence revised, 1970, 348 § 1.

SECT. 32 amended, 1967, 364 § 2; last sentence revised, 1970, 348 § 2.

SECT. 33 revised, 1971, 55.

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. 38 revised, 1970, 477.

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.

SECTS. 44–50 repealed, 1971, 1076 § 11. (See 1971, 1076 § 22.)

SECT. 45 amended, 1946, 274; revised, 1947, 409; 1959, 313 § 10.

SECT. 47 amended, 1959, 313 § 11.

SECT. 48 revised, 1956, 715 § 20; amended, 1970, 888 § 29. (See 1970, 888 § 31.)

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. 75 amended, 1971, 407.

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; section revised, 1971, 418 § 1.

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; first sentence amended, 1963, 613 § 5; revised, 1971, 418 § 2.

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; sentence inserted after first sentence, 1971, 276; sentence inserted after first sentence, 1971, 762. (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; section revised, 1971, 1071 § 7. (See 1934, 340 § 18; 1957, 660 §§ 6, 7; 1971, 1071 § 9.)
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.
SECT. 10, paragraph added, 1971, 57.
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); second and third sentences stricken out and three sentences inserted, 1971, 592 § 1.

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. 58 revised, 1970, 499 § 1; 1971, 473 § 1. (See 1970, 499 § 4.)

SECT. 61 amended, 1959, 313 § 25.

SECT. 65, second sentence stricken out and two sentences inserted, 1970, 499 § 2; section revised, 1971, 473 § 2. (See 1970, 499 § 4.)

SECT. 68, second sentence revised, 1962, 356; 1964, 316; 1970, 499 § 3. (See 1970, 499 § 4.)

SECT. 79 amended, 1959, 313 § 26.

SECT. 80 amended, 1959, 313 § 27.

SECT. 82A added, 1965, 396 (providing a criminal penalty for failure to appear in court after release on bail or recognizance).

SECT. 83 revised, 1936, 360; amended, 1937, 186; revised, 1947, 566 § 1; sentence inserted before last sentence, 1947, 639; section revised, 1949, 783 § 1; first paragraph amended, 1950, 513, 531; revised, 1951, 774 § 1; amended, 1953, 341, 420 § 1; 1955, 735 § 1; revised, 1956, 731 § 13; first sentence revised, 1969, 771 § 1; 859 § 25; 1970, 875 § 1; second sentence revised, 1957, 272; 1965, 675; 1967, 365; third, fourth and fifth sentences revised, 1968, 629; sentence inserted after sixth sentence, 1952, 241; paragraph inserted after first paragraph, 1955, 735 § 2; revised, 1956, 731 § 13A; first and second sentences revised, 1969, 771 § 2; first sentence revised, 1970, 875 § 2; third and fourth sentences revised, 1969, 859 § 26; sixth sentence revised, 1967, 130; paragraph added at end, 1951, 774 § 2. (See 1949, 783 §§ 3, 4; 1951, 774 § 3; 1955, 735 § 3; 1956, 263, 731 §§ 29–33; 1970, 875 § 8.)

SECT. 83A added, 1941, 677 § 1 (providing that certain district courts may join in the appointment of probation officers to act exclusively in juvenile cases therein); first paragraph amended, 1947, 566 § 2; revised, 1947, 655 § 1; amended, 1951, 563 § 1; stricken out and two paragraphs inserted, 1956, 731 § 14; first paragraph, sentence added at end, 1968, 691; second paragraph, first sentence revised, 1969, 88; paragraph added at end, 1951, 563 § 2. (See 1947, 655 § 3; 1956, 731 §§ 29–33.)

SECT. 83B added, 1947, 655 § 2 (providing for the appointment of probation officers to act exclusively in juvenile cases in certain district courts in Suffolk county); repealed, 1949, 783 § 2. (See 1947, 655 § 3; 1949, 783 § 4.)

SECTS. 83C–83F added, 1948, 640 § 1 (further regulating the compensation of certain probation officers of the district courts in Suffolk county, other than the municipal court of the city of Boston, and of the Boston juvenile court); repealed, 1949, 783 § 2. (See 1949, 783 § 4.)

SECT. 84 revised, 1937, 219 § 5; 1939, 214 § 7.

SECT. 85, sentence inserted after first sentence, 1950, 145 § 1; section amended, 1956, 731 § 15; sentence inserted after second sentence, 1968, 333 § 2. (See 1956, 731 §§ 29–33.)

SECTS. 85A–85B added, 1969, 771 § 3 (further defining duties and powers of probation officers).

SECT. 86, paragraph added, 1966, 675.

SECT. 87 amended, 1941, 264 § 2; 1955, 763 § 1; revised, 1969, 859 § 27; amended, 1970, 98.

SECT. 88, paragraph added at end, 1956, 731 § 16; first sentence revised, 1969, 859 § 28. (See 1956, 731 §§ 29–33.)

SECT. 89, sentence added at end, 1934, 217 § 2; first paragraph revised, 1953, 364; amended, 1956, 731 § 17; paragraph added at end, 1941, 477 § 1; amended, 1956, 731 § 17A; section revised, 1959, 526 § 1; first sentence stricken out and two sentences inserted, 1969, 87; first sentence revised, 1969, 859 § 29; paragraph inserted after first paragraph, 1969, 771 § 4. (See 1956, 731 §§ 29–33; 1959, 526 § 2.)

SECT. 89A added, 1967, 401 (authorizing appointment of unpaid deputy probation officers to serve as counsellors to juvenile offenders).

SECT. 90 amended, 1938, 174 § 3.

SECT. 94 amended, 1939, 155; revised, 1939, 296 § 2; first sentence amended, 1969, 771 § 5; revised, 1971, 1064; last sentence amended, 1947, 82; revised, 1969, 859 § 30. (See 1939, 296 § 3.)

SECT. 95, first sentence revised, 1969, 859 § 31.

SECT. 97 revised, 1941, 677 § 2; amended, 1956, 731 § 18; revised, 1969, 838 § 62. (See 1956, 731 §§ 29–33; 1969, 838 § 74.)

SECT. 98 amended, 1932, 145; caption stricken out and section revised, 1956, 731 § 19; first paragraph amended, 1963, 801 § 79; last sentence revised, 1969, 766 § 45; 1970, 875 § 3; second paragraph amended, 1963, 801 § 80; revised, 1965, 843; first sentence revised, 1969, 771 § 6; second sentence revised, 1969, 766 § 45A; 1970, 875 § 4. (See 1956, 731 §§ 29–33; 1969, 766 § 48; 1970, 875 § 8.)

SECT. 99, sentence inserted after third sentence, 1952, 348; section revised, 1956, 731 § 20. (See 1956, 731 §§ 29–33.)

SECT. 99A added, 1956, 731 § 21 (establishing a committee on probation); first paragraph amended, 1963, 810 § 19; 1971, 802; fifth paragraph stricken out, 1970, 875 § 5. (See 1956, 731 §§ 29–33; 1970, 875 § 8.)

SECT. 99B added, 1970, 875 § 6 (relative to certain definitions and classification and compensation plan); revised, 1971, 909 § 1; subdivision (2) revised, 1971, 909 § 2. (See 1970, 875 § 8; 1971, 909 § 5.)

SECT. 100 amended, 1943, 64; 1953, 319 § 34; revised, 1956, 731 § 22; amended, 1966, 623; 1969, 838 § 63. (See 1953, 319 §§ 39, 40; 1956, 731 § 29–33; 1969, 838 § 74.)

SECT. 100A added, 1971, 686 § 1. (See 1971, 686 § 2.)

SECT. 101 amended, 1936, 30 § 1; revised, 1956, 731 § 23. (See 1936, 30 § 2; 1956, 731 §§ 29–33.)

SECT. 101A added, 1947, 364 § 1 (providing for uniform forms of blanks and records for use by district court probation offices); revised, 1956, 731 § 24. (See 1956, 731 §§ 29–33.)

SECT. 102 amended, 1947, 364 § 2; 1956, 731 § 25. (See 1956, 731 §§ 29–33.)

SECT. 103 revised, 1956, 731 § 26. (See 1956, 731 §§ 29–33.)

Chapter 277. — Indictments and Proceedings before Trial.

SECT. 1 amended, 1964, 326 § 1; revised, 1966, 235 § 1, 415 § 1. (See 1964, 326 §§ 3–5; 1966, 415 §§ 6, 7.)

SECT. 1A added, 1952, 494 (relative to completing investigations started by grand juries).

SECT. 2 amended, 1932, 144 § 6; revised, 1966, 235 § 2, 415 § 2. (See 1966, 415 §§ 6, 7.)

SECT. 2A revised, 1966, 235 § 3, 415 § 3. (See 1966, 415 §§ 6, 7.)

SECT. 2B revised, 1966, 235 § 4, 415 § 4. (See 1966, 415 §§ 6, 7.)

SECT. 3A added, 1966, 235 § 5 (relative to the impanelling of grand jurors); repealed, 1966, 415 § 6. (See 1966, 415 §§ 6, 7.)

SECT. 3A added, 1966, 415 § 5. (See 1966, 415 §§ 6, 7.)

SECT. 2B added, 1964, 326 § 2 (providing that grand jurors in Middlesex county shall serve for a term of six months). (See 1964, 326 §§ 3–5.)

SECT. 16 repealed, 1970, 888 § 7. (See 1970, 888 § 31.)

SECT. 38 amended, 1957, 660 § 5; revised, 1971, 1071 § 8. (See 1957, 660 §§ 6, 7; 1971, 1071, § 9.)

SECT. 47A added, under caption, 1965, 617 § 1 (providing for the simplification of pleadings in criminal cases); fourth paragraph amended, 1965, 756 § 1. (See 1965, 617 §§ 2, 3, 756 § 3.)

SECTS. 48 and 49 repealed, 1932, 180 § 44. (See G. L. chapter 276 § 37A, inserted by 1932, 180 § 43.)

SECT. 50 repealed, 1936, 161 § 1. (See 1936, 161 § 3.)

SECT. 58A added, 1943, 311 § 1 (relative to the venue of the crime of buying, receiving or aiding in the concealment of stolen or embezzled property); revised, 1971, 694. (See 1943, 311 § 2.)

SECT. 58B added, 1948, 77 § 1 (relative to the venue of prosecutions for embezzlement or fraudulent conversion or appropriation by fiduciaries). (See 1948, 77 § 2.)

SECT. 59A added, 1963, 157 (relative to venue of the crime of transmitting false reports of the location of explosives or other dangerous substances).

SECT. 63, sentence inserted after first sentence, 1955, 781 § 1. (See 1955, 781 § 2.)

SECT. 65 amended, 1936, 161 § 2. (See 1936, 161 § 3.)

SECT. 72A added, 1963, 486 (providing that certain prisoners shall be brought into court for trial or indictments pending against them if they make application therefor); revised, 1965, 343.

SCHEDULE OF FORMS OF PLEADINGS at end of chapter amended, 1934, 328 § 29; paragraph entitled "Accessory after the fact" amended by striking out all after word "punishment" in line 5, 1943, 488 § 2; paragraph entitled "Escape" revised, 1955, 770 § 90; paragraph entitled "Prostitute", inserted, 1959, 304 § 2. (See 1943, 488 § 3; 1955, 770 §§ 117, 123.)

Chapter 278. — Trials and Proceedings before Judgment.

SECT. 2A added, 1968, 721 § 2 (relating to trials for criminal conspiracy).

SECT. 11, two paragraphs added at end, 1963, 569; second paragraph amended, 1964, 108 § 1; third paragraph amended, 1964, 108 § 2.

SECT. 11A added, 1967, 213 (providing for separate trial of issue if conviction of prior offense).

SECT. 13 repealed, 1970, 888 § 8. (See 1970, 888 § 31.)

SECT. 15 amended, 1955, 131 § 7.

SECT. 16B added, 1949, 302 (providing that the general public may be excluded from the court room during the trial of any criminal proceeding in a district court involving husband and wife).

SECT. 18 amended, 1955, 131 § 8.

SECT. 18A added, 1966, 697 § 2 (providing for a jury trial for misdemeanors in the municipal court of the city of Boston).

SECT. 19 amended, 1955, 131 § 9.

SECT. 21 stricken out, 1955, 131 § 10.

SECT. 22 amended, 1955, 131 § 11.

SECT. 25 amended, 1937, 311; 1955, 131 § 12.

SECT. 27 revised, 1962, 480.

SECTS. 28A–28D added, 1943, 558 § 1 (establishing in the superior court an appellate division for the review of certain sentences in criminal cases). (See 1943, 558 § 2.)

SECT. 28A revised, 1945, 255 § 1; 1968, 666 § 1. (See 1945, 255 § 4.)

SECT. 28B, first paragraph amended, 1945, 255 § 2; section revised, 1968, 666 § 2. (See 1945, 255 § 4.)

SECT. 28C amended, 1945, 255 § 3; 1955, 770 § 91; revised, 1957, 777 § 36; 1968, 666 § 3. (See 1945, 255 § 4; 1955, 770 §§ 117, 123.)

SECT. 28D revised, 1968, 666 § 4.

SECT. 28E added, 1967, 898 § 1 (allowing the appeal by either commonwealth or defendant on questions of law in felony cases prior to trial.)

SECT. 29 revised, 1939, 271 § 1; first sentence amended, 1957, 302; revised, 1962, 310 § 1; section revised, 1964, 82; 1966, 301. (See 1939, 271 § 2.)

SECT. 29A added, 1959, 167 § 1 (permitting any district court to revise or revoke a sentence imposed without trial after a plea of guilty or nolo contendere). (See 1959, 167 § 2.)

SECT. 29B added, 1962, 262 § 1 (authorizing a defendant in a district court to withdraw a plea of guilty before sentence is imposed if he was not represented by counsel when such plea was entered).

SECT. 29C added, 1962, 310 § 2 (extending the power of the superior court to revoke or revise sentences).

SECT. 30A added, 1954, 528 (providing for interlocutory reports to the supreme judicial court in criminal cases).

SECT. 31, second sentence revised, 1953, 384.

SECT. 32A added, 1964, 634 § 1 (allowing for the late entry of certain appeals).

SECT. 33 amended, 1933, 265.

SECTS. 33A and 33B revised, 1954, 187 § 1; 1955, 352 § 1. (See 1954, 187 § 2; 1955, 352 § 2.)

SECT. 33E amended, 1939, 341; second paragraph amended, 1962, 453.

SECT. 33H added, 1964, 634 § 2 (providing for the late entry of certain appeals in criminal cases in the supreme judicial court).

Chapter 279. — Judgment and Execution.

SECT. 1 amended, 1934, 205 § 1; 1935, 358 § 1; first paragraph amended, 1938, 354; second paragraph amended, 1936, 434 § 2; 1939, 299 § 5; revised, 1966, 292; 1967, 333. (See 1934, 205 § 3; 1935, 358 § 2.)

SECT. 1A amended, 1934, 205 § 2. (See 1934, 205 § 3.)

SECT. 2 amended, 1949, 584; revised, 1969, 838 § 64. (See 1969, 838 § 74.)

SECT. 3A amended, 1935, 50 § 2, 437 § 2. (See 1935, 50 § 6, 437 § 8.)

SECT. 4 revised, 1935, 50 § 3, 437 § 3; first paragraph amended, 1966, 678; second paragraph amended, 1955, 770 § 92; revised, 1957, 777 § 37. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)

SECT. 4A, sentence added at end, 1950, 145 § 2; 1968, 333 § 1.

SECT. 6 amended, 1955, 770 § 93. (See 1955, 770 §§ 117, 123.)

SECT. 9 amended, 1932, 221 § 2; 1955, 770 § 94. (See 1955, 770 §§ 117, 123.)

SECT. 11 amended, 1934, 328 § 28.

SECT. 18 revised, 1947, 516; 1951, 134; amended, 1956, 715 § 24; 1971, 1076 § 12. (See 1971, 1076 § 22.)

SECT. 19 amended, 1955, 770 § 95. (See 1955, 770 §§ 117, 123.)

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SECT. 22 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 26 revised, 1946, 276.

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SECT. 29 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 30 revised, 1951, 642.

SECT. 31 amended, 1953, 319 § 35; revised, 1955, 770 § 99. (See 1953, 319 §§ 39, 40; 1955, 770 §§ 117, 123.)

SECT. 32 revised, 1955, 770 § 100. (See 1955, 770 §§ 117, 123.)

SECT. 33 amended, 1952, 90; 1956, 715 § 25; revised, 1964, 308 § 12.

SECT. 33A added, 1955, 770 § 101 (providing that a prisoner may be deemed to have served a portion of the sentence imposed in certain cases); revised, 1958, 173; 1961, 75. (See 1955, 770 §§ 117, 123.)

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SECT. 35 amended, 1955, 770 § 103; revised, 1962, 48. (See 1955, 770 §§ 117, 123.)

SECT. 36 amended, 1955, 770 § 104; revised, 1956, 715 § 26; first sentence revised, 1970, 888 § 30. (See 1955, 770 §§ 117, 123; 1970, 888 § 31.)

SECT. 37 amended, 1953, 319 § 36. (See 1953, 319 §§ 39, 40.)

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SECT. 40 amended, 1955, 770 § 106; revised, 1957, 777 § 39. (See 1955, 770 §§ 117, 123.)

SECT. 43 revised, 1935, 50 § 4, 437 § 4; amended, 1955, 770 § 107; revised, 1957, 777 § 40. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)

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SECT. 46 amended, 1955, 770 § 110; revised, 1957, 777 § 43. (See 1955, 770 §§ 117, 123.)

SECT. 48 revised, 1951, 515; amended, 1955, 770 § 111; revised, 1957, 777 § 44. (See 1955, 770 §§ 117, 123.)

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SECT. 6 revised, 1937, 251 § 1. (See 1937, 251 § 2.)

SECT. 16 amended, 1953, 319 § 38. (See 1953, 319 §§ 39, 40.)

The Commonwealth of Massachusetts

OFFICE OF THE SECRETARY, BOSTON, February 29, 1972.

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 index has been prepared 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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