ACTS

AND

RESOLVES

PASSED BY THE

General Court of Massachusetts

IN THE YEAR

1972

TOGETHER WITH

TABLES SHOWING CHANGES IN THE STATUTES, ETC.

PUBLISHED BY

JOHN F. X. DAVOREN

Secretary of the Commonwealth



BOSTON
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1972

ACTS AND RESOLVES

OF

MASSACHUSETTS

1972



The General Court, which was chosen November 3, 1970, assembled on Wednesday, the fifth day of January, 1972, for its second annual session.

His Excellency FRANCIS W. SARGENT and His Honor DONALD R. DWIGHT continued to serve as Governor and Lieutenant Governor, respectively, for the political year of 1972.

ACTS.

Chap. 1. AN ACT INCREASING THE MEMBERSHIP OF THE COMMISSION OF PUBLIC SAFETY OF THE TOWN OF PLYMOUTH.

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 10 of the acts of 1951 is hereby amended by striking out section 1, as amended by chapter 53 of the acts of 1961, and inserting in place thereof the following section:—

Section 1. There shall be established in the town of Plymouth a commission of public safety to consist of five unpaid commissioners who shall be elected at large by the registered voters of said town for terms of three years. Each commissioner shall hold office until his respective successor is elected and qualified. The members of the commission shall, after each election, elect one of their members to be the chairman thereof, who shall serve until his successor is elected. If a vacancy occurs on the commission, the remaining members, together with the board of selectmen, shall fill such vacancy for the unexpired term. No person shall serve on the commission who holds an appointive office in the town or who is an employee of said town.

SECTION 2. The commissioners of public safety of the town of Plymouth in office on the effective date of this act shall continue in office until their successors are elected and qualified. At the first annual town election following such effective date the registered voters of said town shall elect three commissioners, of whom one shall serve for a term of three years, one for a term of two years and one for a term of one year. At each annual town election thereafter the voters shall elect in place of those commissioners whose terms are about to expire a like number of commissioners to serve for terms of three years.

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

Approved January 27, 1972.

Chap. 2. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW PROVIDING FOR THE REGULATION OF DRUGS AND CONTROLLED SUBSTANCES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a corrective change in the law regulating drugs and controlled substances, 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 1071 of the acts of 1971 is hereby amended by striking out section 9 and inserting in place thereof the following section:—

Section 9. 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 January 27, 1972.*

Chap. 3. AN ACT CHANGING THE NAME OF THE CAPE AND PLYMOUTH SENATORIAL DISTRICT TO THE CAPE, PLYMOUTH AND ISLANDS SENATORIAL DISTRICT.

Be it enacted, etc., as follows:

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

SECTION 2. Section 3 of said chapter 57 is hereby amended by striking out the heading *Cape and Plymouth,* as appearing in section 2 of said chapter 498, and inserting in place thereof the words:—*Cape, Plymouth and Islands.* *Approved January 27, 1972.*

EMERGENCY LETTER — January 28, 1972 at 9:35 A.M.

Chap. 4. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF MIDDLESEX COUNTY MAY BORROW FOR THE CONSTRUCTION OF CERTAIN COURT HOUSE BUILDINGS AND OTHER MATTERS RELATED THERETO.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 781 of the acts of 1963 is hereby amended by striking out the second and third paragraphs.

SECTION 2. Section 2 of said chapter 781, as most recently amended by section 1 of chapter 695 of the acts of 1967, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—For the purposes set forth in section one, the treasurer of Middlesex county, with the approval of the county commissioners, may borrow from time to time on the credit of the county such sums as may be necessary not exceeding, in the aggregate, forty-four million five hundred thousand dollars and may issue bonds or notes of the county therefor which shall bear on their face the words, Middlesex County Court House Buildings Loan, Act of 1963.

SECTION 2A. Said chapter 781 is hereby further amended by inserting after section 2 the following section:—

Section 2A. There is hereby established a Middlesex county court house board to consist of three persons, one of whom shall be appointed by the president of the Middlesex County Selectmen's Association, one by the president of the Massachusetts Mayors Association from among the mayors in Middlesex county and one by the governor from among the residents of Middlesex county. Said board shall review the plans and specifications for the superior court and county office building. No modifications in said plans shall be made by the county commissioners and no purchase of equipment pursuant to said modifications shall be made by said county commissioners until they have been approved by the court house board. The court house board may employ a person who shall be experienced in the field of construction at a salary not to exceed twelve thousand dollars per year to perform such duties as the court house board may determine, including the making of periodic reports on the progress of

the work in such form as the court house board may determine. The court house board may employ legal, clerical and other assistance and may expend for such purposes and for administrative expenses an amount not to exceed eight thousand dollars. Funds authorized to be expended by the Middlesex county court house board under this section shall be an obligation of Middlesex county and shall be paid from any available funds.

SECTION 3. No sums borrowed pursuant to this authorization, and no sums borrowed pursuant to previous authorizations under chapter seven hundred and eighty-one of the acts of nineteen hundred and sixty-three, as amended, which remain unexpended, may be used to satisfy any obligations in the form of claims, awards or judgments arising from or in any way related to Contract No. 632C.

SECTION 4. Notwithstanding any provision of law to the contrary the county commissioners are hereby authorized to award the contract for completion of the Middlesex county court house to the lowest eligible and responsible general bidder from among the bids received on October the fifth, nineteen hundred and seventy-one, and the aforesaid contract may include any subbidders who submitted bids on September the twenty-eighth, nineteen hundred and seventy-one, October the twenty-second, nineteen hundred and seventy-one and November the twelfth, nineteen hundred and seventy-one and who are also willing and able to execute the prescribed statutory form of subcontract.

SECTION 4A. The provisions of this act are severable, and, if any of its provisions shall be held unconstitutional or invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

SECTION 5. This act shall take effect upon its passage.

Approved January 31, 1972.

Chap. 5. AN ACT VALIDATING THE ACTION OF THE CITY OF PITTSFIELD IN AMENDING THE ZONING ORDINANCES OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The amendment to the zoning ordinances of the city of Pittsfield approved by unanimous vote of the members of the city council of said city on September the nineteenth, nineteen hundred and sixty-eight and by the mayor thereof on September the twentieth, nineteen hundred and sixty-eight and entitled "An ordinance amending classifications of four parcels in the Jubilee Urban Renewal Project", notice thereof which had been published in full in the Berkshire Eagle on May the twenty-seventh and June the fourth, nineteen hundred and sixty-eight and a hearing upon which occurred before said city council on June the eleventh, nineteen hundred and sixty-eight, is hereby confirmed and made valid notwithstanding the failure to comply with the provisions of section six 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 Pittsfield, heretofore or

hereafter done or made in compliance with and under authority of the ordinance of the city of Pittsfield 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 section six 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 ordinance.

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

Approved January 31, 1972.

Chap. 6. AN ACT REMOVING THE LIMITATION ON THE NUMBER OF SIGNATURES FROM ANY ONE COUNTY ON NOMINATION PAPERS OF CERTAIN CANDIDATES FOR NOMINATION FOR PRESIDENT AND ON NOMINATION PAPERS OF CANDIDATES FOR DELEGATE AND ALTERNATE DELEGATE AT LARGE TO NATIONAL CONVENTIONS OF POLITICAL PARTIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make its provisions applicable to the nomination papers of candidates for delegate and alternate delegate at large to the national conventions of political parties in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 70D of chapter 53 of the General Laws is hereby amended by striking out the second sentence, as appearing in chapter 299 of the acts of 1957, and inserting in place thereof the following sentence:—In the case of candidates for delegates at large or alternate delegates at large such papers shall be signed in the aggregate by at least twenty-five hundred voters.

SECTION 2. The first sentence of the first paragraph of section 70E of said chapter 53, as appearing in section 1 of chapter 819 of the acts of 1969, is hereby further amended by striking out, in line 10, the words ", not more than five hundred to be from any one county".

Approved February 2, 1972.

Chap. 7. AN ACT REVISING CERTAIN FILING DATES FOR THE PRESIDENTIAL PRIMARIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for a sequence of filing dates with regard to candidates for the preferential vote for president and for delegate to national conventions, 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 70E of chapter 53 of the General Laws, as most recently amended by section 1 of chapter 819 of the acts of 1969, is hereby further amended by striking out the second, third and fourth sentences and inserting in place thereof the following three sentences:—The chairman of the state committee of a political party and the state secretary shall submit lists or prepare

lists of candidates for president, as aforesaid, no later than the eleventh Tuesday preceding the presidential primary and shall notify each such candidate forthwith, by registered mail, of the presence of his name on said lists. No name shall be removed from said lists, nor from the ballot, unless such candidate shall file with the state secretary an affidavit stating that he does not desire his name printed upon said ballot at the forthcoming presidential primary. Such affidavit shall be filed with the state secretary no later than five o'clock postmeridian on the tenth Tuesday prior to the date of the primary.

SECTION 2. The first sentence of the first paragraph of section 70J of said chapter 53, as appearing in section 7 of chapter 407 of the acts of 1966, is hereby amended by striking out, in lines 1 and 7, the word "eighth" and inserting in place thereof, in each instance, the word:— eleventh.

Approved February 2, 1972.

Chap. 8. AN ACT RELATIVE TO THE DISQUALIFICATION OF A CANDIDATE FOR ELECTION TO A WARD OR TOWN COMMITTEE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the disqualification of a candidate for election to a ward or town committee who accepts nomination for such office more than once and who does not withdraw from all but one such nomination, 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 45 of chapter 53 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 2 of chapter 176 of the acts of 1966, and inserting in place thereof the following paragraph:—

A nomination paper shall be valid only in respect to a candidate whose written acceptance is thereon; provided, however, that a candidate for ward or town committee who accepts nomination for such office more than once shall withdraw from all but one such nomination paper or shall be disqualified.

Approved February 2, 1972.

Chap. 9. AN ACT INCREASING THE AMOUNT OF MONEY THAT THE COUNTY COMMISSIONERS OF ESSEX 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 eighty-five of the acts of nineteen hundred and seventy-one is hereby amended by striking out, in line 4, the word "fifty" and inserting in place thereof the word:—sixty-five.

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

Approved February 10, 1972.

Chap. 10. AN ACT INCREASING THE AMOUNT OF MONEY THAT THE COUNTY COMMISSIONERS OF WORCESTER COUNTY MAY EXPEND FOR THE PURPOSE OF ADVERTISING THE RECREATIONAL, CULTURAL, HISTORICAL AND SCENIC ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Chapter seventeen of the acts of nineteen hundred and sixty-eight is hereby repealed.

SECTION 2. The county commissioners of Worcester county may, for the purpose of advertising and promoting the recreational, cultural, historic and scenic advantages of said county, expend such sums, not exceeding, in the aggregate, seventy-five thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than triple the sum which shall have been contributed by public subscription or by donation and deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising and promotion in newspapers, magazines, and the like, or for booklets, posters, or other forms of advertising and promotion, or for information booths within the county, or for displays or booths maintained at fairs, expositions, or travel shows outside the county for the purpose of advertising such advantages, or for the processing of inquiries resulting from such promotional activities. In carrying out the provisions of this act the commissioners may designate the Central Massachusetts Tourist Council, Inc. as an agent 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 passage.

Approved February 10, 1972.

Chap. 11. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE COUNTY COMMISSIONERS OF BERKSHIRE COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Berkshire county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding, in the aggregate, sixty thousand dollars in any one year, as may be appropriated therefor; provided, that such expenditures from money so appropriated shall not at any time be more than triple the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising, or for information booths within the county, or for displays of booths maintained at fairs, expositions or travel shows outside the county for the purpose of

advertising such advantages, or for the processing of inquiries resulting from such promotional activities. In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 2. Chapter eight hundred and thirty-six of the acts of nineteen hundred and sixty-three is hereby repealed.

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

Approved February 10, 1972.

Chap. 12. AN ACT INCREASING THE AMOUNT OF MONEY THAT THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING AND ADVERTISING THE RECREATIONAL, INDUSTRIAL, COMMERCIAL, AGRICULTURAL AND HISTORICAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 169 of the acts of 1956, as most recently amended by section 1 of chapter 735 of the acts of 1971, is hereby further amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:—fifty.

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

Approved February 10, 1972.

Chap. 13. 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, as amended by section 1 of chapter 163 of the acts of 1971, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—The county commissioners of Bristol county may, for the purpose of promoting the recreational, vacation and convention, commercial and industrial resources of said county, expend such sums, not exceeding, in the aggregate, one hundred and 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 three times the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid.

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

Approved February 10, 1972.

Chap. 14. AN ACT RELATIVE TO THE TEMPORARY FUNDING OF BOND ISSUES OF CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Subject to the provisions of this act, a city, town or district may, in the years nineteen hundred and seventy-two and nineteen hundred and seventy-three, refund, by the issue of other notes, a temporary loan issued under the authority of the first sentence of section seventeen of chapter forty-four of the General Laws, in anticipation of the issue of serial bonds or notes; provided, that the period from the date of issue of the original loan to the date of maturity of the refunding loan shall not exceed two years; and provided further, that the remaining provisions of said section seventeen shall apply sofar as apt.

SECTION 2. A loan refunded in the year nineteen hundred and seventy-two or nineteen hundred and seventy-three in accordance with section one of this act shall be paid in part from revenue funds at the time such temporary loan is being converted into a serial loan, such payment being at least equal to the minimum annual payment which would have been required if such temporary indebtedness had been converted into a serial loan prior to the refunding as provided in said section one. The amount to be borrowed on serial bonds or notes shall be reduced by such payment.

SECTION 3. A payment made as provided in section two of this act shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors, who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next annual tax rate, unless the city, town or district has otherwise made provision therefor. *Approved February 10, 1972.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, February 10, 1972

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 14 of the Acts of 1972, entitled "AN ACT RELATIVE TO THE TEMPORARY FUNDING OF BOND ISSUES OF CITIES, TOWNS AND DISTRICTS." and the enactment of which received my approval on February 10, 1972, 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 issuance of temporary loans in anticipation of the issue of serial bonds or notes by cities, towns and districts, for the period of time authorized by this act.

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

OFFICE OF THE SECRETARY, BOSTON, February 11, 1972.

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 nine o'clock and forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter fourteen of the acts of nineteen hundred and seventy-two.

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

Chap. 15. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF WHITE CANE SAFETY DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15U, inserted by chapter 710 of the acts of 1971, the following section:—

Section 15V. The governor shall annually issue a proclamation setting apart the fifteenth day of October as White Cane Safety Day and recommending that said day be observed by the people in an appropriate manner. *Approved February 10, 1972.*

Chap. 16. AN ACT RELATIVE TO THE OBSERVANCE OF AMERICAN EDUCATION WEEK.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by striking out section 12G, as amended by chapter 301 of the acts of 1964, and inserting in place thereof the following section:—

Section 12G. The governor shall annually issue a proclamation setting apart the week commencing with the fourth Sunday in October as American Education Week and recommending that such week be properly observed as a period of special attention to the work of our schools. *Approved February 10, 1972.*

Chap. 17. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO CONSTRUCT AN ADDITION TO THE PARKING AREA OF THE FOURTH DISTRICT COURT OF BRISTOL AND TO PROVIDE FURNISHINGS AND EQUIPMENT FOR SAID COURT.

Be it enacted, etc., as follows:

For the purpose of providing improved and adequate accommodations and facilities for the fourth district court of Bristol, the county commissioners of Bristol county are hereby authorized to construct an addition to the parking area of the fourth district court of Bristol and to provide furnishings and equipment for said court. Said commissioners may expend for the purpose of this act, including the preparation of plans and specifications in connection therewith, such

sums as may be appropriated therefor, not exceeding, in the aggregate, twenty thousand dollars. Any sums received from the federal government for purposes of this act shall be included in and considered a part of the total amount authorized to be expended hereunder.

Approved February 10, 1972.

Chap. 18. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK 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. The county commissioners of Norfolk 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 2. This act shall take effect upon its acceptance during the current year by the county commissioners of Norfolk county, but not otherwise.

Approved February 10, 1972.

Chap. 19. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF IWO JIMA DAY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to commence the annual observance of February the nineteenth as Iwo Jima Day in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 12Z the following section:—

Section 12AA. The governor shall annually issue a proclamation calling for the observance of February the nineteenth as Iwo Jima

Day, commemorating the extreme heroism and courage of the men and women of the armed forces of the United States who participated in the successful assault of the island of Iwo Jima where "extraordinary valor was common virtue" and recommending that said day be observed in appropriate manner by the public.

Approved February 16, 1972.

Chap. 20. AN ACT AUTHORIZING THE CITY OF NEWBURYPORT TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Newburyport is hereby authorized to appropriate money for the payment of and after such appropriation the treasurer of said city is hereby authorized to pay the unpaid bills incurred by the veterans' services department of said city and totalling five hundred and ten dollars for the year nineteen hundred and sixty-six, fifteen thousand six hundred and eight dollars and two cents for the year nineteen hundred and sixty-seven, eleven thousand seven hundred and twenty-nine dollars and eighty-eight cents for the year nineteen hundred and sixty-eight, seven thousand four hundred and four dollars and five cents for the year nineteen hundred and sixty-nine and forty-one thousand three hundred and sixty-seven dollars and eighty-six cents for the year nineteen hundred and seventy, as set forth in the list on file in the office of the director of accounts in the department of corporations and taxation, 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 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.

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 February 17, 1972.

Chap. 21. AN ACT AUTHORIZING THE TOWN OF ROCHESTER TO HOLD TOWN MEETINGS IN THE OLD ROCHESTER REGIONAL HIGH SCHOOL IN THE TOWN OF MATTAPOISETT.

Be it enacted, etc., as follows:

SECTION 1. The town of Rochester, with the approval of the Old Rochester regional school committee, may hold annual or special town

meetings or any adjourned sessions thereof in the Old Rochester regional high school in the town of Mattapoisett, provided that any election shall be held within the town of Rochester.

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

Approved February 17, 1972.

Chap. 22. AN ACT REMOVING THE LIMITATION ON THE MAXIMUM COMPENSATION PAID TO THE CITY MANAGER OF THE CITY OF CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. Chapter five hundred and sixty-eight of the acts of nineteen hundred and sixty-eight is hereby repealed.

SECTION 2. Notwithstanding the provisions of section one hundred and three of chapter forty-three of the General Laws, the city council of the city of Cambridge may establish by ordinance the compensation to be paid to the city manager of said city.

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

Approved February 17, 1972.

Chap. 23. AN ACT AUTHORIZING THE CITY OF MALDEN TO PAY CERTAIN SCHOOL CUSTODIANS A CERTAIN SUM OF MONEY FOR OVERTIME WORK.

Be it enacted, etc., as follows:

The city of Malden is hereby authorized to appropriate and pay to certain custodians in the school department of said city the sum of one thousand nine hundred twenty-seven dollars and fifty-six cents for overtime work performed between the period of September the first, nineteen hundred and seventy to and through December the thirty-first, nineteen hundred and seventy.

Approved February 17, 1972.

Chap. 24. AN ACT RELATIVE TO EXAMINATION REPORTS OF BANKS SUPERVISED BY THE COMMISSIONER OF BANKS.

Be it enacted, etc., as follows:

The third paragraph of section 2 of chapter 167 of the General Laws, as amended by chapter 428 of the acts of 1950, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:—There may be furnished to the chief national bank examiner, the Federal Reserve Bank of Boston, the Federal Deposit Insurance Corporation, the Massachusetts Credit Union Share Insurance Corporation, the National Credit Union Administration, or the banking departments of other states, such information, reports and statements relating to the institutions under the supervision of the commissioner as he deems best.

Approved February 17, 1972.

Chap. 25. AN ACT AUTHORIZING CITIES, TOWNS AND DISTRICTS TO CONTRACT FOR THE LEASE OF EDUCATIONAL FACILITIES 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 952 of the acts of 1971 the following paragraph:—

For the lease of land and buildings for educational purposes. Contracts for such leases may be made for periods not exceeding five years. *Approved February 17, 1972.*

Chap. 26. AN ACT REMOVING CERTAIN RESTRICTIONS ON THE TAKING OF EDIBLE CRABS FROM THE COASTAL WATERS.

Be it enacted, etc., as follows:

Section 39 of chapter 130 of the General Laws, as appearing in chapter 150 of the acts of 1959, is hereby amended by striking out, in line 3, the words "or edible crabs". *Approved February 17, 1972.*

Chap. 27. AN ACT FURTHER EXTENDING THE TIME FOR THE COMMENCEMENT OF PAYMENTS ON CONSTRUCTION LOANS MADE BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Subsection 5 of section 23 of chapter 170 of the General Laws, as amended by chapter 91 of the acts of 1963, is hereby further amended by striking out, in line 4, the word "twelve" and inserting in place thereof the word:—twenty-four,—so as to read as follows:—

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

Approved February 17, 1972.

Chap. 28. AN ACT PROVIDING FOR VOTER REGISTRATION AT AGE EIGHTEEN OR OVER.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 51 of the General Laws is hereby amended by striking out the first two paragraphs, as appearing in section 1 of chapter 382 of the acts of 1971, and inserting in place thereof the following paragraph:—

Except as otherwise provided in section one A, every citizen eighteen 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.

SECTION 2. The second paragraph of section 42 of said chapter 51 is hereby amended by striking out the first sentence, as amended by section 7 of said chapter 382, and inserting in place thereof the following sentence:—Registrars, assistant registrars and absent registration officers shall verbally inform each person of the age of eighteen 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.

Approved February 17, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, February 28, 1972

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 28 of the Acts of 1972, entitled "AN ACT PROVIDING FOR VOTER REGISTRATION AT AGE EIGHTEEN OR OVER." and the enactment of which received my approval on February 17, 1972, 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 immediate state compliance with the terms of Article XXVI of the Amendments to the Constitution of the United States.

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

OFFICE OF THE SECRETARY, BOSTON, February 28, 1972.

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 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 twenty-eight of the acts of nineteen hundred and seventy-two.

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

Chap. 29. AN ACT PROVIDING FOR THE TAKING OF PROPERTY BY EMINENT DOMAIN FOR THE PRESERVATION AND MAINTENANCE OF ANCIENT LANDMARKS AND HISTORICAL OR ANTIQUARIAN SITES.

Be it enacted, etc., as follows:

Section 5A of chapter 79 of the General Laws is hereby amended by adding the following paragraph:—

Real property or any interest therein which is not so certified, owned, preserved or maintained may be taken by eminent domain by the commonwealth or a city or town as provided in section two, provided that such property has been certified by the Massachusetts Historical Commission as an ancient landmark or as property having historical or antiquarian interest sufficient to justify such taking. Such takings shall be for the sole purpose of preserving such landmarks or property.

Approved February 17, 1972.

Chap. 30. AN ACT REDEFINING "LODGING HOUSE" FOR THE PURPOSE OF REGISTERING VOTERS TO INCLUDE COLLEGE DORMITORIES AND FRATERNITY HOUSES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to involve the greatest number of voters in the presidential election in the current year, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 10A of chapter 51 of the General Laws, as most recently amended by section 4 of chapter 382 of the acts of 1971, is hereby further amended by adding the following sentence:—For the purposes of this section "Lodging house" shall include fraternity houses and dormitories of educational institutions, and the statement required to be delivered by this section shall be the responsibility of the person in charge of each said fraternity house or dormitory.

Approved February 28, 1972.

Chap. 31. AN ACT PROVIDING THAT THE PLACEMENT OF THE NAMES OF CANDIDATES FOR PUBLIC OFFICE ON THE OFFICIAL BALLOTS USED IN MUNICIPAL ELECTIONS IN THE TOWN OF ARLINGTON SHALL BE BY DRAWN LOTS.

Be it enacted, etc., as follows:

Notwithstanding any general or special law or by-law to the contrary, in all municipal elections held in the town of Arlington, the names of all candidates shall appear on the official ballot in the order in which they are drawn by lot. Each such drawing shall be conducted by the registrars of voters. Each candidate or his duly authorized representative shall have an opportunity to be present at such drawing. After the name of each candidate for an office who is an incumbent thereof shall be added the words "Candidate for reelection".

Approved February 28, 1972.

Chap. 32. AN ACT AUTHORIZING THE CONSTRUCTION OF COLUMBARIA WITHIN CERTAIN CHURCH BUILDINGS.

Be it enacted, etc., as follows:

Chapter 114 of the General Laws is hereby amended by striking out section 43D, inserted by section 6 of chapter 319 of the acts of 1936, and inserting in place thereof the following section:—

Section 43D. Every community mausoleum, other than a structure containing crypts erected or controlled by a church or a religious society and used only as a repository for the remains of the clergy or dignitaries of such church or religious society, and every crematory, columbarium or other structure, other than a columbarium located within a building owned or occupied by a church or religious society in which regular religious services are held and used only as a repository for the ashes of the regular attendants at such religious services and their families, intended to dispose of or hold or contain the bodies or remains of the dead, erected on or after July the first, nineteen hundred and thirty-six, shall be located only within the limits of a cemetery containing no less than twenty acres, which shall have been in existence and actually used for burial purposes for a period of at least five years immediately preceding the time of the erection thereof. *Approved February 28, 1972.*

Chap. 33. AN ACT RELATIVE TO THE ISSUANCE OF PERMITS TO TAKE SHELLFISH FOR FAMILY USE.

Be it enacted, etc., as follows:

The fourth paragraph of section 52 of chapter 130 of the General Laws, as appearing in section 1 of chapter 598 of the acts of 1941, is hereby amended by inserting after the first sentence the following two sentences:—In any city or town issuing such permits to take shellfish for family use, any inhabitant of the commonwealth shall be issued such a permit upon payment of the fee, if any, established therefor. Such permits shall be uniform, and the regulations established in connection therewith shall make no distinction among different classes of permit holders except with respect to the amount of the fee therefor. *Approved February 28, 1972.*

Chap. 34. AN ACT AUTHORIZING SHELLFISH CONSTABLES TO ENFORCE CERTAIN MARINE FISHERIES LAWS.

Be it enacted, etc., as follows:

Section 98 of chapter 130 of the General Laws, as amended by chapter 439 of the acts of 1965, is hereby further amended by inserting after the fourth sentence the following sentence:—He shall for the enforcement of sections thirty-one, thirty-seven, forty-one, forty-three and forty-four have the authority granted to natural resource officers, subject to written rules and regulations of the commissioner. *Approved February 28, 1972.*

Chap. 35. AN ACT DESIGNATING UNITED STATES HIGHWAY ROUTE 20 FROM THE WESTFIELD-RUSSELL TOWN LINE TO THE LEE-BECKET TOWN LINE AS THE 104TH UNITED STATES INFANTRY VETERANS HIGHWAY.

Be it enacted, etc., as follows:

That portion of United States highway route 20 from the Westfield-Russell town line to the Lee-Becket town line shall be designated and known as the 104th United States Infantry Veterans highway. 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 March 1, 1972.

Chap. 36. AN ACT FURTHER DEFINING THE AUTHORITY OF THE STATE RECLAMATION BOARD.

Be it enacted, etc., as follows:

SECTION 1. Chapter 252 of the General Laws is hereby amended by striking out section 1, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 1. If it is necessary or useful (1) to drain or flow a meadow, swamp, marsh, beach or other low land held by two or more proprietors, or (2) to remove obstructions in rivers or streams leading thereto or therefrom, or (3) to eradicate mosquitoes in any area infested thereby, including, in respect to each such purpose, purposes incidental thereto, such improvements may be made as provided in this chapter.

SECTION 2. Section 2 of said chapter 252, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—One employee of the department of ~~public health designated by it, one employee of the department of agriculture~~ designated by it and a third member designated by the heads of said departments acting jointly and with the approval of the governor shall constitute the state reclamation board, in this chapter called the board.

SECTION 3. Section 4 of said chapter 252, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—In carrying out the provisions of this chapter, the board may employ necessary engineers, assistants or other agents, who may enter on land which the board desires to survey or examine.

Approved March 1, 1972.

Chap. 37. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF WORCESTER COUNTY MAY BORROW FOR THE CONSTRUCTION OF A NEW JAIL, HOUSE OF CORRECTION AND SHERIFF'S QUARTERS FOR SAID COUNTY.

Be it enacted, etc., as follows:

Section 1 of chapter 74 of the acts of 1970 is hereby amended by striking out, in line 7, the words "eight million" and inserting in place thereof the words:—eight million five hundred thousand.

Approved March 1, 1972.

Chap. 38. AN ACT REDUCING THE NUMBER OF SIGNATURES REQUIRED ON INITIATIVE PETITIONS IN CITIES.

Be it enacted, etc., as follows:

Chapter 43 of the General Laws is hereby amended by striking out sections 39 and 40, as appearing in the Tercentenary Edition, and inserting in place thereof the following two sections:—

Section 39. If any initiative petition is signed by registered voters equal in number to at least fifteen per cent of the whole number of registered voters, the city council or the school committee shall, within twenty days after the date of the certificate of the registrars to that effect,

1. Pass said measure without alteration, subject to the referendum vote provided by this chapter or

2. The city council shall call a special election to be held on a Tuesday fixed by it not less than thirty nor more than forty-five days after the date of the certificate hereinbefore mentioned and shall submit the proposed measure without alteration to a vote of the registered voters of the city at that election; provided, that if any city election is otherwise to occur within ninety days after the date of said certificate, the city council may, at its discretion, omit calling the special election and submit the proposed measure to the voters at such approaching election.

Section 40. If an initiative petition is signed by registered voters equal in number to at least eight per cent but less than fifteen per cent of the total number of registered voters, and said measure be not passed without alteration within twenty days by the city council or the school committee, as provided in the preceding section, such proposed measure, without alteration, shall be submitted by the city council to a vote of the registered voters of the city at the next regular municipal election. A proposed measure under this section or section thirty-nine shall become effective if it shall be approved by registered voters of the city equal in number to one third of the whole number thereof and also by a majority of the voters voting on such measure, but not otherwise. *Approved March 1, 1972.*

Chap. 39. AN ACT DESIGNATING A CERTAIN AREA NEAR THE INTERSECTION OF INTERSTATE HIGHWAY 495 AND STATE HIGHWAY ROUTE 110 IN THE TOWN OF METHUEN AS THE WILLIAM A. DIXON MEMORIAL.

Be it enacted, etc., as follows:

The land of the commonwealth known as Cook's Corner near the intersection of interstate highway route 495 and state highway route 110 in the town of Methuen shall be designated and known as the William A. Dixon Memorial, in memory of William A. Dixon, who was killed in action while a member of the armed forces of the United States during World War I. A suitable marker bearing said designation shall be erected thereat by the department of public works. *Approved March 1, 1972.*

Chap. 40. AN ACT FURTHER REGULATING THE COMPOSITION OF THE RESERVES 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 paragraph 3, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following paragraph:—

3. Balances payable on demand due from any member of the federal reserve system located in this commonwealth or in any reserve city, as designated by or under authority of an act of Congress, or from any trust company insured by the Federal Deposit Insurance Corporation and located in the commonwealth; or from any trust company located in the commonwealth having capital stock and surplus accounts aggregating at least ten million dollars.	Not more than 80%

Approved March 1, 1972.

Chap. 41. AN ACT INCREASING THE MAXIMUM AMOUNTS OF PAID-UP SHARES WHICH A PERSON MAY HOLD IN CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

The first paragraph of section 16 of chapter 170 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of chapter 304 of the acts of 1970, and inserting in place thereof the following sentence:—Except as otherwise provided in this chapter and in other applicable provisions of law, no person individually shall hold in any one such corporation, at the same time, more than one hundred and fifty serial shares and more than a combined total of four hundred paid-up and savings shares in the denomination of one hundred dollars nor more than seventy-five serial shares and more than the combined total of two hundred paid-up and savings shares in the denomination of two hundred dollars; and no two or more persons, as provided in section fifteen, shall hold more than three hundred serial shares and more than the combined total of eight hundred paid-up and savings shares in the denomination of one hundred dollars nor more than one hundred and fifty serial shares and more than the combined total of four hundred paid-up and savings shares in the denomination of two hundred dollars and each person so holding shares with one or more other persons also may hold shares individually, but the total amount of shares in such corporation held at the same time by such person both individually and with one or more other persons shall not exceed in the denomination of one hundred dollars three hundred serial shares and the combined total of eight hundred paid-up and savings shares or in the denomination of two hundred dollars one hundred and fifty serial shares and the combined total of four hundred paid-up and savings shares.

Approved March 1, 1972.

Chap. 42. AN ACT RELATIVE TO THE USE OF ABSENTEE BALLOTS AT CERTAIN TOWN CAUCUSES.

Be it enacted, etc., as follows:

The first paragraph of section 103A of chapter 54 of the General Laws, as most recently amended by section 10 of chapter 920 of the acts of 1971, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:— Sections eighty-six to one hundred and three Q, inclusive, of this chapter, sections twenty-one and twenty-seven of chapter fifty-six and sections thirty-four A and thirty-seven A of chapter fifty-three shall, sofar as applicable, apply to special and regular city primaries, preliminary elections and elections and to town primaries, preliminary elections and elections whether special or regular.

Approved March 1, 1972.

Chap. 43. AN ACT AUTHORIZING THE TOWN OF CONCORD TO CHANGE THE PERMITTED USES OF CERTAIN LANDS ABUTTING STATE HIGHWAY ROUTE 2.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one of chapter four hundred and two of the acts of nineteen hundred and fifty-two, the town of Concord is hereby authorized by vote of an annual or special town meeting to change the permitted uses of the land in said town abutting the northerly side of state highway route 2, extending back for two hundred feet from the northerly side line of said highway, between the points of intersection in said town of said northerly side line of said highway and the easterly side line of Old road to Nine Acre Corner and the center line of the Sudbury river to permit the use of such land and the buildings now standing thereon for general office uses, including facilities for data processing; provided, however, that no further buildings shall be constructed within the area described and any adaptation of the existing buildings for such permitted uses shall not result in any increase of the usable floor area of such existing buildings within the area described.

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

Approved March 2, 1972.

Chap. 44. AN ACT VALIDATING CERTAIN ACTION TAKEN BY ESSEX COUNTY AND MAKING AN APPROPRIATION AND GRANTING A COUNTY TAX TO RESTORE AND MAKE AVAILABLE CERTAIN FUNDS FOR CONSTRUCTING AND EQUIPPING A COURT HOUSE FOR THE DISTRICT COURT OF SOUTHERN ESSEX.

Be it enacted, etc., as follows:

SECTION 1. The payment on April the twenty-fifth, nineteen hundred and sixty-nine by Essex county of a note in the principal amount of two hundred and fifty thousand dollars issued pursuant to

section two of chapter four hundred and ninety of the acts of nineteen hundred and sixty-six from the proceeds of a temporary note issued on April the twenty-fourth, nineteen hundred and sixty-nine pursuant to section three of said chapter four hundred and ninety, which sum for said payment was not included in the county budget for the year nineteen hundred and sixty-nine, is hereby validated and confirmed.

SECTION 2. The sum of two hundred and fifty thousand dollars is hereby appropriated, subject to the provisions of law regulating the disbursement of county funds and the approval thereof, and the county commissioners of Essex county are hereby authorized to levy as a portion of the county tax of said county for the current year, in the manner provided by law, the sum of two hundred and fifty thousand dollars, said sum to be expended for purposes stated in section one of chapter four hundred and ninety of the acts of nineteen hundred and sixty-six, as amended by chapter four hundred and fourteen of the acts of nineteen hundred and sixty-nine.

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

Approved March 2, 1972.

Chap. 45. AN ACT AUTHORIZING THE TOWN OF NANTUCKET TO ACQUIRE AND DEVELOP LAND FOR A SANITARY LANDFILL AREA.

Be it enacted, etc., as follows:

SECTION 1. The town of Nantucket, for the purpose of paying the costs of acquiring land and developing a sanitary landfill area, is hereby authorized to borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, six hundred thousand dollars, and may issue bonds or notes therefor which shall bear on their face the words, Town of Nantucket, Sanitary Landfill Loan, Act of 1972. Each authorized issue shall constitute a separate loan and such loans shall be paid within twenty 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 or eight thereof.

SECTION 2. The costs of developing said sanitary landfill area shall consist of all costs necessary for the purpose and, without excluding any such costs, shall include expenditures for engineering, surveying, architectural and planning services, the construction of access roads and water and power lines on and off the project site, the construction or installation of such facilities, structures or buildings as may be required for the safe and efficient use of the project, and the purchase of any equipment necessary in connection therewith.

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

Approved March 2, 1972.

Chap. 46. AN ACT RELATIVE TO THE PENALTY FOR CRUEL TREATMENT OF ANIMALS.

Be it enacted, etc., as follows:

Chapter 272 of the General Laws is hereby amended by striking out section 77, as amended by chapter 59 of the acts of 1968, and inserting in place thereof the following section:—

Section 77. Whoever overdrives, overloads, drives when overloaded, overworks, tortures, torments, deprives of necessary sustenance, cruelly beats, mutilates or kills an animal, or causes or procures an animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly beaten, mutilated or killed, and whoever, having the charge or custody of an animal, either as owner or otherwise, inflicts unnecessary cruelty upon it, or unnecessarily fails to provide it with proper food, drink, shelter or protection from the weather, and whoever, as owner, possessor or person having charge or custody of an animal, cruelly drives or works it when unfit for labor, or willfully abandons it, or carries it or causes it to be carried in or upon a vehicle, or otherwise, in an unnecessarily cruel or inhuman manner or in a way and manner which might endanger the animal carried thereon, or knowingly and willfully authorizes or permits it to be subjected to unnecessary torture, suffering or cruelty of any kind, shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than one year, or both.

Approved March 2, 1972.

Chap. 47. AN ACT PERMITTING CERTAIN GIRLS OVER ELEVEN YEARS OF AGE TO ENGAGE IN THE SALE AND DELIVERY OF NEWSPAPERS AND OTHER ARTICLES OF MERCHANDISE.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by striking out sections 69 to 73, inclusive, and inserting in place thereof the following five sections:—

Section 69. No boy or girl under twelve shall sell, expose or offer for sale any newspapers, magazines, periodicals or any other articles of merchandise of any description, or exercise the trade of bootblack or scavenger, or any other trade, in any street or public place.

A boy or girl over twelve may engage or be employed in any city or town in the sale or delivery of newspapers, magazines or other periodicals in a street or on a newspaper route; provided that no boy or girl under sixteen, except a child granted an employment permit by the superintendent of schools when such superintendent determines that the welfare of such child will be better served through the granting of such permit, may so engage or be employed during the hours that the public schools of the city or town in which such boy or girl resides are in session nor before six o'clock in the morning nor after eight o'clock in the evening, nor unless such boy or girl has secured a badge from the officer authorized to issue permits for employment in the city or town where he resides to which badge sections seventy-one and seventy-two shall apply.

Section 70. No boy or girl under sixteen shall engage or be employed in any of the trades or occupations mentioned in section sixty-nine unless such boy or girl complies with all the provisions of sections seventy-one, seventy-two and seventy-three and with all the legal requirements concerning school attendance and unless a badge has been issued to such boy or girl by the officer authorized to issue employment permits in the city or town where such boy or girl resides. The charge, if any, for such a badge issued to such boy or girl engaged or employed in the sale of newspapers in a street shall be such sum, not more than twenty-five cents, as shall be determined by the officer issuing the same.

Section 71. Such badge shall not be issued until the officer issuing the same shall have received, examined, approved and filed evidence that such boy or girl is twelve or over, which shall consist of either a birth certificate, a baptismal certificate showing the date of birth or a certified copy of the official school record of the applicant showing his date of birth. Such officer may refuse to issue such badge to any boy or girl who in his opinion, after due investigation, is found physically or mentally incompetent or unable to do such work in addition to the regular school attendance required by law.

Section 72. The badge shall be worn, conspicuously exposed at all times, by such boy or girl while so working. No boy or girl to whom said badge has been issued shall transfer the same to any other boy or girl. Said boy or girl shall exhibit the same upon demand at any time to any officer mentioned in section seventy-seven. The school committee of any city may make further regulations and requirements for issuing such badges.

Section 73. No boy or girl under sixteen shall engage in any of the trades or occupations mentioned in section sixty-nine in any street or public place after eight o'clock in the evening or before six o'clock in the morning nor, except in the case of a boy or girl granted an employment permit by the superintendent of schools when such superintendent determines that the welfare of such boy or girl will be better served through the granting of such permit, during the hours when the public schools in the city or town where such boy or girl resides, or the school which such boy or girl attends, are in session.

Approved March 2, 1972.

Chap. 48. AN ACT RELATIVE TO THE COMPENSATION OF EDWARD TALBOT, A FORMER CORRECTION OFFICER AT THE ESSEX COUNTY PRISON COLONY AT MIDDLETON.

Be it enacted, etc., as follows:

SECTION 1. Edward Talbot, who was formerly employed as a correction officer at the Essex County Prison Colony at Middleton and is currently employed as a correction officer at the Essex county jail and house of correction in the city of Lawrence, shall, for the purpose of determining his compensation, be credited with his previous service to the commonwealth as approved by the county personnel board.

SECTION 2. This act shall take effect as of December the first, nineteen hundred and seventy. *Approved March 2, 1972.*

Chap. 49. AN ACT PROVIDING THAT REGIONAL SCHOOL DISTRICTS MAY LEASE FACILITIES 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 (*p*), added by chapter 919 of the acts of 1971, the following clause:—

(*q*) To lease land and buildings for educational purposes. Such leases may be made for periods not exceeding five years.

Approved March 2, 1972.

Chap. 50. AN ACT REMOVING THE LIMITATION ON SIGNATURES FROM ANY ONE COUNTY ON NOMINATION PAPERS OF CERTAIN CANDIDATES FOR NOMINATION AT A STATE PRIMARY.

Be it enacted, etc., as follows:

Section 44 of chapter 53 of the General Laws is hereby amended by striking out the second sentence, as amended by section 2 of chapter 56 of the acts of 1966, and inserting in place thereof the following sentence:—In the case of offices to be filled by all the voters of the commonwealth, nomination papers shall, except as hereinafter provided, be signed in the aggregate by at least ten thousand voters; nomination papers in the case of a candidate for any such office who received at least twenty per cent of the vote on any ballot for nomination for such office at the state convention held immediately prior to the state primary shall be signed in the aggregate by at least twenty-five hundred voters. *Approved March 2, 1972.*

Chap. 51. AN ACT REMOVING THE LIMITATION ON SIGNATURES FROM ANY ONE COUNTY ON NOMINATION PAPERS OF CANDIDATES FOR OFFICES TO BE FILLED BY ALL THE VOTERS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 6 of chapter 53 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 2 of chapter 334 of the acts of 1943. *Approved March 2, 1972.*

Chap. 52. AN ACT PROVIDING FOR ASSISTANCE IN MARKING BALLOTS TO PERSONS UNABLE TO READ OR TO READ IN THE ENGLISH LANGUAGE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 54 of the General Laws is hereby amended by striking out section 79, as most recently amended by section 2 of chapter 283 of the acts of 1965, and inserting in place thereof the following section:—

Section 79. A voter who states to the presiding officer that from blindness or other physical disability or inability to read or to read in the English language he is unable to prepare his ballot or register his

vote upon a voting machine shall be assisted in such marking or registering by any qualified voter whom he may designate.

SECTION 2. Said chapter 54 is hereby further amended by striking out section 98, as most recently amended by section 3 of said chapter 283, and inserting in place thereof the following section:—

Section 98. An absent voter who states to the official in whose presence he is to mark his ballot that from blindness or other physical disability or inability to read or to read in the English language he is unable to prepare his ballot may at his discretion be assisted in such marking by any qualified voter whom he may designate or by said official. In either case said official shall add in writing to the jurat a statement of the fact that the voter is unable to write, stating the reason therefor, and shall sign the voter's name on both envelopes.

Approved March 2, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, March 3, 1972

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 52 of the Acts of 1972, entitled "AN ACT PROVIDING FOR ASSISTANCE IN MARKING BALLOTS TO PERSONS UNABLE TO READ OR TO READ IN THE ENGLISH LANGUAGE." and the enactment of which received my approval on March 2, 1972, 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 voters who would be assisted by the provisions of this Act to have its benefits at those elections which may occur in the immediate future.

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

OFFICE OF THE SECRETARY, BOSTON, March 3, 1972.

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 forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter fifty-two of the acts of nineteen hundred and seventy-two.

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

Chap. 53. AN ACT FURTHER REGULATING THE REGISTRATION OF MOTOR VEHICLES UNDER THE PROVISIONS OF THE LAW REQUIRING THE ISSUANCE OF CERTIFICATES OF TITLE OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 90D of the General Laws is hereby amended by striking out section 4, as appearing in section 1 of chapter 754 of the acts of 1971, and inserting in place thereof the following section:—

Section 4. Except for vehicles referred to in section two, no motor vehicle or trailer shall be registered under the provisions of chapter ninety until the owner thereof makes application to the registrar for a certificate of title of the vehicle. *Approved March 2, 1972.*

Chap. 54. AN ACT ELIMINATING THE NECESSITY OF PERMANENTLY DISPLAYING RECORDS OF CERTIFICATES OF TITLE IN MOTOR VEHICLES UNDER THE LAW REQUIRING THE ISSUANCE OF SUCH CERTIFICATES.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 9 of chapter 90D of the General Laws, as appearing in section 1 of chapter 754 of the acts of 1971, is hereby amended by striking out, in lines 4 and 5, the words ", the record of which shall be permanently displayed in the vehicle".

Approved March 2, 1972.

Chap. 55. AN ACT ALLOWING THE REGISTRAR OF MOTOR VEHICLES TO AFFIX NEW IDENTIFYING NUMBERS TO MOTOR VEHICLES UNDER THE LAW REQUIRING THE ISSUANCE OF CERTIFICATES OF TITLE OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 29 of chapter 90D of the General Laws, as appearing in section 1 of chapter 754 of the acts of 1971, is hereby amended by inserting after the word "assign", in line 7, the words:—or affix.

Approved March 2, 1972.

Chap. 56. AN ACT PROVIDING FOR AN ADDITIONAL COURT OFFICER IN THE DISTRICT COURT OF SOUTHERN 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 section 1 of chapter 916 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 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 municipal court of Brookline, 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 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, the district court of Lawrence and the district court of southern Essex, two court officers may be appointed; and in each of the other district courts in the commonwealth, one court officer may be appointed. *Approved March 2, 1972.*

Chap. 57. AN ACT AUTHORIZING THE CITY OF MALDEN TO SELL AND CONVEY CERTAIN PARK LAND TO THE FIRST CHURCH OF THE NAZARENE OF MALDEN, MASSACHUSETTS.

Be it enacted, etc., as follows:

The city of Malden, acting through its mayor, and with the approval of the city council, is hereby authorized to sell and convey to the First Church of the Nazarene of Malden, Massachusetts for and in consideration of the sum of seven hundred and fifty dollars the following parcel of land, being a part of Tartikoff park in said city, bounded and described as follows:—Southwesterly by Lyme Street, a private way, twenty-seven and 7/100 (27.07) ft.; northwesterly by land, now or formerly, of the Malden Redevelopment Authority one hundred twenty-five and 11/100 (125.11) ft.; northeasterly still by land, now or formerly, of the Malden Redevelopment Authority twenty-one and 67/100 (21.67) ft.; southeasterly by other land of the City of Malden being the remaining portion of Tartikoff Park, one hundred twenty-three and 97/100 (123.97) ft.; Containing 3,030 square feet more or less. Being the same premises shown on a plan entitled "Plan of land belonging to the City of Malden, Malden, Mass., October 21, 1971, Scale 40 ft. to an inch, Arthur W. Davis, City Engineer." *Approved March 2, 1972.*

Chap. 58. AN ACT RELATIVE TO ESTABLISHING THE REPRESENTATIVE AND SENATORIAL DISTRICTS IN THE CITY OF CHICOPEE COMMENCING IN THE YEAR NINETEEN HUNDRED AND SEVENTY-FIVE.

Be it enacted, etc., as follows:

Notwithstanding any provision of sections one and four of chapter fifty-four of the General Laws to the contrary, the ward and precinct lines in the city of Chicopee, as enacted by the board of aldermen at its meeting of December the thirtieth, nineteen hundred and seventy-one, shall be used for the purpose of reporting the nineteen hundred and seventy-one census to be used for determining the representative and senatorial districts for the ten-year period beginning January the first, nineteen hundred and seventy-five, as provided in Article XCII of the Amendments to the Constitution of the Commonwealth.

Approved March 2, 1972.

Chap. 59. AN ACT RELATIVE TO ESTABLISHING THE REPRESENTATIVE AND SENATORIAL DISTRICTS IN THE CITY OF NORTHAMPTON COMMENCING IN THE YEAR NINETEEN HUNDRED AND SEVENTY-FIVE.

Be it enacted, etc., as follows:

Notwithstanding any provision of sections one and four of chapter fifty-four of the General Laws to the contrary, the ward and precinct lines in the city of Northampton, as enacted by the city council at its meeting of December the thirtieth, nineteen hundred and seventy-one, shall be used for the purpose of reporting the nineteen hundred and seventy-one census to be used for determining the representative and senatorial districts for the ten-year period beginning January the first, nineteen hundred and seventy-five, as provided in Article XCII of the Amendments to the Constitution of the Commonwealth.

Approved March 2, 1972.

Chap. 60. AN ACT RELATIVE TO COMPENSATION OF MUNICIPAL EMPLOYEES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the payment to certain employees of cities, towns and districts out of surplus revenue accounts certain sums earned by them during the year nineteen hundred and seventy-one which were not paid due to the wage freeze imposed by executive order, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the treasurer of each city, town, district and regional school district shall pay to its employees the respective amounts of salaries, wages or other compensation which may be due to them for services rendered

during the period beginning August the fifteenth, nineteen hundred and seventy-one and ending December the thirty-first, nineteen hundred and seventy-one, which amounts were not paid as a result of the provisions of Public Law 91-379, as amended, and subsequent executive orders issued pursuant thereto and which are payable or which may become payable as a result of subsequent amendments to said Public Law 91-379, as amended, and executive orders issued pursuant to said amendments.

SECTION 2. Notwithstanding any provision of law to the contrary, payments made pursuant to section one of this act shall be made from the surplus revenue account of the city, town, district or regional school district and said payments shall be shown on a special payroll.

If the balance in the surplus revenue account of the city, town or district, other than a regional school district, at the close of the nineteen hundred and seventy-one financial year is not sufficient for the purposes of this section any additional amount required therefor shall be paid by the treasurer of the city, town or district, other than a regional school district, and such additional amount shall be reported by the auditor or accountant or other officer having similar duties, or by the treasurer if there be no such officer, to the assessors who shall include the amount so reported in the aggregate appropriations assessed in the determination of the next annual tax rate.

If the balance in the surplus revenue account of a regional school district at the close of the nineteen hundred and seventy-one financial year is not sufficient for the purposes of this section any additional amount therefor shall be paid from any funds appropriated in the school district budget for the current year.

Approved March 6, 1972.

Chap. 61. AN ACT REQUIRING THE POSTING OF THE NAMES OF CERTAIN PERSONS DOING BUSINESS WITH CITIES AND TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 4B of chapter 40 of the General Laws is hereby amended by adding the following paragraph:—

The name and address of every person whose contract or contracts with the town involve a cumulative cost in excess of two thousand dollars during the fiscal year of said town shall be posted in the office of the town clerk by the town accountant of said town.

SECTION 2. Section 28 of chapter 43 of the General Laws, as most recently amended by section 3 of chapter 79 of the acts of 1967, is hereby further amended by inserting after the first paragraph the following paragraph:—

The name and address of every person whose contract or contracts with the city involve a cumulative cost in excess of two thousand dollars during the fiscal year of said city shall be posted in the office of the city clerk by the auditor of said city.

Approved March 6, 1972.

Chap. 62. AN ACT FURTHER REGULATING THE SALE AND OPERATION OF SNOW VEHICLES AND RECREATION VEHICLES IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 90B of the General Laws is hereby amended by striking out section 24, as amended by section 1 of chapter 551 of the acts of 1971, and inserting in place thereof the following section:—

Section 24. Each snow vehicle and each recreation vehicle shall be equipped with one or more headlights, a red rear light, a red rear reflector and adequate muffler and such safety equipment as may be required by the director. Each such vehicle shall be capable of decelerating in a reasonable manner. Any sled or trailer attached to any such vehicle shall also be equipped with a red rear reflector. All such equipment shall conform to such specifications as the registrar of motor vehicles shall prescribe.

No snow vehicle and no recreation vehicle shall be operated which makes an unusual or excessive noise or which emits obnoxious fumes.

No snow vehicle manufactured after July the first, nineteen hundred and seventy-two shall be sold, offered for sale or operated that produces a sound pressure level of more than eighty-two decibels. No snow vehicle manufactured after July the first, nineteen hundred and seventy-four shall be sold, offered for sale or operated that produces a sound pressure level of more than seventy-three decibels. Sound pressure levels in decibels shall be measured on the "A" scale of a sound level meter having characteristics defined by American Standards Association S1, 4–1966 "General Purpose Sound Meter". Measurements shall be made of overall vehicle noise at maximum speed at fifty feet in accordance with test procedure SAE J192 of the Society of Automotive Engineers or with such other test procedure for measurement of sound pressure levels as the registrar of motor vehicles may adopt. After January the first, nineteen hundred and seventy-three, no new snow vehicle shall be sold in the commonwealth unless such vehicle is certified by the manufacturer, in accordance with rules and regulations adopted by the director, as being able to conform with the sound level limitation set forth in this section.

Approved March 6, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, March 6, 1972

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 62 of the Acts of 1972, entitled "AN ACT FURTHER REGULATING THE SALE AND OPERATION OF SNOW VEHICLES AND RECREATION VEHICLES IN THE COMMONWEALTH" and the enactment of which received my approval on March 6, 1972, 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 an enforceable law relating to the sale and operation of snow and recreation vehicles.

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

OFFICE OF THE SECRETARY, BOSTON, March 6, 1972.

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 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 sixty-two of the acts of nineteen hundred and seventy-two.

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

Chap. 63. AN ACT FURTHER REGULATING THE VOTING FOR PRESIDENT BY DELEGATES AT LARGE AND DISTRICT DELEGATES TO THE NATIONAL CONVENTION OF POLITICAL PARTIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate the voting for president of the United States by at large and district delegates to the national conventions in the year 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:

Chapter 53 of the General Laws is hereby amended by striking out section 70I, inserted by section 7 of chapter 407 of the acts of 1966, and inserting in place thereof the following section:—

Section 70I. At large delegates and at large alternate delegates to national conventions shall, if there is a roll call vote for president, vote on the first such roll call for the person receiving a majority or plurality of all the votes cast in the commonwealth for nomination for president, unless released by said candidate, notwithstanding the statement of preference of any such delegate or alternate delegate. Each delegate or alternate delegate to a national convention elected from within a congressional district shall, if there is a roll call vote for president, vote on the first such roll call for the person receiving a majority or plurality of the votes cast in that district for nomination for president, unless released by such candidate, notwithstanding the statement of preference of any such delegate or alternate delegate.

Approved March 9, 1972.

Chap. 64. AN ACT AUTHORIZING CERTAIN NONCITIZENS TO BE CERTIFIED TO ALL TEACHING POSITIONS BY THE BOARD OF EDUCATION.

Be it enacted, etc., as follows:

Section 38G of chapter 71 of the General Laws is hereby amended by striking out the third paragraph, added by chapter 345 of the acts of 1965, and inserting in place thereof the following paragraph:—

Any person who is not an American citizen but who otherwise qualifies under the first paragraph of this section may be certified by the board to the position of teacher; provided, that such person is legally present in the United States and presents to the board a copy of his declaration of intention to become a citizen of the United States, certified by the clerk of the court in which it was filed or a certificate from the Immigration and Naturalization Service of the United States showing that he has declared his intention to become such citizen. Any certificate issued under this paragraph shall not be valid after six years from the date of issue and such certificate shall not be renewable. Service by a teacher certified under this paragraph shall not be counted as service in acquiring the status of serving at the discretion of the school committee, as provided in section forty-one. *Approved March 9, 1972.*

Chap. 65. AN ACT AUTHORIZING THE BOARD OF REGIONAL COMMUNITY COLLEGES TO GRANT AN EASEMENT TO THE CAPE COD CONSERVATORY OF MUSIC AND ARTS, INC. FOR THE PURPOSE OF PROVIDING AN ACCESS WAY.

Be it enacted, etc., as follows:

The board of regional community colleges is hereby authorized, in the name of the commonwealth, for an agreed consideration, to grant a perpetual right and easement in, over and upon a certain parcel of land, to the Cape Cod Conservatory of Music and Arts, Inc., a Massachusetts corporation, for the purpose of providing an access way for said corporation. Said parcel is shown on a plan entitled "Plan Showing Easement for the Cape Cod Conservatory of Music and Arts, West Barnstable, Mass., Scale 1" = 80', July 9, 1971, Nelson Bearse, Richard Law, Surveyors, Centerville", to be recorded with the deed of easement, and more particularly bounded and described as follows: —

NORTHEASTERLY by Iyannough Road, as shown on plan hereinafter mentioned, One Hundred Seventy-nine and 35/100 (179.35) feet;

SOUTHEASTERLY by land of Commonwealth of Massachusetts Department of Public Works, as shown on said plan, Fifty-eight and 70/100 (58.70) feet;

NORTHEASTERLY again by said Commonwealth of Massachusetts Department of Public Works, as shown on said plan, One Hundred Eighty-seven and 75/100 (187.75) feet;

SOUTHWESTERLY by land of Cape Cod Conservatory of Music and Arts, Inc., as shown on said plan, One Hundred Fifty (150) feet;

SOUTHWESTERLY by land of Commonwealth of Massachusetts, as shown on said plan, One Hundred Eighty-three and 07/100 (183.07) feet; and

NORTHWESTERLY again by said Commonwealth of Massachusetts, as shown on said plan, One Hundred Fifty-two (152) feet.

Approved March 9, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, March 9, 1972

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 65 of the Acts of 1972, entitled "AN ACT AUTHORIZING THE BOARD OF REGIONAL COMMUNITY COLLEGES TO GRANT AN EASEMENT TO THE CAPE COD CONSERVATORY OF MUSIC AND ARTS, INC. FOR THE PURPOSE OF PROVIDING AN ACCESS WAY." and the enactment of which received my approval on March 9, 1972, 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 immediately the granting of an easement to permit the completion of construction of the facilities at the Cape Cod Conservatory of Music and Arts, Inc.

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

OFFICE OF THE SECRETARY, BOSTON, March 9, 1972.

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 sixty-five of the acts of nineteen hundred and seventy-two.

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

Chap. 66. AN ACT CHANGING THE METHOD OF ACCEPTANCE OF THE LAW AUTHORIZING THE ESTABLISHMENT OF A TWELVE-MONTH SCHOOL YEAR FOR THE PUBLIC SCHOOLS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Section 1 of chapter 71 of the General Laws is hereby amended by striking out the last two sentences, added by section 1 of chapter 922 of the acts of 1971, and inserting in place thereof the following two sentences:—Any city, town or school district by vote of its school committee 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, town or school district the school committee of which has not voted to establish, maintain and operate such a twelve-month school year. *Approved March 9, 1972.*

Chap. 67. AN ACT RELATIVE TO THE CONTROL OF NOXIOUS WEEDS BY THE DIRECTOR OF THE DIVISION OF PLANT PEST CONTROL.

Be it enacted, etc., as follows:

Chapter 128 of the General Laws is hereby amended by striking out section 24, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 24. The director, either personally or through his assistants, may inspect any orchard, field garden, roadside or other place where trees, shrubs or other plants exist, whether on public or private property, which he may know or have reason to suspect is overgrown with noxious weeds or infested with the San Jose scale or any serious insect pests or plant disease, when in his judgment such pests, disease or weeds are likely to cause loss to adjoining owners and may serve upon the owner, occupant or person in charge of the land on which such noxious weeds, trees, shrubs or other plants are present written notice of the presence of such weeds, pests or plant disease, with a statement that they constitute a public nuisance, together with directions to abate the same, giving the methods of treatment for the abatement thereof, and stating a time within which the nuisance must be abated in accordance with the methods given therein. If the person so notified refuses or neglects so to treat or destroy such weeds, trees, shrubs or other plants within the time prescribed, the director may cause such property to be so treated or destroyed and may employ all necessary assistants for this purpose, who may enter upon any public or private property, if such entry is necessary for this purpose. Upon the completion of said treatment the director shall certify in writing to the owner or person in charge of the treated property the amount of the cost of such treatment and, if this be not paid to the commissioner within ninety days thereafter, the same may be recovered by suit, together with the cost of the suit.

Approved March 9, 1972.

Chap. 68. AN ACT REQUIRING CREDIT UNIONS TO SET ASIDE QUARTERLY PAYMENTS INTO THEIR GUARANTY FUNDS.

Be it enacted, etc., as follows:

Section 19 of chapter 171 of the General Laws is hereby amended by striking out the first sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:—Before the payment of a dividend as authorized by section twenty-five, there shall be set apart at least quarterly as a guaranty fund not less than ten per cent of the gross income which has accumulated during the next preceding dividend period, except as hereinafter pro-

Section 2A. It shall be an unfair educational practice for a vocational training institution:—

(*a*) To exclude or limit or otherwise discriminate against any person or persons seeking admission as students to such institution, course or course of study because of race, religion, creed, color, age, sex or national origin.

(*b*) To discriminate against any student in providing the benefits, privileges, and placement services associated with such institution, course or course of study because of race, religion, creed, color, age, sex or national origin.

(*c*) To penalize any of its employees or students or any applicant for admission because he or she has testified, participated or assisted in any proceeding under this section.

(*d*) To cause to be made any written or oral inquiry concerning the race, religion, creed, color, age, sex or national origin of a person seeking admission, except that a religious or denominational educational institution which certified to the commission that it is a religious or denominational educational institution may inquire as to the religious or denominational affiliations of applicants for admission.

SECTION 4. Paragraph (*a*) of section 3 of said chapter 151C is hereby amended by inserting after the word "student", in line 1, as appearing in section 2 of chapter 726 of the acts of 1949, the words:— to any educational institution, or enrolled as a student in a vocational training institution.

SECTION 5. Paragraph (*b*) of said section 3 of said chapter 151C is hereby amended by inserting after the word "applicants", in line 2, as so appearing, the words:—for admission to any educational institution, or enrolled student or students in a vocational training institution.

Approved March 15, 1972.

Chap. 102. AN ACT FURTHER REGULATING THE GAME COMMONLY CALLED BEANO.

Be it enacted, etc., as follows:

The first paragraph of section 53 of chapter 147 of the General Laws, as appearing in section 3 of chapter 486 of the acts of 1971, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—Such return shall include the names and addresses of all persons receiving prizes over twenty-five dollars in such game and the amount of each such prize.

Approved March 15, 1972.

Chap. 103. AN ACT RELATIVE TO THE AUTHORITY OF CORPORATE OFFICERS WITH RESPECT TO REAL ESTATE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 155 of the General Laws is hereby amended by striking out section 8, as most recently amended by chapter 111 of the acts of 1971, and inserting in place thereof the following section:—

notwithstanding that their actual date of enrollment is subsequent to said October the first.

SECTION 3. Section 1 of chapter 76 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 808 of the acts of 1967, and inserting in place thereof the following sentence:—Every child between the minimum and maximum ages established for school attendance by the board of education, except a child between fourteen and sixteen who meets the requirements for the completion of the sixth grade of the public school as established by said board and who holds a permit for employment in private domestic service or service on a farm, under section eighty-six of chapter one hundred and forty-nine, and is regularly employed thereunder for at least six hours per day, or a child between fourteen and sixteen who meets said requirements and has the written permission of the superintendent of schools of the town where he resides to engage in nonwage-earning employment at home, or a child over fourteen who holds a permit for employment in a cooperating employment, as provided in said section eighty-six, shall, subject to section fifteen, attend a public day school in said town, or some other day school approved by the school committee, during the number of days required by the board of education in each school year, unless the child attends school in another town, for said number of days, under sections six to twelve, inclusive, or attends an experimental school project established under an experimental school plan, as provided in section one G of chapter fifteen, but such attendance shall not be required of a child whose physical or mental condition is such as to render attendance inexpedient or impracticable or of a child granted an employment permit by the superintendent of schools when such superintendent determines that the welfare of such child will be better served through the granting of such permit or of a child who is being otherwise instructed in a manner approved in advance by the superintendent or the school committee. *Approved March 15, 1972.*

Chap. 101. AN ACT ELIMINATING DISCRIMINATION RELATIVE TO SEX AND AGE IN VOCATIONAL TRAINING INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*b*) of section 1 of chapter 151C of the General Laws, as appearing in section 2 of chapter 726 of the acts of 1949, is hereby amended by striking out, in line 3, the words "secretarial, business, vocational, trade schools" and inserting in place thereof the words:—secretarial schools, business schools.

SECTION 2. Said section 1 of said chapter 151C is hereby further amended by adding the following paragraph:—

(*d*) The term "vocational training institution" shall include any educational institution the primary purpose of which is to offer technical, agricultural, business or trade courses or courses of study leading to employment in recognized trades or occupations.

SECTION 3. Said chapter 151C is hereby further amended by inserting after section 2 the following section:—

Section 18. Any person or agent thereof who threatens to or takes reprisals against any tenant of residential premises for reporting to the board of health or, in the city of Boston, to the commissioner of housing inspection or to any other board having as its objective the regulation of residential premises a violation or a suspected violation of any health or building code or of any other municipal by-law or ordinance or state or federal law or regulation which has as its objective the regulation of residential premises or for organizing or joining a tenant's union or similar organization shall be liable for damages which shall not be less than one month's rent or more than three months' rent, or the actual damages sustained by the tenant, whichever is greater, and the costs of the suit, including a reasonable attorney's fee.

The receipt of any notice of termination of tenancy except for non-payment of rent or of increase in rent or of any substantial alteration in the terms of tenancy within six months after making a report or complaint of violations or suspected violations of any health or building code, municipal by-law or ordinance, or state or federal law or regulation which has as its objective the regulation of residential premises or the organizing or joining of a tenant's union shall create a rebuttable presumption that such notice is a reprisal against the tenant for making such report, complaint or activity.

SECTION 2. Chapter 239 of the General Laws is hereby amended by striking out section 2A, added by section 2 of said chapter 701, and inserting in place thereof the following section:—

Section 2A. It shall be a defense to an action for summary process that such action was in reprisal for the act of the tenant for reporting a violation or suspected violation of law, as provided in section eighteen of chapter one hundred and eighty-six or for organizing or joining a tenant's union or similar organization. The commencement of such action against a tenant within six months after the making of such report or the organizing or joining of a tenant's union by said tenant shall create rebuttable presumption that such action is a reprisal against the tenant for making such report or engaging in such activity. *Approved March 15, 1972.*

Chap. 100. AN ACT FURTHER CLARIFYING THE LAW RELATIVE TO THE ESTABLISHMENT OF A TWELVE-MONTH SCHOOL YEAR.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of section 4 of chapter 71 of the General Laws, as appearing in section 15 of chapter 572 of the acts of 1965, is hereby amended by striking out, in lines 7 to 9, inclusive, the words:—; and provided, further, that pupils graduating shall not be released from attendance prior to the fifteenth day of May.

SECTION 2. Section 2A of chapter 72 of the General Laws, inserted by section 63 of chapter 14 of the acts of 1966, is hereby amended by adding the following paragraph:—

In any city or town wherein a twelve-month school year has been adopted, the enrollment on the preceding October the first, as aforesaid, shall include all of said minor children attending public schools,

In order to permit immediately the implementation of Chapter 1103 of the Acts of 1971 as amended by this act.

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

OFFICE OF THE SECRETARY, BOSTON, March 15, 1972.

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 ninety-six of the acts of nineteen hundred and seventy-two.

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

Chap. 97. AN ACT CLARIFYING THE INSTRUCTIONS TO VOTERS TO BE PRINTED ON BALLOTS.

Be it enacted, etc., as follows:

The first sentence of the last paragraph of section 42 of chapter 54 of the General Laws, as amended by section 6 of chapter 869 of the acts of 1970, is hereby further amended by striking out, in lines 7 and 8, the words "vote for two" and inserting in place thereof the words:—vote for not more than two. *Approved March 15, 1972.*

Chap. 98. AN ACT REPEALING THE DOMICILIARY PROVISIONS OF THE CIVIL SERVICE LAW RELATIVE TO VETERANS' PREFERENCE.

Be it enacted, etc., as follows:

Section 21 of chapter 31 of the General Laws is hereby amended by striking out clauses (1) and (2) and inserting in place thereof the following:—

(*a*) Is a veteran as defined in clause Forty-third of section seven of chapter four or (*b*) meets all the requirements of said clause Forty-third except that instead of performing wartime service as so defined he has been awarded one of the campaign badges enumerated in this section or has been awarded the congressional medal of honor.

Approved March 15, 1972.

Chap. 99. AN ACT RELATIVE TO THE LAW PROHIBITING ACTIONS AGAINST TENANTS IN RETALIATION FOR REPORTING SUSPECTED SANITARY OR BUILDING CODE VIOLATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 186 of the General Laws is hereby amended by striking out section 18, added by section 1 of chapter 701 of the acts of 1969, and inserting in place thereof the following section:—

thousand dollars or one tenth of one per cent of the deposits of such corporation in the case of any one parcel owned by such corporation and not more than the greater of fifteen thousand dollars or one tenth of one per cent of the deposits of such corporation in the case of any one parcel leased thereby. *Approved March 15, 1972.*

Chap. 95. AN ACT ESTABLISHING STUDENT ADVISORY COMMITTEES TO SCHOOL COMMITTEES.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 38L the following section:—

Section 38M. School committees of cities, towns and regional school districts shall meet at least once every other month, during the months school is in session, with a student advisory committee to consist of five members to be composed of students elected by the student body of the high school or high schools in each city, town or regional school district. *Approved March 15, 1972.*

Chap. 96. AN ACT FURTHER REGULATING THE OPERATION OF COMMUNITY ANTENNA TELEVISION SYSTEMS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of the second paragraph of section 2 of chapter 166A of the General Laws, as appearing in section 1 of chapter 1103 of the acts of 1971, is hereby amended by striking out, in line 1, the word "two" and inserting in place thereof the word:—four.

SECTION 2. The fourth sentence of section 2A of said chapter 166A, as so appearing, is hereby amended by striking out, in line 4, the word "two" and inserting in place thereof the words:—at least five.

SECTION 3. The first paragraph of section 14 of said chapter 166A, as so appearing, is hereby amended by striking out, in line 3, the word "fourteen" and inserting in place thereof the word:—sixty.

Approved March 15, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, March 15, 1972

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 96 of the Acts of 1972, entitled "AN ACT REGULATING THE OPERATION OF COMMUNITY ANTENNA TELEVISION SYSTEMS." and the enactment of which received my approval on March 15, 1972, should take effect forthwith.

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

the regular periods of summer vacation, and such other vacation periods as the commissioner may determine, shall not be subject to the provisions of chapter thirty-one.

The commissioner may, subject to available appropriations and grants from other sources, establish within the department a scholarship program of graduate study for eligible persons wishing to attend any accredited graduate program at a college or university satisfactory to the commissioner.

The scholarship awards or aid granted by the commissioner under this section shall be on a competitive basis.

The commissioner may adopt such rules and regulations as he deems necessary to carry out the programs authorized by this section.

Any money expended under authority of this section shall be paid from the Agricultural Purposes Fund. *Approved March 15, 1972.*

Chap. 92. AN ACT REQUIRING DOGS TO BE RESTRAINED IN PUBLIC HIGHWAY REST AREAS.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by inserting after section 174A the following section:—

Section 174B. Whoever is the owner or keeper of a dog shall restrain said dog by a chain or leash when in an officially designated public highway rest area. Whoever violates the provisions of this section shall be punished by a fine of not more than fifty dollars.

Approved March 15, 1972.

Chap. 93. AN ACT RELATIVE TO THE AGE OF PARTICIPANTS OR SPECTATORS AT BEANO GAMES.

Be it enacted, etc., as follows:

Section 52 of chapter 147 of the General Laws, added by section 3 of chapter 486 of the acts of 1971, is hereby amended by striking out the seventh paragraph and inserting in place thereof the following paragraph:—

No person under eighteen years of age shall be permitted in that portion of any building or premises of the licensee during such time as such game is being played. *Approved March 15, 1972.*

Chap. 94. AN ACT FURTHER REGULATING INVESTMENTS BY SAVINGS BANKS IN BANKING PREMISES.

Be it enacted, etc., as follows:

Paragraph 2 of section 53 of chapter 168 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chapter 432 of the acts of 1955, and inserting in place thereof the following sentence:—All investments authorized by this section shall be approved by the commissioner, except investments made in alterations or improvements during any period of twelve consecutive months aggregating not more than the greater of thirty

Chap. 90. AN ACT AUTHORIZING THE CITY OF CHELSEA TO PAY AN UNPAID BILL TO GEORGE CAREY FOR CERTAIN SERVICES RENDERED TO SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Chelsea is hereby authorized to appropriate the sum of thirty thousand two hundred sixty-eight dollars and seventy-three cents for the payment of and after such appropriation the city treasurer of said city is hereby authorized to pay an unpaid bill in said amount to George Carey for services rendered to the city of Chelsea, as fire adjuster, in settlement of fire losses at the Shurtleff School in the amount of one hundred fifty-six dollars and three cents, at the Williams School in the amount of three hundred eighty-two dollars and eighty-two cents and at the Chelsea Senior High School in the amount of twenty-nine thousand seven hundred twenty-nine dollars and eighty-eight cents, said bills being legally unenforceable by reason of their having been incurred in excess of available appropriations.

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

Approved March 15, 1972.

Chap. 91. AN ACT ESTABLISHING AN INTERN SCHOLARSHIP PROGRAM IN THE DEPARTMENT OF AGRICULTURE.

Be it enacted, etc., as follows:

Chapter 20 of the General Laws is hereby amended by inserting after section 6 the following section:—

Section 6A. There shall be established an intern scholarship program which shall be administered by the commissioner. The commissioner, subject to appropriation and grants from other sources, may grant scholarships providing for the payment of room, board, tuition and other fees to any person who is eligible to attend an accredited college or university and who enrolls at such college or university in a course of study leading to a degree in the field of animal health, satisfactory to the commissioner. In no event shall any student receive such scholarship aid for more than four years.

To be eligible for such scholarship a person shall (1) be a citizen of the United States and a resident of the commonwealth; (2) be a high school graduate or have an equivalent education; (3) have been accepted for admission as a regular student in an accredited college or university approved by the commissioner to pursue a course of instruction satisfactory to the commissioner; (4) contract, with the consent of his parent or legal guardian if he is a minor, with the commissioner or his designated representative, to serve with the department for a period of three years following his graduation and to serve with the department during the regular periods of summer vacation while attending such college or university except for such vacation periods as the commissioner may establish by regulation; provided, however, that the department shall not be liable to pay wages to said student during said vacation periods.

Service rendered to the department by a recipient of such a scholarship during the three year period following his graduation, and during

The state treasurer is hereby authorized to pay the cost of installing suitable traffic control devices at high-accident locations in cities and towns, in accordance with the following procedure:

The department shall define high-accident locations and shall establish standards, rules and regulations and shall determine final allocation of funds to the cities and towns. The amount to be paid by the treasurer shall be based upon certification to the treasurer by the department of the amount due. Payments in the amounts so certified shall be made by the state treasurer out of the Highway Fund and shall be in addition to any other funds allocated to the several cities and towns for the improvement, maintenance, repair or construction of highways. Federal funds may be substituted for the commonwealth's share whenever such funds are available.

Approved March 10, 1972.

Chap. 88. AN ACT AUTHORIZING THE USE OF SUMS OF MONEY RECOVERED FROM PUPILS FOR THE REPLACEMENT OF SCHOOL BOOKS AND CERTAIN MATERIALS.

Be it enacted, etc., as follows:

Section 53 of chapter 44 of the General Laws is hereby amended by striking out the second sentence, as most recently amended by chapter 525 of the acts of 1970, and inserting in place thereof the following sentence:—Any sums so paid into the city, town or district treasury shall not later be used by such officer or department without specific appropriation thereof; provided, however, that (1) sums allotted by the commonwealth or a county to cities or towns for highway purposes and sums allotted by the commonwealth to cities, towns or districts for water pollution control purposes shall be available therefor without specific appropriation, but shall be used only for the purposes for which the allotment is made or to meet temporary loans issued in anticipation of such allotment as provided in section six or six A, (2) sums not in excess of five thousand dollars recovered under the terms of a fire or physical damage insurance policy may be used by the officer or department having control of the insured property for the restoration or replacement of such property without specific appropriation and (3) sums recovered from pupils in the public schools for loss of school books or paid by pupils for materials used in the industrial arts projects may be used by the school committee for the replacement of such books or materials without specific appropriation.

Approved March 10, 1972.

Chap. 89. AN ACT AUTHORIZING THE TOWN OF ROCKLAND TO CONVEY CERTAIN PARK LAND TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The town of Rockland is hereby authorized to convey the Major Edward P. Reed Park, located therein, to the Commonwealth as a site for an artificial ice skating rink to be named the Major Edward P. Reed Rink.

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

Approved March 15, 1972.

following sentence:—Notwithstanding the limitations on shares and deposits contained herein a member of a credit union whose deposit and share liabilities are insured by the Massachusetts Credit Union Share Insurance Corporation may hold shares or make deposits or both therein in his own name to an amount not exceeding twelve thousand five hundred dollars, in the aggregate, and, provided that he has no other account, he may jointly with another member hold shares or make deposits or both to an amount not exceeding, in the aggregate, twenty-five thousand five hundred dollars, exclusive of club deposits; and a member of a credit union whose deposit and share liabilities are insured by the Massachusetts Credit Union Share Insurance Corporation having assets of five hundred thousand dollars or more may hold shares or make deposits or both therein in his own name to an amount not exceeding seventeen thousand five hundred dollars, in the aggregate, and, provided that he has no other account, he may jointly with another member hold shares or make deposits or both to an amount not exceeding, in the aggregate, thirty-five thousand dollars, exclusive of club deposits.

Approved March 9, 1972.

Chap. 86. AN ACT PROVIDING FOR LIMITED EXPENDITURE OF FUNDS BY SCHOOL COMMITTEES FOR THE EMPLOYMENT OF COUNSEL FOR GENERAL PURPOSES WITHOUT CERTAIN PRIOR APPROVAL.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by striking out section 37F, inserted by chapter 362 of the acts of 1970, and inserting in place thereof the following section:—

Section 37F. The school committee of a city or town may employ legal counsel for the general purposes of the committee and may expend money therefor from the funds appropriated by said city or town for school purposes, provided, however, not more than five thousand dollars in addition to the expenditures authorized by section thirty-seven E shall be expended during any fiscal year without prior approval of the city manager in a city having Plan D or Plan E form of government, the mayor in any other city or the board of selectmen in a town. Said legal counsel shall not be subject to the provisions of section nine A of chapter thirty or the provisions of chapter thirty-one.

Approved March 9, 1972.

Chap. 87. AN ACT PROVIDING FOR THE PAYMENT TO CITIES AND TOWNS BY THE COMMONWEALTH FOR THE TOTAL COST OF INSTALLING TRAFFIC CONTROL DEVICES AT HIGH-ACCIDENT LOCATIONS.

Be it enacted, etc., as follows:

Section 33B of chapter 90 of the General Laws, inserted by chapter 519 of the acts of 1967, is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs:—

favoring consolidation by the members of said corporations, signed by the respective secretaries of the existing corporations, under the penalties of perjury, for record in the registries of deeds for the counties of Bristol and Plymouth and with the state secretary.

Approved March 9, 1972.

Chap. 84. AN ACT INCREASING THE MAXIMUM LIMITS UPON JOINT SAVINGS DEPOSITS IN SAVINGS BANKS AND TRUST COMPANIES.

Be it enacted, etc., as follows:

SECTION 1. Section 21 of chapter 168 of the General Laws is hereby amended by striking out paragraph 1, as most recently amended by section 1 of chapter 305 of the acts of 1970, and inserting in place thereof the following paragraph:—

1. *Amounts Limited.*—Such corporation may receive on deposit from any person for his own account or for the accounts of one or more distinct estates or trusts and deposits on any joint account provided for in section fourteen of chapter one hundred and sixty-seven to the amount of not more than forty thousand dollars in the case of each such individual account or not more than eighty thousand dollars in the case of each joint account, exclusive of interest accumulated thereon and upon such interest.

SECTION 2. Section 22 of said chapter 168 is hereby amended by striking out the first paragraph, as most recently amended by section 2 of said chapter 305, and inserting in place thereof the following paragraph:—

Either party to a joint account also may make deposits for his individual account, but the deposits in his individual account and in all joint accounts to which he is a party shall not at any one time exceed eighty thousand dollars, exclusive of accumulated interest.

SECTION 3. The first paragraph of section 51 of chapter 172 of the General Laws, as most recently amended by section 3 of said chapter 305, is hereby further amended by striking out clause 2 and inserting in place thereof the following clause:—

2. Deposits on any joint account, but no such account shall be permitted to exceed eighty thousand dollars except by accumulation of interest. Either party to a joint account also may make deposits for his individual account, but the deposits in his individual account, and in all joint accounts to which he is a party, shall not at any one time exceed eighty thousand dollars, exclusive of interest accumulated thereon.

Approved March 9, 1972.

Chap. 85. AN ACT INCREASING THE NUMBER OF SHARES AND THE AMOUNT OF A DEPOSIT WHICH A MEMBER MAY HOLD OR MAKE 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 fifth sentence, as most recently amended by chapter 196 of the acts of 1970, and inserting in place thereof the

Chap. 83. AN ACT AUTHORIZING CACHALOT COUNCIL, INC., BOY SCOUTS OF AMERICA AND MASSASOIT COUNCIL, INC. BOY SCOUTS OF AMERICA TO CONSOLIDATE INTO A CORPORATION UNDER THE NAME OF MOBY DICK COUNCIL, INC., BOY SCOUTS OF AMERICA.

Be it enacted, etc., as follows:

SECTION 1. Cachalot Council, Inc., Boy Scouts of America and Massasoit Council, Inc. Boy Scouts of America, corporations established under the laws of the commonwealth, are hereby authorized to consolidate into one corporation under the name of Moby Dick Council, Inc., Boy Scouts of America, which shall, in all respects, be a continuation of each of said existing corporations and shall have all the powers, purposes, privileges and exemptions of and be subject to all the duties, liabilities and restrictions of each of said existing corporations and all powers, privileges, exemptions, duties, liabilities and restrictions now or hereafter applicable by law to corporations established under the laws of the commonwealth for the purposes for which said existing corporations were established.

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

SECTION 3. Upon such consolidation, the members of said existing corporations immediately prior to such consolidation shall, subject to any resignations therein, be the members of the consolidated corporation until such time as the consolidated corporation may, by amendment to its constitution or by-laws or in any other proper manner, alter its membership; and, the members of the executive board and the officers elected at a joint meeting of the existing corporations to function as a separate entity independent of the continuing executive boards and officers of the existing corporations, and in office immediately prior to such consolidation, subject to any resignations therein, shall, until their successors are chosen and qualified, be the members of the governing board and officers of the consolidated corporation, which shall, except as herein provided with respect to initial membership, be governed by the constitution or by-laws adopted at a joint meeting of the existing corporations prior to consolidation as a separate corporation or by-laws independent of the continuing corporations or by-laws of the existing corporations, as the same now are or may hereafter be amended.

SECTION 4. Upon passage of this act the consolidation of said existing corporations shall become effective and complete and said corporations shall forthwith file certified copies of the respective votes

seventy-three. 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 March 9, 1972.

Chap. 80. AN ACT DESIGNATING A CERTAIN BRIDGE TO BE CONSTRUCTED IN THE CITY OF TAUNTON AS THE JOHN JOSEPH DONOHUE MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge to be constructed over the Taunton river in the vicinity of Dean street and Longmeadow road in the city of Taunton shall, upon completion, be known and designated as the John Joseph Donohue Memorial bridge, in memory of John Joseph Donohue, who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers bearing said designation shall be attached thereto by the department of public works.

Approved March 9, 1972.

Chap. 81. AN ACT PROVIDING THAT REGISTERED CHIROPRACTORS MAY ORGANIZE PROFESSIONAL CORPORATIONS.

Be it enacted, etc., as follows:

Paragraph (*b*) of section 1 of chapter 156A of the General Laws, as most recently amended by chapter 113 of the acts of 1971, is hereby further amended by inserting after the word "surgeons", in line 2, the word:—, chiropractors. *Approved March 9, 1972.*

Chap. 82. AN ACT PROVIDING A PENALTY FOR VIOLATIONS OF THE LAWS 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 striking out section 5, as most recently amended by chapter 143 of the acts of 1970, and inserting in place thereof the following section:—

Section 5. Whoever violates any of the provisions of sections one to four C, inclusive, shall, upon complaint made within three months after the commission of the offence, forfeit not more than twenty dollars; provided, however, that the provisions of said sections shall not apply to a person acting in conformity with the direction of a police officer or to a driver of a vehicle actually engaged in authorized work upon a highway under construction, repair or during maintenance operations when the nature of the work necessitates a departure from normal operational practices. *Approved March 9, 1972.*

Chap. 76. AN ACT INCREASING THE AUTHORITY OF THE DIRECTOR OF CIVIL SERVICE TO DETERMINE THE FORM, METHOD AND SUBJECT MATTER OF EXAMINATIONS.

Be it enacted, etc., as follows:

The first paragraph of section 10 of chapter 31 of the General Laws is hereby amended by striking out the fifth, sixth and seventh sentences, as appearing in section 4 of chapter 703 of the acts of 1945, and inserting in place thereof the following sentence:—Any such examination may include a practical test, or written examination, or oral examination, or any combination of them, at the discretion of the director, provided that whenever an oral examination is given, it must be used in conjunction with a written examination or practical test and further provided that any oral examination shall be conducted by a board of not less than three persons chosen by the director.

Approved March 9, 1972.

Chap. 77. AN ACT FURTHER REGULATING THE OPERATION OF THE RIVERSIDE WATER DISTRICT IN THE TOWN OF GILL.

Be it enacted, etc., as follows:

Chapter 274 of the acts of 1970 is hereby amended by striking out section 14.

Approved March 9, 1972.

Chap. 78. AN ACT PERMITTING THE IMPOSITION OF A FINE FOR THEFT OR CONCEALMENT OF A MOTOR VEHICLE IN ADDITION TO OR IN LIEU OF IMPRISONMENT.

Be it enacted, etc., as follows:

The first sentence of section 28 of chapter 266 of the General Laws, as amended by chapter 849 of the acts of 1967, is hereby further amended by inserting after the word "years", in line 13, the words:— or by a fine of not more than five thousand dollars, or both.

Approved March 9, 1972.

Chap. 79. AN ACT PROVIDING FOR THE APPOINTMENT OF THE MEMBERS OF THE BOARD OF HEALTH OF THE TOWN OF MIDDLETON BY THE BOARD OF SELECTMEN.

Be it enacted, etc., as follows:

There shall be in the town of Middleton 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 April the first of the year in which he is appointed, provided that the term of the member first appointed shall terminate on April the first, nineteen hundred and

Chap. 73. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF FAIRHAVEN 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 3, 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:

In the town of Fairhaven approximately 0.1 acres consisting of a narrow strip of land running along the southerly side of Huttleston ave (Route 6) from Main street to Middle street and from Middle street westerly approximately 170 feet, to be used for the construction of a channelized intersection. Said parcel of land is presently controlled by the town of Fairhaven and dedicated as park land.

Approved March 9, 1972.

Chap. 74. AN ACT REQUIRING A PHYSICIAN EMPLOYED BY A SCHOOL COMMITTEE TO BE ASSIGNED TO CERTAIN INTERSCHOLASTIC FOOTBALL GAMES.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 54 the following section:—

Section 54A. A physician employed by a school committee shall be assigned to every interscholastic football game played by any teams representing a public secondary school in the commonwealth.

Approved March 9, 1972.

Chap. 75. AN ACT EXTENDING FOR A LIMITED PERIOD THE LAW PROVIDING FOR THE PROTECTION OR RESTORATION OF THE RIGHTS OF CERTAIN PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

Chapter 364 of the acts of 1970 is hereby amended by striking out section 2 and inserting in place thereof the following section:—

Section 2. This act shall cease to be operative on December the thirty-first, nineteen hundred and seventy-four.

Approved March 9, 1972.

Chap. 71. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF DIGHTON 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 3, 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:

In the town of Dighton approximately three tenths (0.3) of an acre of land owned by the Bristol County Agricultural School (Thruker D. Wood Farm) located at the intersection of the proposed connector and existing route 138, and dedicated for educational purposes to be used for construction of Dighton-Berkley Connector.

Approved March 9, 1972.

Chap. 72. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE CITY OF NEW BEDFORD 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 3, 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 tenth acre along the easterly boundary of the portion of the campus of the Southeastern Massachusetts University located in the city of New Bedford, now under the control of the board of trustees of said University and used for parking purposes, to be used for the construction of route 18 (New Bedford City Connector).

Approved March 9, 1972.

vided, until such time as said guaranty fund shall equal fifteen per cent of the assets of said credit union; and thereafter there shall be added to the guaranty fund at the end of each such period such percentage of the gross income which has accumulated during that period as will result in maintaining such guaranty fund at such amount. *Approved March 9, 1972.*

Chap. 69. AN ACT RELATIVE TO THE REGISTRATION OF MOTOR CARRIERS OF PROPERTY.

Be it enacted, etc., as follows:

Section 1A of chapter 90 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 471 of the acts of 1950, and inserting in place thereof the following sentence:— No motor vehicle or trailer, except one owned by a person, firm or corporation, for the operation of which security is required to be furnished under section six of chapter one hundred and fifty-nine A, or one owned by a person, firm or corporation subject to the supervision and control of the department of public utilities, except supervision and control under chapter one hundred and fifty-nine B, as to which said department has issued a certificate as hereinafter described, or one owned by a street railway company under public control, or by the commonwealth or any political subdivision thereof, shall be registered under sections two to five, inclusive, unless the application therefor is accompanied by a certificate as defined in section thirty-four A. *Approved March 9, 1972.*

Chap. 70. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS IN THE TOWN OF SAUGUS 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 3, 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:

In the town of Saugus approximately five (5) acres of land owned by the town of Saugus (formerly Curley Property), proposed school site located at the intersection of Walnut and Water streets, and to be used for construction of the relocation of route 129.

Approved March 9, 1972.

Section 8. A corporation may convey land to which it has a legal title. Any recordable instrument purporting to affect an interest in real estate, executed in the name of a corporation by the president or a vice president and the treasurer or an assistant treasurer, who may be one and the same person, shall be binding on the corporation in favor of a purchaser or other person relying in good faith on such instrument notwithstanding inconsistent provisions of the articles of organization, certificate of incorporation, charter, special act of incorporation, constitution, by-laws, resolutions or votes of the corporation. 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.

SECTION 2. Chapter 156B of the General Laws is hereby amended by striking out section 115, added by section 2 of chapter 245 of the acts of 1969, and inserting in place thereof the following section:—

Section 115. Any recordable instrument purporting to affect an interest in real estate, executed in the name of a corporation by the president or a vice president and the treasurer or an assistant treasurer, who may be one and the same person, shall be binding on the corporation in favor of a purchaser or other person relying in good faith on such instrument notwithstanding inconsistent provisions of the articles of organization, certificate of incorporation, charter, special act of incorporation, constitution, by-laws, resolutions or votes of the corporation. *Approved March 15, 1972.*

Chap. 104. AN ACT AUTHORIZING THE CITY OF TAUNTON TO PAY A CERTAIN HOSPITAL BILL 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 purposes of discharging a moral obligation, the city of Taunton is hereby authorized to pay to the Sancta Maria Hospital the sum of five hundred and eighty-four dollars and sixty-five cents for medical care and attendance furnished to Thomas A. Varden, an employee of said city, 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 March 23, 1972.

Chap. 105. AN ACT FURTHER REGULATING THE APPOINTMENT OF EXAMINERS IN THE REGISTRY OF MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to adjust forthwith the age eligibility requirement for appointment as an examiner in the registry of motor vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 29 of chapter 90 of the General Laws is hereby amended by striking out the second sentence, inserted by section 1 of

chapter 534 of the acts of 1970, and inserting in place thereof the following sentence: — An applicant who has passed his thirty-fifth birthday shall not be appointed as an examiner; provided, however, that if such applicant has not attained age thirty-five at the time he took the examination and is otherwise eligible, he shall be certified for appointment as an examiner.

SECTION 2. This act shall take effect as of June the twenty-fifth, nineteen hundred and seventy-one. *Approved March 23, 1972.*

Chap. 106. AN ACT AUTHORIZING THE TOWN OF BEDFORD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The town of Bedford is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said town is hereby authorized to pay, an unpaid bill in the amount of eighteen hundred and seventy-five dollars to Somerville Printing Company, Inc., an unpaid bill in the amount of fourteen hundred and ten dollars to Henry S. Wolkins Company and an unpaid bill in the amount of two thousand and thirty-nine dollars to Automotive Equipment Specialty, Inc., for materials and equipment furnished to said town in the year nineteen hundred and seventy-one, which bills are legally unenforceable against the town by reason of its failure to comply with the law relative to competitive bidding.

SECTION 2. No bill shall be approved by the 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 materials or equipment for which said bill has been submitted were ordered by an official or an employee of said town and that such materials and equipment were delivered to and actually received by said town.

SECTION 3. Any person who knowingly files a certificate required by section two which is false and who thereby receives payment for materials and equipment which were not received by 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 March 23, 1972.

Chap. 107. AN ACT PROHIBITING CORPORAL PUNISHMENT IN THE PUBLIC SCHOOLS AND IN THE COUNTY TRAINING SCHOOLS.

Be it enacted, etc., as follows:

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

Section 37G. The power of the school committee or of any teacher or other employee or agent of the school committee to maintain discipline upon school property shall not include the right to inflict corporal punishment upon any pupil.

SECTION 2. Notwithstanding any provision of law to the contrary, the power of any state or county official, employee or agent performing duties under the provisions of chapter seventy-seven of the General Laws shall not include the right to inflict corporal punishment upon any child under the jurisdiction of a county training school.

Approved March 23, 1972.

Chap. 108. AN ACT REQUIRING CERTAIN INSTITUTIONS TO ISSUE CERTAIN INFORMATION TO THE MILK CONTROL COMMISSION RELATIVE TO CERTAIN BIDDING PROCEDURES AT SAID INSTITUTIONS.

Be it enacted, etc., as follows:

Chapter 94A of the General Laws is hereby amended by inserting after section 14 the following section: —

Section 14A. Each institution supported in whole or in part by funds of the commonwealth or any political subdivision thereof shall furnish to the commission, upon issue, a copy of each invitation to bid and all related specifications prepared for the purpose of soliciting proposals to supply milk for use in such institution and shall, within ten days following the award of a contract for such milk supply, inform the commission by letter showing the name and address of, and proposals submitted by, each milk dealer responding to such invitation and identifying the supplier to whom the contract was awarded. The commission shall analyze and evaluate the above required information in relation to applicable laws, rules and regulations and shall prepare such reports thereon as it deems appropriate for distribution, upon request, to other agencies and departments of the commonwealth and to any other interested party.

Approved March 23, 1972.

Chap. 109. AN ACT DECREASING THE INTEREST RATE ON UNPAID LOCAL BETTERMENT ASSESSMENTS.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 80 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by chapter 270 of the acts of 1971, and inserting in place thereof the following sentence: — Assessments made under this chapter shall bear interest at the rate of five per cent per annum from the thirtieth day after the assessments have been committed to the collector.

SECTION 2. This act shall apply with respect to betterment assessments made on and after January the first, nineteen hundred and seventy-two.

Approved March 23, 1972.

Chap. 110. AN ACT AUTHORIZING THE MASSACHUSETTS CREDIT UNION SHARE INSURANCE CORPORATION TO PROVIDE CERTAIN GROUP INSURANCE FOR ITS OFFICERS AND EMPLOYEES.

Be it enacted, etc., as follows:

Section 57 of chapter 167 of the General Laws, as amended by chapter 237 of the acts of 1964, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: —

A savings bank, cooperative bank, credit union or the Massachusetts Credit Union Share Insurance Corporation may provide group life insurance, group accident and health insurance or group medical, surgical and hospital insurance or benefits, or all or any combination thereof, for its employees, officers and directors.

Approved March 23, 1972.

Chap. 111. AN ACT IMPOSING A PENALTY FOR MAKING FALSE STATEMENTS IN AN APPLICATION FOR A LEARNER'S PERMIT TO OPERATE A MOTOR VEHICLE.

Be it enacted, etc., as follows:

The first sentence of paragraph (*a*) of subdivision (2) of section 24 of chapter 90 of the General Laws is hereby amended by inserting after the word "license", in line 14, as appearing in chapter 316 of the acts of 1966, the words: — or learner's permit.

Approved March 23, 1972.

Chap. 112. AN ACT ELIMINATING THE NECESSITY OF HAVING DUAL CLUTCH CONTROLS ON AUTOMOBILES USED IN GIVING DRIVING INSTRUCTION.

Be it enacted, etc., as follows:

The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by striking out the sentence inserted by chapter 153 of the acts of 1939 and inserting in place thereof the following sentence: — Every automobile used on a way by a person in giving driving instruction for compensation shall be equipped with dual brake controls whereby he may apply the brake while the pupil is driving.

Approved March 23, 1972.

Chap. 113. AN ACT PROVIDING FOR VOTER REGISTRATION SESSIONS IN CERTAIN PLACES OF PRINCIPAL ACTIVITY.

Be it enacted, etc., as follows:

Chapter 51 of the General Laws is hereby amended by striking out section 42B, as most recently amended by chapter 308 of the acts of 1963, and inserting in place thereof the following section: —

Section 42B. The registrars or election commissioners shall hold a registration session in any factory, mill, school, college or university, hospital, nursing or rest home or any other place where there are persons who are entitled to be registered who are regularly gathered by reason of their employment or other principal activity within their city or town on or before the last day for registration for the biennial state primary and election or the presidential preference primary if ten or more voters of such city or town file a petition with said registrars or commissioners, in the case of such primary, not less than forty-eight days before such primary or, in the case of said election, not less than forty-six days before said election but not earlier than the second day following the primary, for the holding of a registration session at such

place as specified in the petition, signed by the petitioners with their names and places of residence in said city or town and stating that ten or more persons employed, resident or otherwise regularly at such place desire and are entitled to be registered as voters in said city or town. Such registration session shall then be held if, at the time such petition is filed, said registrars or commissioners are in receipt of permission in writing from the tenant or, if there is no tenant, from the owner of such place to use his premises for the purpose of holding said session; provided, however, that, if the place as specified in the petition is public property of the city, town, county or commonwealth, no such permission shall be required but the persons in custody of such property shall be notified of the registrars intention to hold such session and shall meet with said registrars and mutually agree upon a time and place for the conduct of such session. No application under section one A to qualify for voting for electors of president and vice-president shall be received at any registration session held as provided in this section.

Approved March 23, 1972.

Chap. 114. AN ACT INCREASING THE FEE FOR A LICENSE TO SELL CERTAIN MILK PRODUCTS.

Be it enacted, etc., as follows:

Section 41 of chapter 94 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 4 and 5, the words "fifty cents" and inserting in place thereof the words: — two dollars. *Approved March 23, 1972.*

EMERGENCY LETTER — May 26, 1972 at 10:45 A.M.

Chap. 115. AN ACT FURTHER REGULATING THE PARTY DESIGNATION OF VOTERS AND ELIGIBILITY TO VOTE UNDER CERTAIN PARTY ENROLMENTS.

Be it enacted, etc., as follows:

Chapter 53 of the General Laws is hereby amended by striking out section 38, as most recently amended by section 5 of chapter 920 of the acts of 1971, and inserting in place thereof the following section: —

Section 38. No voter enrolled under this section or section thirty-seven shall be allowed to receive the ballot of any political party except that with which he is so enrolled; but, except as otherwise provided by said section thirty-seven, a voter may, except within a period beginning at ten o'clock in the evening of the thirty-first day prior to a primary and ending with the day of such primary, establish, change or cancel his enrolment by forwarding to the board of registrars of voters a certificate signed by such voter under the pains and penalties of perjury, requesting to have his enrolment established with a party, changed to another party, or cancelled, or by appearing in person before a member of said board and requesting in writing that his enrolment be so established, changed or cancelled. 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. Except as otherwise provided in section twelve of chapter four, such enrolment, change or cancellation shall take effect at the expiration of

thirty days following the receipt by said board of such certificate, or such appearance, as the case may be. No voter enrolled as a member of one political party shall be allowed to receive the ballot of any other political party, upon a claim by him of erroneous enrolment, except upon a certificate of such error from the registrars, which shall be presented to the presiding officer of the primary and shall be attached to and considered a part of the voting list and returned and preserved therewith; but the political party enrolment of a voter shall not preclude him from receiving at a city or town primary the ballot of any municipal party, though in no one primary shall he receive more than one party ballot.

At primaries the city or town clerk shall make available within the polling place certificates to enable a voter to establish, change or cancel his party enrolment, substantially as follows:

Date .....

Name ..... Address .....
(print)

I hereby request that my enrolment be (changed) as .....,
(cancelled)
(established)

in accordance with section thirty-eight of chapter fifty-three of the General Laws.

Signed under the penalties of perjury:

.....
Signature

On the same day as he casts his ballot, the voter may transmit the certificate to the city or town clerk, who shall transmit them as soon as possible after the primary to the board of registrars, to be retained in their custody. The party enrolment of each voter shall be recorded in the current annual register of voters and whenever a voter shall establish, cancel or change his enrolment it shall likewise be so recorded.

Said board shall forthwith notify each voter transmitting any such certificate that the same has been received and that his enrolment has been established, changed or cancelled in accordance with his request or that said certificate is void and of no effect, if such be the case.

Approved March 23, 1972.

Chap. 116. AN ACT AUTHORIZING SAVINGS BANKS TO ACT AS TRUSTEES UNDER CERTAIN RETIREMENT PLANS.

Be it enacted, etc., as follows:

Chapter 168 of the General Laws is hereby amended by inserting after section 66A, inserted by section 2 of chapter 92 of the acts of 1971, the following section: —

Section 66B. Such corporation may act as trustee under a retirement plan which, in the judgement of such corporation at the time appointment as such trustee is accepted, is established pursuant to the provisions of Public Law 87–792, entitled "Self-Employed Individuals Tax

Retirement Act of 1962", as amended, if the provisions of such plan have been approved by the commissioner and permit any of the funds of such trust to be invested in savings bank deposits. No funds held by such corporation as such trustee shall be invested otherwise than in savings bank deposits or properly qualified life insurance retirement income policies, or any combination thereof, as each such plan may prescribe or permit. *Approved March 23, 1972.*

Chap. 117. AN ACT EXCLUDING CERTAIN VEHICLES FROM THE PROVISIONS OF THE LAW REQUIRING THE ISSUANCE OF CERTIFICATES OF TITLE OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Paragraph (*a*) of section 2 of chapter 90D of the General Laws, as appearing in section 1 of chapter 754 of the acts of 1971, is hereby amended by inserting after the word "tricycle", in line 13, the following: — ; (9) Vehicles which are registered as of September the first, nineteen hundred and seventy-two in accordance with the provisions of chapter ninety, provided that a certificate of title shall be required if any such vehicle is transferred; (10) Trailers having gross weight of three thousand pounds or less; (11) Passenger vehicles that are ten or more years old. *Approved March 23, 1972.*

Chap. 118. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION SKATING RINK BEING CONSTRUCTED ON TOTTEN POND ROAD IN THE CITY OF WALTHAM AS THE VETERANS' MEMORIAL SKATING FACILITY.

Be it enacted, etc., as follows:

SECTION 1. The skating rink being constructed by the metropolitan district commission on Totten Pond road in the city of Waltham shall, upon its completion, be designated and known as the Veterans' Memorial Skating Facility. A suitable marker bearing such designation shall be erected and maintained at said skating rink by said commission.

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

Approved March 28, 1972.

Chap. 119. AN ACT AUTHORIZING THE CITY OF MELROSE TO GRANT RETROACTIVE PAY RAISES TO CERTAIN CITY EMPLOYEES OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of the law to the contrary, the city of Melrose may grant a pay raise of six per cent retroactive to July the first, nineteen hundred and seventy-one, to all employees of said city except members of the fire department and police force and school department employees of said city.

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

Approved March 28, 1972.

Chap. 120. AN ACT AUTHORIZING CERTAIN SPECIAL COMMISSIONS TO REPORT TO THE GENERAL COURT FROM TIME TO TIME.

Be it enacted, etc., as follows:

The third paragraph of section 2A of chapter 4 of the General Laws, inserted by chapter 68 of the acts of 1962, is hereby amended by striking out, in line 9, the words "shall file such" and inserting in place thereof the words: — may report from time to time but shall file its final. *Approved March 28, 1972.*

Chap. 121. AN ACT CHANGING THE REQUIREMENT OF PROOF IN CERTAIN CASES WHERE MOTOR VEHICLE EXCISE EXEMPTIONS HAVE BEEN GRANTED TO VETERANS AND OTHERS IN PRIOR YEARS.

Be it enacted, etc., as follows:

The fifth paragraph of section 1 of chapter 60A of the General Laws, as most recently amended by chapter 117 of the acts of 1967, is hereby further amended by adding the following sentence: — After the assessors have allowed an exemption under this paragraph no further evidence of the existence of the facts required by this paragraph shall be required in any subsequent year in the city or town in which the exemption has been so allowed. *Approved March 28, 1972.*

Chap. 122. AN ACT MAKING AVAILABLE THE SERVICES PROVIDED BY VETERANS' SERVICE DEPARTMENTS TO DEPENDENTS OF VETERANS.

Be it enacted, etc., as follows:

The first paragraph of section 10 of chapter 115 of the General Laws, as appearing in section 1 of chapter 599 of the acts of 1946, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The mayors of cities and the selectmen of towns, other than cities and towns which become part of a district as authorized by the second paragraph of this section, shall cause to be established and maintained in their respective cities and towns a department for the purpose of furnishing such information, advice and assistance to veterans and their dependents as may be necessary to enable them to procure the benefits to which they are or may be entitled relative to employment, vocational or other educational opportunities, hospitalization, medical care, pensions and other veterans' benefits. *Approved March 28, 1972.*

Chap. 123. AN ACT EXTENDING THE REGULATION OF UNFAIR TRADE PRACTICES TO THE RENTING AND LEASING OF SERVICES AND PROPERTY.

Be it enacted, etc., as follows:

Section 1 of chapter 93A of the General Laws is hereby amended by striking out clause (*b*), as appearing in section 1 of chapter 813 of the acts of 1967, and inserting in place thereof the following clause: —

(*b*) "Trade" and "commerce" shall include the advertising, the offering for sale, rent or lease, the sale, rent, lease or distribution of any services and any property, tangible or intangible, real, personal or mixed, and any other article, commodity, or thing of value wherever situate, and shall include any trade or commerce directly or indirectly affecting the people of this commonwealth.

Approved March 28, 1972.

Chap. 124. AN ACT PROVIDING FOR THE ESTABLISHMENT OF AMERICAN INDIAN HERITAGE WEEK.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by striking out section 12I and inserting in place thereof the following section: —

Section 12I. The governor shall annually issue a proclamation setting apart the third week of May as American Indian Heritage week and recommending that it be observed by the people with appropriate exercises commemorative of the Indian tribes of Massachusetts. Wednesday of said week shall be designated in said proclamation as Massasoit Day in memory of the services that Chief Massasoit performed on behalf of the first European settlers to this commonealth.

Approved March 28, 1972.

Chap. 125. AN ACT FURTHER REGULATING THE TRANSFER OF PROTECTED SPECIES OF FISH, BIRDS AND MAMMALS AND EXEMPTING CERTAIN ZOOS FROM THE LAW PROHIBITING THE SALE, POSSESSION OR IMPORTATION OF SUCH SPECIES.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 29, as appearing in section 1 of chapter 802 of the acts of 1967, and inserting in place thereof the following section: —

Section 29. Sections twenty-two to twenty-eight, inclusive, shall not apply to those zoos approved by the United States department of agriculture. Natural history associations and museums or zoos not approved by the United States department of agriculture which are operated by the commonwealth or any political subdivision thereof may, at the discretion of the director, be exempt from the provisions of said sections. Sections twenty-four to twenty-eight, inclusive, shall not apply to persons holding authorization from the director under clause (2) of section four.

Nothing contained in this section shall be construed so as to permit such zoos, natural history associations or museums to transfer any fish, fish spawn, birds, the nest or eggs thereof or mammals protected by this chapter to any person by means of sale, exchange, barter, gift, donation or otherwise unless so authorized in writing by the director.

Approved March 28, 1972.

Chap. 126. AN ACT PROVIDING A PENALTY FOR THE REFUSAL TO OPERATE A VEHICLE TO AND UPON A SCALE WHEN DIRECTED TO DO SO BY A POLICE OFFICER.

Be it enacted, etc., as follows:

The second paragraph of section 19A of chapter 90 of the General Laws is hereby amended by inserting after the first sentence the following sentence: — Whoever refuses to comply with the request or direction of such officer shall be punished by a fine of not less than three hundred nor more than five hundred dollars and the registrar may suspend such operator's license for not more than ninety days.

Approved March 28, 1972.

Chap. 127. AN ACT PROTECTING THE GRAY WOLF, GIANT OTTER AND ALL SOUTH AMERICAN OTTERS OF THE GENUS LUTRA.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 26A of chapter 131 of the General Laws, as appearing in section 1 of chapter 876 of the acts of 1971, is hereby amended by striking out, in lines 9 and 10, the words "or margay (Felis wiedii)" and inserting in place thereof the words: — , margay (Felis wiedii), gray wolf (Canis lupus), giant otter (Pteroneura brasiliensis) and all other South American otters of the genus Lutra.

SECTION 2. This act shall take effect on September the first, nineteen hundred and seventy-three. *Approved March 28, 1972.*

Chap. 128. AN ACT DESIGNATING THE SKATING RINK ON LOWELL STREET IN THE CITY OF PEABODY AS THE JAMES E. MCVANN AND LOUIS F. O'KEEFE MEMORIAL SKATING RINK.

Be it enacted, etc., as follows:

The skating rink under the control of the department of natural resources on Lowell street in the city of Peabody shall be designated and known as the James E. McVann and Louis F. O'Keefe Memorial skating rink, in memory of James E. McVann, a former mayor of said city, and Louis F. O'Keefe, a former member of the house of representatives. A suitable marker bearing said designation shall be erected and maintained at said skating rink by said department. *Approved March 28, 1972.*

Chap. 129. AN ACT FURTHER REGULATING THE PARTICIPATION OF SAVINGS BANKS IN THE MAKING OR ACQUISITION OF CERTAIN LOANS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 8 of section 35 of chapter 168 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 263 of the acts of 1965, and inserting in place thereof the following sentence: — Any such corporation may, in participation with one or more other such corporations, or with one or more co-operative banks, trust companies, domestic insurance

companies authorized to transact life insurance, national banking associations, savings and loan associations, or with one or more other banks or life insurance companies subject to supervision by an agency of any other state, if such institutions are authorized so to do, make or acquire mortgage loans of the classes referred to in paragraphs 1, 2, 3 and 4 of this section.

SECTION 2. The first sentence of the second paragraph of said paragraph 8 of said section 35 of said chapter 168, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by inserting after the word "mortgage", in line 4, the words: — in the commonwealth.

SECTION 3. Paragraph 7 of section 38 of said chapter 168 is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 263 of the acts of 1965, and inserting in place thereof the following sentence: — Any such corporation may, in participation with one or more other such corporations, or with one or more co-operative banks, trust companies, domestic insurance companies authorized to transact life insurance, national banking associations, savings and loan associations, or with one or more other banks or life insurance companies subject to supervision by an agency of any other state, if such institutions are authorized so to do, make or acquire collateral loans of the class referred to in paragraph 6 of this section.

SECTION 4. The first sentence of the second paragraph of said paragraph 7 of said section 38 of said chapter 168, as appearing in chapter 257 of the acts of 1960, is hereby amended by inserting after the word "mortgage", in line 3, the words: — in the commonwealth.

Approved March 28, 1972.

Chap. 130. AN ACT ESTABLISHING A NORTH SHORE OCEAN SANCTUARY.

Be it enacted, etc., as follows:

Chapter 132A of the General Laws is hereby amended by adding after section 15 the following section: —

Section 16. There is hereby established adjacent to and in a seaward direction from the Massachusetts coastline a protected ocean area to be known as the North Shore Ocean Sanctuary.

Said North Shore Ocean Sanctuary is bounded and described as follows: Beginning at Pickworth Point in the Town of Manchester, thence by a line bearing south-southeasterly 150° seaward to a distance of three miles, thence northerly along a line parallel to and three miles from the line of mean low water of the Commonwealth to the point of intersection with the extension of the lateral boundary of New Hampshire and Massachusetts, thence westerly along said lateral boundary to the line of mean low water, thence southerly, southeasterly, easterly, northeasterly, southeasterly, southwesterly along the line of mean low water of the Commonwealth to the point or place of beginning. "Miles", as used in this section, means nautical miles.

The following activities shall be prohibited in the Ocean Sanctuary: the building of any commercial structure on the seabed on or under the subsoil; the removal of any sand, gravel or other mineral without a license or permit from the department of natural resources; commercial advertising; the dumping of any commercial or industrial wastes excepting such industrial liquid coolant wastes 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 material 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 affected 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.

Nothing in this section shall interfere with the harvesting or propagation 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.

Approved March 29, 1972.

Chap. 131. AN ACT POSTPONING THE EFFECTIVE DATE OF THE LAW REQUIRING THE USE OF SAFETY GLAZING MATERIALS IN THE CONSTRUCTION OF CERTAIN BUILDINGS IN HAZARDOUS LOCATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to postpone forthwith the effective date of chapter eight hundred and thirty-seven of the acts of nineteen hundred and seventy-one from April the first, nineteen hundred and seventy-two to January the first, nineteen hundred and seventy-three, 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 837 of the acts of 1971 is hereby amended by striking out section 2 and inserting in place thereof the following section: —

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, shall take effect on January the first, nineteen hundred and seventy-three and shall not affect the construction or alteration of any building which has been commenced prior to said date.

Approved March 30, 1972.

Chap. 132. 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.

Be it enacted, etc., as follows:

Section 4 of chapter 800 of the acts of 1969 is hereby amended by striking out the second paragraph, as amended by chapter 471 of the acts of 1971, and inserting in place thereof the following paragraph: —

This section shall take effect the first Wednesday in April, nineteen hundred and seventy-three. In the interim, the comptroller shall install a system providing for the proper payment of such expenses; and the comptroller shall file a report of the plans for said system with the clerk of the house of representatives on or before January the thirty-first, nineteen hundred and seventy-three.

Approved March 30, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, March 31, 1972

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 132 of the Acts of 1972, entitled "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." and the enactment of which received the Governor's approval on March 30, 1972, 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 Chapter become effective immediately for the preservation of the public health and convenience.

Sincerely,
DONALD R. DWIGHT,
Lieutenant Governor, Acting Governor of the Commonwealth.

OFFICE OF THE SECRETARY, BOSTON, March 31, 1972.

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 three o'clock and forty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter one hundred and thirty-two of the acts of nineteen hundred and seventy-two.

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

Chap. 133. AN ACT AUTHORIZING THE CITY OF SALEM TO BORROW MONEY FOR CONSTRUCTING AND ORIGINALLY EQUIPPING A LONG-TERM CARE FACILITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Salem may borrow at one time or from time to time an amount of money not to exceed, in the aggregate, five million eight hundred thousand dollars for the construction, originally equipping and furnishing of a long-term care facility and for the acquisition of any land that may be necessary as a site therefor and for roads incidental thereto, which project may include other buildings and facilities related thereto, including the cost of surveys, engineering fees, architects' fees, legal fees, plans and the supervision necessary and incidental to said project. For said purposes said city may issue bonds or notes therefor which shall bear on their face the words, City of Salem Long-Term Care Facility Construction Loan, Act of 1972. Each authorized issue shall constitute a separate loan, and such loans shall be paid 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 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 April 3, 1972.

Chap. 134. AN ACT AUTHORIZING REGIONAL SCHOOL DISTRICTS TO INCUR TEMPORARY DEBT IN ANTICIPATION OF REVENUE TO BE RECEIVED FROM ANY SOURCE.

Be it enacted, etc., as follows:

Section 16 of chapter 71 of the General Laws is hereby amended by striking out clause (*g*) and inserting in place thereof the following clause:—

(*g*) To incur temporary debt in anticipation of revenue to be received from any source. This clause shall also apply to all regional school districts established under the provisions of special laws.

Approved April 3, 1972.

Chap. 135. AN ACT AUTHORIZING SHOOTING ON COMMERCIAL SHOOTING PRESERVES ON CERTAIN SUNDAYS.

Be it enacted, etc., as follows:

The last sentence of the first paragraph of section 31 of chapter 131 of the General Laws, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by striking out, in lines 7 and 8, the words ", except Sundays".

Approved April 3, 1972.

Chap. 136. AN ACT REQUIRING CITY, TOWN AND REGIONAL SCHOOL DISTRICT SCHOOL COMMITTEES TO HOLD PUBLIC HEARINGS RELATIVE TO THEIR PROPOSED ANNUAL BUDGETS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 38M the following section:—

Section 38N. The school committee of each city, town or regional school district shall hold a public hearing on its proposed annual budget not less than seven days after publication of a notice thereof in a newspaper having general circulation in such city, town or district. At the time and place so advertised or at any time or place to which such hearing may from time to time be adjourned all interested persons shall be given an opportunity to be heard for or against the whole or any part of the proposed budget. *Approved April 3, 1972.*

Chap. 137. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ACQUIRE CERTAIN PUBLIC LANDS UNDER THE CONTROL OF THE ASSABET VALLEY REGIONAL VOCATIONAL SCHOOL DISTRICT FOR HIGHWAY PURPOSES.

Be it enacted, etc., as follows:

Subject to the provisions of chapter six hundred and ninety-three of the acts of one thousand nine 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 3, 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 7.3 acres of vacant woodland beginning at the Hudson-Marlborough town line and turning southerly to the vicinity of Fort Meadow Reservoir, as shown on said plan, now under the control of the Assabet Valley Regional Vocational School District", for the construction of state highway route 85.

Approved April 3, 1972.

Chap. 138. AN ACT PROVIDING THAT A LICENSEE TO SELL ALCOHOLIC BEVERAGES AND HIS EMPLOYEES MAY REMAIN ON THE LICENSED PREMISES AFTER CLOSING HOURS FOR THE PURPOSE OF CLOSING THE BUSINESS IN AN ORDERLY MANNER.

Be it enacted, etc., as follows:

Section 12 of chapter 138 of the General Laws is hereby amended by striking out the seventh paragraph, as most recently amended by

chapter 365 of the acts of 1968, and inserting in place thereof the following paragraph:—

The hours during which sales of such alcoholic beverages may be made by any licensee as aforesaid shall be fixed by the local licensing authorities either generally or specially for each licensee; provided, that no such sale shall be made on any secular day between the hours of two and eight o'clock antemeridian and that, except as provided in section thirty-three, no such licensee shall be barred from making such sales on any such day after eleven o'clock antemeridian and before eleven o'clock postmeridian and no tavern shall be kept open on any such day between one o'clock antemeridian and eight o'clock antemeridian; and provided further, that any such licensee and his employees may remain on the licensed premises for one hour after the closing hour fixed by the local licensing authority for the purpose of closing the business in an orderly manner. *Approved April 3, 1972.*

Chap. 139. AN ACT AUTHORIZING THE TOWN OF FAIRHAVEN AND THE CITY OF NEW BEDFORD TO ENTER INTO AN AGREEMENT CONCERNING WATER SUPPLY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary and for the purpose of supplying the inhabitants of the city of New Bedford and the town of Fairhaven with water, said city and town are hereby authorized to enter into an agreement to perform the joint construction, improvement, alteration or extension of waterlines and equipment for water supply, treatment and distribution facilities. Said agreement shall be subject to such terms and conditions as may be mutually agreed upon by the board of selectmen and the board of public works of the town of Fairhaven and the New Bedford water board.

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

Approved April 6, 1972.

Chap. 140. AN ACT AUTHORIZING THE DENNIS WATER DISTRICT TO LAY, REPAIR AND MAINTAIN AQUEDUCTS, CONDUITS AND PIPES ON, OVER AND UNDER CERTAIN LANDS IN THE TOWNS OF YARMOUTH AND BREWSTER AND TO BORROW MONEY FOR SUCH PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The Dennis Water District, for the purpose of providing an additional and improved water supply to the inhabitants of said District, may take by purchase or otherwise all lands, rights-of-way and easements in certain land hereinafter described in the towns of Yarmouth and Brewster and may construct, lay, repair and maintain aqueducts, conduits, pipes not more than sixteen inches in diameter and other works on, over or under said land, further described as follows:—That portion of Mayfair road in the town of Yarmouth which lies between the Dennis-Yarmouth town line and

North Dennis road; that portion of North Dennis road in the town of Yarmouth which lies between Mayfair road and the Dennis-Yarmouth town line; that portion of Setucket road in the town of Brewster which lies between the Dennis-Brewster town line and Airline road; and that portion of Airline road in the town of Brewster which lies between Setucket road and the northerly point where Airline road intersects the Dennis-Brewster town line.

For the purposes of constructing, laying, repairing and maintaining said aqueducts, conduits, pipes and other works, and for all other purposes necessary and incidental thereto and therewith, said District may enter upon and dig up, raise and embank said roads in said towns; provided that said District shall restore, to as good condition as they were formerly in, any roads so dug up.

SECTION 2. For the purpose provided for in section one and for all other purposes necessary and incidental thereto, the Dennis Water District may borrow such sums of money as may be necessary, not exceeding, in the aggregate, one hundred ten thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Dennis Water District Loan, Act of 1972. 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, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws.

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

Approved April 6, 1972.

Chap. 141. AN ACT RELATIVE TO THE SUSPENSION OF EXAMINATIONS FOR POLICE SERVICE POSITIONS UNDER THE CIVIL SERVICE LAW.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to alleviate the inequity caused by the suspension of civil service police examinations for an indefinite period, 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 five B of chapter thirty-one of the General Laws, or any other law or rule to the contrary, any applicant for police officer in a city or town, the metropolitan district police force, the Massachusetts Bay Transportation Authority police force or the capitol police force, whose application was filed in the division of civil service on or after February the twenty-eighth, nineteen hundred and seventy, and who has since reached his thirty-fifth birthday, or will reach his thirty-fifth birthday prior to the next police examination to be given after the effective date of this act, shall be eligible to take the next such police examination given after the effective date of this act and shall be eligible for appointment provided he meets all other requirements of law.

Approved April 6, 1972.

Chap. 142. AN ACT PROVIDING THAT ELECTROLOGISTS 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 most recently amended by chapter 81 of the acts of 1972, and inserting in place thereof the following paragraph:—

(*b*) "Professional service", the personal service performed by registered physicians and surgeons, chiropractors, podiatrists, electrologists, 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 April 6, 1972.*

Chap. 143. AN ACT PARTIALLY RESTRICTING THE POWER OF EMINENT DOMAIN WITH RESPECT TO CERTAIN LANDS USED FOR AGRICULTURE OR FARMING.

Be it enacted, etc., as follows:

Chapter 79 of the General Laws is hereby amended by striking out section 5B and inserting in place thereof the following section:—

Section 5B. No property used for agriculture or farming as defined in section one A of chapter one hundred and twenty-eight shall be taken without the consent of the owner thereof, nor shall an easement be taken on such property without such consent, except after a hearing by the board at which such owner shall be entitled to be heard and allowed to introduce evidence that other land not used for agriculture or farming, as so defined, and without occupied buildings situated thereon is available for the public use for which it is intended to take his property. If such evidence is introduced and accepted by the board as valid, the board shall exempt said property from the taking. The provisions of this section shall not apply to takings in behalf of the commonwealth, takings for highway purposes, nor to takings authorized by the department of public utilities, except that in such takings notices of hearings required by section seventy-two of chapter one hundred and sixty-four shall be sent to all interested parties. *Approved April 6, 1972.*

EMERGENCY LETTER — April 20, 1972 at 4:55 P.M.

Chap. 144. AN ACT EXEMPTING ALL HOUSEHOLD FURNITURE AND EFFECTS FROM TAXATION UNDER THE PERSONAL PROPERTY TAX.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Twentieth, as most recently amended by section 1 of chapter 285 of the acts of 1964, and inserting in place thereof the following clause:—

Twentieth, The wearing apparel, farming utensils and cash on hand of every person and the tools of his trade if a mechanic, to any amount; his household furniture and effects, including jewelry, plate,

works of art, musical instruments, radios, television sets and garage or stable accessories, in storage in a public warehouse kept and maintained under chapter one hundred and five or used or commonly kept in or about the dwelling of which he is owner of record or for the use of which he is obligated to pay rent, and which is the place of his domicile; and, to an amount not exceeding a total value of five thousand dollars, in respect to boats, fishing gear and nets owned and actually used by him in the prosecution of his business if engaged exclusively in commercial fishing; provided, that failure to comply with the provisions of sections twenty-nine and sixty-one relative to the filing of a list of his personal estate with the assessors shall not be a bar to an abatement of the tax, if any, imposed upon such personal estate.

SECTION 2. This act shall apply to taxes levied in the nineteen hundred and seventy-two calendar year and thereafter.

Approved April 6, 1972.

Chap. 145. AN ACT ABOLISHING THE HAMPDEN COUNTY ARENA AUTHORITY.

Be it enacted, etc., as follows:

Chapter six hundred and ninety-three of the acts of nineteen hundred and sixty-two is hereby repealed. *Approved April 6, 1972.*

Chap. 146. AN ACT INCREASING THE LIMIT ON CERTAIN FIRST MORTGAGES WHICH A CREDIT UNION MAY GRANT.

Be it enacted, etc., as follows:

Paragraph 4 of subsection (*a*) of subdivision (B) 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 amended by striking out the first sentence and inserting in place thereof the following sentence:—A credit union which is insured in full under federal and 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 notes; provided that such loan shall not exceed twenty-five 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.

Approved April 6, 1972.

Chap. 147. AN ACT CLARIFYING THE PROVISIONS OF THE CIVIL SERVICE LAW RELATIVE TO THE REVIEW OF AN EXAMINATION.

Be it enacted, etc., as follows:

Section 12A of chapter 31 of the General Laws, as most recently amended by chapter 235 of the acts of 1971, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Not later than seventeen days after the date of mailing of the notice of the director to the applicant of the results of his examination or notice that he did not meet the requirements for admission to the examination, the applicant may file with the director a request for a review of the markings of his examination paper, setting forth, in the form prescribed by the director, specifically in what particulars the markings of the examination are allegedly incorrect and the authorities relied upon by the applicant to support his allegations, a request for a review of his marking of training and experience, or a request for a review of the finding by the director that he did not meet the requirements for admission to the examination established by the director. 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 support the claim of the applicant. *Approved April 6, 1972.*

Chap. 148. AN ACT RELATIVE TO THE COMPENSATION OF MEMBERS OF THE GENERAL COURT.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 3 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 4 of chapter 19 of the acts of 1969, and inserting in place thereof the following sentence:—Each member of the general court shall receive for each regular annual session twelve thousand twenty-seven dollars, except as hereinafter provided.

SECTION 2. Section 9 of chapter 3 of the General Laws is hereby amended by striking out the first sentence, as amended by section 1 of this act, and inserting in place thereof the following sentence:—Each member of the general court shall receive for each regular session twelve thousand six hundred and eighty-eight dollars, except as hereinafter provided.

SECTION 3. Section one of this act shall take effect on January the third, nineteen hundred and seventy-three.

SECTION 4. Section two of this act shall take effect on January the second, nineteen hundred and seventy-four. *Approved April 6, 1972.*

Chap. 149. AN ACT REQUIRING CERTAIN MOTOR VEHICLES TO HAVE FLAPS OR GUARDS TO REDUCE SPRAY.

Be it enacted, etc., as follows:

The first paragraph of section 7 of chapter 90 of the General Laws is hereby amended by inserting after the sentence amended by chapter

170 of the acts of 1969 the following sentence:—Every passenger motor vehicle which is equipped with tires which extend beyond the fenders or body of such vehicle and which is operated in or upon any way shall be equipped with flaps or suitable guards to reduce such spray or splash to the rear and sides. *Approved April 6, 1972.*

Chap. 150. AN ACT ESTABLISHING THE TERM OF OFFICE OF THE SUPERINTENDENT, ASSOCIATE SUPERINTENDENTS AND ASSISTANT SUPERINTENDENTS OF SCHOOLS OF THE CITY OF BOSTON AT THREE YEARS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 231 of the acts of 1906 is hereby amended by striking out section 1, as most recently amended by section 1 of chapter 208 of the acts of 1965, and inserting in place thereof the following section:—

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

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

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

SECTION 2. Said chapter 231 is hereby further amended by striking out section 1A, as amended by section 9 of chapter 642 of the acts of 1966, and inserting in place thereof the following section:—

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

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

Subject to the provisions of the last paragraph of section one, the school committee shall also elect a chief structural engineer, a senior structural engineer and not more than three structural engineers, who shall severally hold office until removed by the school committee. The chief structural engineer shall constitute the awarding authority within the meaning of sections forty-four A to forty-four L, inclusive, of chapter one hundred and forty-nine of the General Laws with respect to contracts for the alteration or repair of public school buildings. At such times as the chief structural engineer is absent or unable from any cause to perform his duties or as there is a vacancy in the office of chief structural engineer, the senior structural engineer, or in case of his absence or disability or of a vacancy in such office such structural engineer as the school committee shall from time to time designate, shall act as chief structural engineer.

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

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

SECTION 3. The associate superintendents and assistant superintendents in office under chapter two hundred and thirty-one of the acts of nineteen hundred and six when this act takes effect shall serve according to the provisions of their respective appointments.

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

Approved April 13, 1972.

Chap. 151. AN ACT AUTHORIZING THE CITY OF MALDEN TO BORROW A CERTAIN SUM OF MONEY FOR THE FURTHER DEVELOPMENT OF FORESTDALE CEMETERY IN SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. The city of Malden may borrow from time to time a sum not exceeding two hundred and fifty thousand dollars for further developing land in the Forestdale cemetery for burial purposes and for the construction of paths and avenues and embellishing the grounds in said developed area and may issue bonds or notes therefor which shall bear on their face the words, City of Malden, Forestdale Cemetery Loan, Act of 1972. Said loan shall be payable in not more than five years from its date. The proceeds from the sale of the exclusive rights of burials and erecting tombs and cenotaphs upon any of the lots of Forestdale cemetery, and of ornamenting the same, shall be paid into the city treasury and shall be kept separate from other funds and be appropriated to reimburse the city for its payment of installments on the aforementioned loan.

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

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

Approved April 13, 1972.

Chap. 152. AN ACT PROVIDING FOR AN ADDITIONAL 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, as amended by section 1 of chapter 707 of the acts of 1971, and inserting in place thereof the following section:—

Section 71A. The sheriff of Suffolk county may designate three 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 April 13, 1972.

Chap. 153. AN ACT AUTHORIZING THE TOWN OF OXFORD TO SELL AND CONVEY CERTAIN LAND LOCATED IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Oxford is hereby authorized to sell and convey a certain parcel of land or a portion or portions thereof from time to time, said parcel being located in said town on the easterly side of state highway route 12 and known as Town Forest Land.

Approved April 13, 1972.

Chap. 154. AN ACT FURTHER REGULATING CREDITS FOR TIME SERVED BY CERTAIN PAROLEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 127 of the General Laws is hereby amended by striking out section 149, as most recently amended by section 2 of chapter 592 of the acts of 1971, and inserting in place thereof the following section:—

Section 149. The parole board, the county commissioners or, in Suffolk county, the penal institutions commissioner of Boston, if a permit to be at liberty granted or issued by them, respectively, has become void or has been revoked, or if a prisoner on parole under section one hundred and forty-one has been ordered to return to prison, may order the arrest of the holder of such permit or of such

prisoner on parole by any officer qualified to serve civil or criminal process in any county and the return of such holder or of such prisoner on parole to the prison to which he was originally sentenced. A prisoner who has been so returned to prison shall be detained therein according to the terms of his original sentence. In computing the period of his confinement, the time between the day of his release upon a permit or on parole and the day of revocation of such permit or parole shall be considered as part of the term of his sentence, and the time between the day after the revocation of his permit or parole until the service of the parole violation warrant shall not be considered as any part of the term of his original sentence. Service of the parole violation warrant shall be made effective forthwith upon the arrest and imprisonment of the parole violator unless he is charged upon arrest with additional crimes committed while on parole or revocation of parole, then service of said parole violation warrant shall not be effective until the expiration of any additional sentences by parole or otherwise. If the parole violator is found not guilty of the additional crimes charged, then service of the warrant on the parole violator shall be effective on the date of arrest, and the time served by him as a result of the violation shall be considered as part of the original sentence. If at the time of the order to return to prison or of the revocation of his permit he is confined in any prison, as a result of the conviction of another crime, service of such order shall not be made until his release therefrom, by parole or otherwise, 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.

SECTION 2. The provisions of section one hundred and forty-nine of chapter one hundred and twenty-seven of the General Laws, as amended by section one of this act, shall apply to a parolee who is returned to prison and is confined on the effective date of this act under the provisions of section one hundred and forty-nine A of said chapter one hundred and twenty-seven.

Approved April 13, 1972.

Chap. 155. AN ACT LOWERING TO EIGHTEEN YEARS THE AGE REQUIREMENT OF A PERSON LICENSED TO SELL OR ALLOWED TO PURCHASE ALCOHOLIC BEVERAGES.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 138 of the General Laws is hereby amended by adding the following definition:—

"Minor", a person who has not attained eighteen years of age.

SECTION 2. Said chapter 138 is hereby further amended by striking out section 34, as most recently amended by chapter 354 of the acts of 1962, and inserting in place thereof the following section:—

Section 34. No person shall receive a license or permit under this chapter who is under eighteen years of age. Whoever, being licensed under this chapter, employs any person under eighteen years of age in the direct handling or selling of alcoholic beverages or alcohol or whoever makes a sale or delivery of any such beverages or alcohol to any person under eighteen years of age, either for his

own use or for the use of his parent or of any other person, or whoever, being a patron of an establishment licensed under section twelve or fifteen, delivers or procures to be delivered in any public room or area of such establishment if licensed under said section twelve, or in any area of such establishment if licensed under said section fifteen, any such beverages or alcohol to or for the use of a person whom he knows or has reason to believe to be under eighteen years of age or whoever procures any such beverages or alcohol for a minor who is not his child, ward or spouse shall be punished by a fine of not more than two hundred dollars or by imprisonment for not more than six months, or both.

SECTION 3. The first sentence of section 34B of said chapter 138, as appearing in chapter 735 of the acts of 1964, is hereby amended by striking out, in line 1, the word "twenty-one" and inserting in place thereof the word:—eighteen.

SECTION 4. The state secretary shall cause to be placed upon the official ballot to be used at the biennial state election to be held in the year nineteen hundred and seventy-two the following question:—Do you approve of an act passed by the general court in the year nineteen hundred and seventy-two, entitled "An Act lowering to eighteen years the age requirement of a person licensed to sell or allowed to purchase alcoholic beverages?" The state secretary shall transmit to the general court a written statement of the results of the votes on said question by filing the same with the clerk of the house of representatives.

SECTION 5. Sections one to three, inclusive, of this act shall take effect on March the first, nineteen hundred and seventy-three.

Approved April 13, 1972.

Chap. 156. AN ACT AUTHORIZING CREDIT UNIONS TO GRANT FIRST MORTGAGES ON CONDOMINIUMS.

Be it enacted, etc., as follows:

Subsection (*b*) of subdivision (B) of section 24 of chapter 171 of the General Laws, as most recently amended by chapter 522 of the acts of 1971, is hereby amended by adding the following paragraph:—

13. Notwithstanding any other provision of law, a credit union may, subject to such regulations as the commissioner deems advisable, make and acquire or participate with any other credit union in making and acquiring loans secured by first mortgages on a unit of a condominium as defined in section one of chapter one hundred and eighty-three A. The aggregate balance of principal of all such loans outstanding at any one time shall not exceed three per cent of the shares and deposits of such credit union. *Approved April 13, 1972.*

Chap. 157. AN ACT RELATIVE TO PRECLUDING THE RAISING OF A CERTAIN DEFENSE IN ACTIONS AGAINST OWNERS OF PROPERTY.

Be it enacted, etc., as follows:

Chapter 186 of the General Laws is hereby amended by inserting after section 15D, inserted by chapter 658 of the acts of 1971, the following section:—

Section 15E. An owner of a building shall be precluded from raising as a defense in an action brought by a lessee, tenant or occupant of said building who has sustained an injury caused by a defect in a common area that said defect existed at the time of the letting of the property, if said defect is at the time of the injury a violation of the building code of the city or town wherein the property is situated. *Approved April 13, 1972.*

Chap. 158. AN ACT PERMITTING ENTRY ON CERTAIN LAND FOR THE PURPOSE OF MAKING SURVEYS.

Be it enacted, etc., as follows:

Chapter 266 of the General Laws is hereby amended by inserting after section 120B the following section:—

Section 120C. Whenever a land surveyor registered under chapter one hundred and twelve deems it reasonably necessary to enter upon adjoining lands to make surveys of any description included under "Practice of land surveying", as defined in section eighty-one D of said chapter one hundred and twelve, for any private person, excluding any public authority, public utility or railroad, the land surveyor or his authorized agents or employees may, after reasonable notice, enter upon lands, waters and premises, not including buildings, in the commonwealth, within a reasonable distance from the property line of the land being surveyed, and such entry shall not be deemed a trespass. Nothing in this act shall relieve a land surveyor of liability for damage caused by entry to adjoining property, by himself or his agents or employees. *Approved April 13, 1972.*

Chap. 159. AN ACT AUTHORIZING PRIVATELY-OWNED JUNIOR COLLEGES TO MAKE APPLICATION TO THE BOARD OF HIGHER EDUCATION FOR APPROVAL OF A CHARTER OR AMENDMENT THERETO.

Be it enacted, etc., as follows:

SECTION 1. Clause Second of section 31 of chapter 69 of the General Laws, as appearing in section 3 of chapter 549 of the acts of 1943, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The institution is organized under the laws of the commonwealth as an educational institution and shall have operated as such an institution for a period of not less than one year immediately prior to the filing of the petition for such privilege.

SECTION 2. Clause Thirteenth of said section 31 of said chapter 69, as so appearing, is hereby amended by striking out, in lines 1 to 3, inclusive, the words "In addition to satisfying the authorities that it meets the provisions of a tax-free non-profit educational institution, the" and inserting in place thereof the word:—The.

Approved April 13, 1972.

Chap. 160. AN ACT ESTABLISHING THE DAVID I. WALSH-LEVERETT SALTONSTALL VISITING LECTURESHIP PROGRAM AT THE UNIVERSITY OF MASSACHUSETTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 75 of the General Laws is hereby amended by inserting after section 32A the following section:—

Section 32B. There is hereby established the David I. Walsh-Leverett Saltonstall visiting lectureship program in practical politics and public affairs at the university. For such program the university may annually expend such sums, not to exceed twenty-five thousand dollars, as may be appropriated therefor.

The president of the university and the board of trustees shall select as such visiting lecturers individuals who are both learned and experienced in practical politics and public affairs and who possess the ability to communicate such knowledge to university students.

The duties of the visiting lecturers shall be decided upon by the president of the university and the chairmen of the departments of political science and politics.

The visiting lecturers shall be appointed for a period not to exceed one year, and they may be assigned to the university branch at Boston or Amherst for a full year, or may be assigned to either branch for one semester or less.

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

Approved April 13, 1972.

Chap. 161. AN ACT ELIMINATING THE REQUIREMENT OF A SMALLPOX VACCINATION FOR SCHOOL ATTENDANCE.

Be it enacted, etc., as follows:

Section 15 of chapter 76 of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 590 of the acts of 1967, and inserting in place thereof the following paragraph:—

No child shall, except as hereinafter provided, be admitted to school except upon presentation of a physician's certificate that the child has been successfully immunized against diphtheria, pertussis, tetanus, measles and poliomyelitis and such other communicable diseases as may be specified from time to time by the department of public health.

Approved April 13, 1972.

Chap. 162. AN ACT FURTHER REGULATING THE LICENSING OF INSURANCE AGENTS AND BROKERS.

Be it enacted, etc., as follows:

SECTION 1. Section 163A of chapter 175 of the General Laws, inserted by section 4 of chapter 968 of the acts of 1971, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

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 or baggage insurance, or one who has received the designation of Chartered Property and Casualty Underwriter or Chartered Life Underwriter 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.

SECTION 2. Section 166A of said chapter 175, inserted by section 6 of chapter 968 of the acts of 1971, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

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, or one who has received the designation of Chartered Property and Casualty Underwriter or Chartered Life Underwriter 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.

Approved April 13, 1972.

Chap. 163. AN ACT RELATIVE TO THE MEMBERSHIP OF THE BOARD OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

Section 1A of chapter 15 of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 1 of chapter 418 of the acts of 1970, and inserting in place thereof the following paragraph:—

There shall be in the department, but not subject to its control, a board of higher education, in this section and in sections one B, one C and one D called the board, consisting of a member of the board of trustees of the University of Massachusetts selected by

majority vote of all the members of said board, a member of the board of trustees of state colleges selected by a majority vote of the members of said board having voting power, a member of the board of regional community colleges selected by majority vote of all its members and a member of the board of trustees of the Lowell Technological Institute of Massachusetts selected by a majority vote of all the members of said board and a member of the board of trustees of the Southeastern Massachusetts University selected by a majority vote of all the members of said board, each of said five members to serve for a term of one year, and seven persons to be appointed by the governor, one of whom shall be a member of the governing board of a private institution of higher education in the commonwealth, one of whom shall be a member of a labor organization affiliated with the Massachusetts State Labor Council AFL-CIO and at least two of whom shall be women. *Approved April 13, 1972.*

Chap. 164. AN ACT RELATIVE TO THE PAYMENT BY THE COUNTY OF DUKES COUNTY OF CERTAIN TRAVELING EXPENSES OF ELECTED AND APPOINTED OFFICIALS AND EMPLOYEES OF SAID COUNTY IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES.

Be it enacted, etc., as follows:

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

SECTION 2. Notwithstanding any general or special law to the contrary, any appointed or elected official or employee of the county of Dukes County who is required to transport himself and his automobile to and from the mainland in connection with necessary official business shall be reimbursed for the payment of the boat fares including that for said automobile, subject to the approval of the county commissioners of said county and the director of accounts.

Approved April 13, 1972.

Chap. 165. AN ACT PROVIDING THAT CERTAIN DISCLAIMERS OF LIABILITY APPEARING ON SIGNS, TICKETS OR RECEIPTS ISSUED BY PARKING FACILITY OWNERS OR OPERATORS SHALL NOT CONSTITUTE A LEGAL DEFENSE IN CIVIL ACTIONS OF CONTRACT OR TORT.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85L, inserted by section 1 of chapter 865 of the acts of 1971, the following section:—

Section 85M. In any action of contract or tort in which the defendant is the owner or operator of a privately or publicly owned or operated garage, lot or other facility used for the parking or storage of motor vehicles for a fee, it shall not constitute a defense that said owner or operator, by means of language appearing on any sign, ticket, or receipt, sought to disclaim, limit or exclude his legal liability. Any such disclaimer, limitation or exclusion of liability shall be void as against public policy. *Approved April 13, 1972.*

Chap. 166. AN ACT AUTHORIZING THE DIRECTOR OF PUBLIC WORKS AND FORESTRY OF THE CITY OF WALTHAM TO ACT AS CLERK OF THE BOARD OF SURVEY AND PLANNING OF SAID CITY.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the director of public works and forestry of the city of Waltham shall act as clerk of the board of survey and planning of said city.

SECTION 2. This act shall take effect upon its acceptance by the city of Waltham. *Approved April 13, 1972.*

Chap. 167. AN ACT AUTHORIZING THE CITY OF WORCESTER TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO CHARLES CAMPBELL.

Be it enacted, etc., as follows:

The city of Worcester is hereby authorized to appropriate and pay to Charles Campbell the sum of one hundred seventy-six dollars and eighty-five cents for services rendered by him during the fiscal year nineteen hundred and seventy, in order to correct an erroneous computation of his salary for said year. *Approved April 13, 1972.*

Chap. 168. AN ACT AUTHORIZING THE CITY OF WORCESTER TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO ROBERT J. HALLIHAN.

Be it enacted, etc., as follows:

The city of Worcester is hereby authorized to appropriate and pay to Robert J. Hallihan the sum of one hundred two dollars and thirteen cents for services rendered by him during the fiscal year nineteen hundred and seventy, in order to correct an erroneous computation of his salary for said year. *Approved April 13, 1972.*

Chap. 169. AN ACT AUTHORIZING THE CITY OF WORCESTER TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO ABEL CORREIA.

Be it enacted, etc., as follows:

The city of Worcester is hereby authorized to appropriate and pay to Abel Correia the sum of four hundred fifteen dollars and sixty-six cents for services rendered by him during the fiscal year nineteen hundred and seventy, in order to correct an erroneous computation of his salary for said year. *Approved April 13, 1972.*

Chap. 170. AN ACT FURTHER REGULATING THE FEES FOR ISSUANCE OF CERTIFICATES OF TITLE OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 28 of chapter 90D of the General Laws, as appearing in section 1 of chapter 754 of the acts of 1971, is hereby amended by

striking out the first paragraph and inserting in place thereof the following paragraph:—

The registrar shall be paid the following fees: (1) For filing an application for a first certificate of title or for a certificate of title after a transfer, five dollars; (2) For each assignment of a security interest noted upon a certificate of title, one dollar; (3) For a duplicate certificate of title, three dollars; (4) For a certificate of search of its records for each name or identifying number searched against, five dollars; and (5) For affixing a new identifying number to a vehicle, three dollars and fifty cents. Vehicles owned by the commonwealth or any political subdivision thereof, used solely for official business, shall be exempt from the payment of fees provided by this chapter. *Approved April 13, 1972.*

Chap. 171. AN ACT AUTHORIZING THE CITY OF TAUNTON TO GRANT CERTAIN RETROACTIVE SALARY INCREASES TO CERTAIN EMPLOYEES OF THE SCHOOL DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding any provisions of law to the contrary, the city of Taunton may appropriate money for the payment of and pay salary increases for the period from January the first, nineteen hundred and seventy-one to June the twenty-seventh, nineteen hundred and seventy-one which were granted employees of the administrative and clerical staff of the school department of said city as provided in an ordinance passed by said city. *Approved April 13, 1972.*

Chap. 172. AN ACT PROVIDING FOR THE ELIGIBILITY OF CERTAIN PRISONERS SENTENCED TO LIFE TO BE PERMITTED TO SERVE PART OF THEIR SENTENCE AT A PRISON CAMP.

Be it enacted, etc., as follows:

SECTION 1. Section 83A of chapter 127 of the General Laws, as most recently amended by chapter 667 of the acts of 1956, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—The commissioner is hereby authorized to establish, on land under the control of the department of natural resources or of the metropolitan district commission and upon sites approved by the commissioner of natural resources or the metropolitan district commission, as the case may be, camps to which male prisoners, including male prisoners sentenced to life who have served twelve years, except those serving a sentence for life for first degree murder, may be removed for employment, as designated and approved by the commissioner of natural resources or the metropolitan district commission, as the case may be, in reforestation, maintenance and development of state forests, who have shown by their conduct and disposition that they would be amenable to less rigorous discipline and would benefit from work in the open air; provided, however, that only one such camp may be established on land under the control of the metropolitan district commission.

SECTION 2. The first paragraph of section 83B of said chapter 127, as most recently amended by section 7 of chapter 1076 of the acts of 1971, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—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, including male prisoners sentenced to life who have served twelve years, except a prisoner serving a life sentence for first degree murder, 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. *Approved April 13, 1972.*

Chap. 173. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO GRANT RETROACTIVE PAY RAISES TO EMPLOYEES OF THE WATER DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the town of Braintree is hereby authorized to raise and appropriate a sum of money, not to exceed six thousand three hundred dollars, for the payment of compensation to employees of the water department of said town for pay increases which were contained in a collective bargaining agreement entered into during the year nineteen hundred and seventy-one. *Approved April 13, 1972.*

Chap. 174. AN ACT FURTHER REGULATING THE EXEMPTION FROM ATTACHMENT OF WAGES AND CERTAIN PENSIONS.

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, as amended by section 1 of chapter 475 of the acts of 1971, 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 twenty-five 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 one hundred 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-three and shall apply only to actions begun on and after said date. *Approved April 13, 1972.*

Chap. 175. AN ACT FURTHER REGULATING DISCRIMINATION BY CERTAIN EDUCATIONAL INSTITUTIONS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 2 of chapter 151C of the General Laws is hereby amended by inserting after clause (*c*), as amended by section 3 of chapter 334 of the acts of 1956, the following clause:—

(*d*) To exclude, limit or otherwise discriminate against any person seeking admission to a program or course of study leading to a degree, beyond a bachelor's degree, because of race, religion, creed, color, age, sex or national origin, or to so discriminate against any student admitted to such program or course of study in providing benefits, privileges and placement services.

SECTION 2. Said section 2 of said chapter 151C is hereby further amended by striking out the second paragraph, as appearing in section 2 of chapter 726 of the acts of 1949, and inserting in place thereof the following paragraph:—

This section is not intended to limit or prevent an educational institution from using any criteria other than race, religion, creed, sex, color or national origin in the admission of students.

Approved April 13, 1972.

Chap. 176. AN ACT AUTHORIZING THE CITY OF SALEM TO REFUND CERTAIN MONEY ERRONEOUSLY COLLECTED FROM COMPUTER SERVICES, INC.

Be it enacted, etc., as follows:

The city of Salem is hereby authorized to refund to Computer Services, Inc., a Massachusetts corporation having a usual place of business in said city, the sum of fifteen hundred dollars, the same being the amount erroneously collected by said city from said corporation as taxes in the years nineteen hundred and sixty-nine and nineteen hundred and seventy upon certain personal property in said city, which property was exempt from local taxation.

Approved April 13, 1972.

Chap. 177. AN ACT REMOVING THE CITY ENGINEER FROM THE TRAFFIC COMMISSION IN THE CITY OF WALTHAM AND PROVIDING FOR THE APPOINTMENT OF THE DIRECTOR OF PUBLIC WORKS AND FORESTRY AND THE INSPECTOR OF WIRES OF SAID CITY TO SAID COMMISSION.

Be it enacted, etc., as follows:

Chapter 93 of the acts of 1965 is hereby amended by striking out section 1 and inserting in place thereof the following section:—

Section 1. There is hereby established in the city of Waltham, hereinafter called the city, a traffic commission, hereinafter called the commission, to consist of the chief of police, the director of public works and forestry, the chief of the fire department, the planning director, the city clerk and the inspector of wires.

Approved April 13, 1972.

Chap. 178. AN ACT ESTABLISHING A FACULTY ADVISORY COMMISSION TO THE BOARD OF TRUSTEES OF STATE COLLEGES.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by inserting after section 20C the following section:—

Section 20D. There shall be a faculty advisory commission to the board of trustees of state colleges, consisting of one elected representative from the full time faculty of each state college, including the Massachusetts College of Art and the Massachusetts Maritime Academy. Each of said representatives shall serve for a term of one year. The members of the faculty advisory commission shall elect for a term of one year a faculty officer to represent them in matters before the board of trustees of state 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 commission to attend such meetings with full authority to act as the faculty officer.

Approved April 18, 1972.

Chap. 179. AN ACT FURTHER REGULATING THE DISSOLUTION OF ATTACHMENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 223 of the General Laws is hereby amended by striking out section 115A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 115A. If real property of the defendant is attached in any action and no service is made upon him, the attachment shall be dissolved unless it appears of record that notice of such action has been given to him, in such manner as the court orders, within sixty days after the entry of the action, or within such further time as the court may allow.

SECTION 2. Said chapter 223 is hereby further amended by inserting after section 115A the following section:—

Section 115B. If real or personal property of the defendant is attached in any action and the case is not entered in court within thirty-five days following the return day of the writ or process, the attachment shall be dissolved.

SECTION 3. The provisions of section one hundred and fifteen B of chapter two hundred and twenty-three of the General Laws, inserted by section two of this act, shall apply to attachments made on and after, as well as those made before, the effective date of this act.

Approved April 18, 1972.

Chap. 180. AN ACT REQUIRING MEDICAL EXAMINERS TO TAKE BLOOD SAMPLES IN CERTAIN CASES OF DEATH RESULTING FROM MOTOR VEHICLE ACCIDENTS.

Be it enacted, etc., as follows:

Chapter 38 of the General Laws is hereby amended by inserting after section 6 the following section:—

Section 6A. If, after making inquiry pursuant to section six, the medical examiner is of the opinion that death may have resulted from injuries sustained in a motor vehicle accident, and the death occurred within four hours of the accident, and the deceased was the operator of a motor vehicle or a pedestrian sixteen years of age or older, the medical examiner shall submit to the state police laboratory a sample of blood from the deceased in an amount sufficient for chemical analysis. The medical examiner shall submit a statement with such sample including, but not limited to, information as to whether the body was that of an operator or pedestrian and the name, age and sex of the deceased if available. The medical examiner, acting in compliance with this section, shall not be civilly or criminally liable for such actions. *Approved April 19, 1972.*

Chap. 181. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF WEST NEWBURY AND AUTHORIZING THE TOWN TO ACQUIRE LAND AND BUILDINGS OWNED BY CARDINAL CUSHING ACADEMY, INCORPORATED, TO IMPROVE SAID PROPERTY, TO BORROW MONEY FOR SAID PURPOSES AND TO ALLOCATE PORTIONS OF THE PROPERTY TO DIFFERENT MUNICIPAL PURPOSES AND ALSO PROVIDING FOR STATE AID IN CONNECTION WITH THE FOREGOING.

Be it enacted, etc., as follows:

SECTION 1. The town of West Newbury is hereby authorized to acquire by purchase for school, conservation, recreation or other municipal purposes the land and buildings owned by Cardinal Cushing Academy, Incorporated; and after such acquisition the town may improve such property and remodel, reconstruct, rehabilitate and modernize said buildings, provide equipment and furnishings for them and install any sewerage or other facilities which may be necessary or desirable in connection therewith.

SECTION 2. For the purpose of meeting costs to be incurred under section one, the treasurer of said town, with the approval of the selectmen, is hereby authorized to borrow on behalf of the town, from time to time, such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor which shall bear on their face the words, West Newbury School and Land Acquisition Loan, Act of 1972. 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 or eight thereof.

SECTION 3. Said treasurer with the approval of the selectmen may also make temporary loans under the provisions of section seventeen of chapter forty-four of the General Laws in anticipation of the proceeds of the bonds or notes authorized by section two.

SECTION 4. Either before or after the acquisition authorized by section one, and at one time or from time to time, the selectmen of said town are authorized to determine whether all of said property

shall be used for school purposes, or if they decide that less than all of said property shall be used for school purposes they shall determine the other particular municipal purposes for which various parts of the property shall be used. Each determination made by the selectmen under this section shall be in writing, shall accurately identify the parcel or parcels to which it relates, shall state the particular municipal purpose for which each such parcel is to be used and shall be filed with the town clerk. Except for the portion of said property to be used for school purposes, said property may be used for any one or more of the particular municipal purposes for which the town is authorized to hold and use land or buildings under the General Laws or otherwise. Notwithstanding the foregoing provisions, the ownership, custody and control of said property or any part thereof may be changed in accordance with the General Laws.

SECTION 5. Upon acquisition of the land and buildings referred to in section one, said town shall be entitled to receive a state school construction grant, provided that the board of education determines that the school building or buildings, after remodeling, reconstruction, rehabilitation and modernization, meet 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 of said project for the purpose of computing the amount of any state grant shall be determined by the board of education and shall include the actual costs to said town of acquiring the aforesaid buildings and such land as said board shall designate for school purposes, the costs of remodeling, reconstructing, rehabilitating and modernizing them, the costs of equipping and furnishing them, the costs of installing any sewerage or other facilities which may be necessary or desirable in connection therewith and the interest on the bonds or notes issued by the town to finance the foregoing, except that in making such determination the board of education may include a lesser amount of land than may be allocated by the selectmen for school purposes under section four.

SECTION 6. If the selectmen determine in accordance with section four that any part or parts of said property shall be used for conservation or outdoor recreation purposes, the town may apply for state reimbursement under section eleven of chapter one hundred and thirty-two A of the General Laws, and the commissioner of natural resources may reimburse said town pursuant to the provisions of that section, notwithstanding that said property may be acquired by the town before any project application is filed or approved. Any reimbursement received under said section eleven and this section shall be applied to the payment of the bonds or notes, including notes issued under section three, which are issued by the town to finance the acquisition of land allocated to conservation or outdoor recreation purposes.

SECTION 7. The vote passed by the town of West Newbury under articles two and three of the warrant for the special town meeting of March the eighteenth, nineteen hundred and seventy-two appropriating and authorizing a borrowing of one million dollars for

purposes set forth in section one is hereby validated, ratified and confirmed in all respects.

SECTION 8. This act shall take effect upon its passage.

Approved April 20, 1972.

Chap. 182. AN ACT AUTHORIZING THE CITY OF BROCKTON TO PAY CERTAIN MEDICAL BILLS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the city of Brockton may appropriate and pay the sum of two thousand five hundred and thirty dollars and sixty cents to the Carney Hospital, the sum of one hundred and ninety dollars to Milton F. Brougham, M.D. and the sum of five hundred and fifty dollars to Stanley Mikal, M.D. for medical expenses incurred by officer John E. McCarthy, a member of the police department of said city, on account of injuries sustained by him in the line of duty on January the sixth, nineteen hundred and sixty-four.

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

Approved April 20, 1972.

Chap. 183. AN ACT AUTHORIZING THE REINSTATEMENT OF FRANCIS E. SKERRY AS A MEMBER IN SERVICE IN THE CONTRIBUTORY RETIREMENT SYSTEM FOR PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

Notwithstanding any provision of chapter thirty-two of the General Laws to the contrary, Francis E. Skerry, a former bank examiner in the department of banking and insurance, may, at his election, again become a member in service of the contributory retirement system for public employees notwithstanding his election to become a member inactive; provided that he repays into said system the total amount of any payments received by him as retirement allowances from the date of his retirement under said system to the date of his again becoming a member in service.

Approved April 20, 1972.

Chap. 184. AN ACT INCREASING THE FEE CHARGED FOR A CERTIFICATE FOR DISSOLVING A LIEN FOR A BETTERMENT ASSESSMENT.

Be it enacted, etc., as follows:

Section 12 of chapter 80 of the General Laws is hereby amended by striking out the last sentence, added by chapter 344 of the acts of 1953, and inserting in place thereof the following sentence:—The collector of taxes shall charge four dollars for each certificate so issued and the money so received shall be paid into the town treasury.

Approved April 20, 1972.

Chap. 185. AN ACT PROHIBITING DISCRIMINATION AGAINST BLIND PERSONS IN THE SALE OR LEASING OF RESIDENTIAL REAL PROPERTY.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 6, as most recently amended by chapter 661 of the acts of 1971, and inserting in place thereof the following subsection:—

6. For the owner, lessee, sublessee, licensed real estate broker, assignee or managing agent of publicly assisted or multiple dwelling or contiguously located housing accommodations or other person having the right of ownership or possession or right to rent or lease, or sell or negotiate for the sale of such accommodations, or any agent or employee of such a person:—(*a*) to refuse to rent or lease or sell or negotiate for sale or otherwise to deny to or withhold from any person or group of persons such accommodations because of the race, religious creed, color, 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, or because such person is blind; (*b*) to discriminate against any person because of his race, religious creed, color, national origin, sex, age or ancestry or because such person is a veteran or a member of the armed forces or because such person is blind in the terms, conditions or privileges of such accommodations or the acquisitions 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, religious creed, color, 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 or because such person is blind. 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 April 20, 1972.*

Chap. 186. AN ACT CHANGING THE NAME OF THE METHODIST CHURCH TO THE UNITED METHODIST CHURCH.

Be it enacted, etc., as follows:

SECTION 1. Clause Eleventh of section 5 of chapter 59 of the General Laws is hereby amended by inserting after the word "the", in line 5, as appearing in section 1 of chapter 212 of the acts of 1967, the word:—United.

SECTION 2. Chapter 67 of the General Laws is hereby amended by striking out section 40, as amended by chapter 580 of the acts of 1952, and inserting in place thereof the following section:—

Section 40. The trustees of any society of the United Methodist Church, or of the African Methodist Episcopal Church, appointed according to the Discipline or usages thereof, respectively, or as such society chooses, may organize and become a corporation with the powers and duties prescribed by chapter one hundred and fifty-five, subject, however, to account to the charge conference of such society according to the aforesaid Discipline and usages.

SECTION 3. Section 1 of chapter 68 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 2, the words "Methodist Episcopal" and inserting in place thereof the words:—United Methodist.

SECTION 4. Said chapter 68 is hereby further amended by striking out section 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 6. No conveyance of the land of a church shall be effectual to pass the same, if made by the deacons without the consent of the church or of a committee of the church appointed for that purpose, or if made by the wardens without the consent of the vestry, or if made by the trustees of the United Methodist Church without the consent of the charge conference.

SECTION 5. Section 38 of chapter 207 of the General Laws, as appearing in section 1 of chapter 11 of the acts of 1965, is hereby amended by inserting after the word "The", in line 7, the word:—United. *Approved April 20, 1972.*

Chap. 187. AN ACT REQUIRING TRUSTEES OF CERTAIN FUNDS UNDER THE JURISDICTION OF THE HEALTH, WELFARE AND RETIREMENT TRUST FUNDS BOARD TO BE BONDED.

Be it enacted, etc., as follows:

Chapter 151D of the General Laws is hereby amended by adding after section 10 the following section:—

Section 11. (*a*) Every trustee of a trust subject to the provisions of this chapter, who is responsible for or who is delegated to be responsible for the funds of such trust, shall be bonded as herein provided; the amount of such bond shall be fixed at the beginning of each calendar, policy or other fiscal year, as the case may be, and certificates indicating compliance shall be filed with the board, together with those reports filed with the board, in compliance with subsection (*a*) of section three. The amount of the bond shall be not less than ten per cent of the amount of funds handled by said trustee or trustees, determined as herein provided, except that any such bond shall be in a minimum amount of one thousand dollars and a maximum amount of one hundred thousand dollars. For purposes of fixing the amount of such bond, the amount of funds handled shall be determined by the funds handled by the trustee or trustees or by their predecessors, if any, during the preceding reporting year, or, if the plan has no preceding reporting year, the amount of funds to be handled during the current reporting year by such trustee or trustees as estimated by such trustees and approved by the board.

Such bond shall provide protection to such trust against loss by reason of acts of fraud or dishonesty on the part of such trustee or trustees, either directly or through connivance with others. Any bond required hereunder shall have as surety thereon a corporate surety company which is acceptable to the board in a form or type approved by the board, including individual bonds or schedule or blanket forms of bonds which cover a group or class.

(*b*) Nothing in this section shall require any trustee to be bonded if said trustee is required to be bonded by any law of any other state or of the United States under substantially the same requirements, and said bonding may be waived by the board upon sufficient proof of such other bonding being presented to the board.

(*c*) Any trustee or trustees neglecting to file said certification as required hereunder shall be subject to the penalty prescribed in subsection (*a*) of section three for failure to file annual reports.

Approved April 20, 1972.

Chap. 188. AN ACT EXTENDING THE RIGHT TO A REVIEWING BOARD OR SINGLE MEMBER OF THE INDUSTRIAL ACCIDENT BOARD TO INCREASE CERTAIN AWARDS TO INJURED EMPLOYEES.

Be it enacted, etc., as follows:

Section 7E of chapter 152 of the General Laws, inserted by section 1 of chapter 468 of the acts of 1968, is hereby amended by inserting after the word "board", in line 1, the words:— , reviewing board or single member.

Approved April 20, 1972.

Chap. 189. AN ACT FURTHER REGULATING INSURANCE COMPANIES WHICH MAKE INSPECTIONS OF BOILERS AND PRESSURE VESSELS.

Be it enacted, etc., as follows:

Section 14 of chapter 146 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:— Every insurance company, or a reinsurer, authorized to insure boilers and pressure vessels in the commonwealth and making inspections of such boilers and pressure vessels, shall have in its employ at least one inspector who holds a certificate of competency under section sixty-two and who resides in the commonwealth.

Approved April 20, 1972.

Chap. 190. AN ACT INCLUDING A PORTION OF THE TOWN OF MIDDLETON WITHIN THE SOUTH ESSEX SEWERAGE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 339 of the acts of 1925 is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

A sewerage district to be known as the South Essex Sewerage District, hereinafter called the district, is hereby created and shall include all of the territory of the cities of Salem, Peabody and Beverly and of the town of Danvers, and two parcels of land situated in the town of Middleton consisting of approximately one hundred and seventy-eight acres more or less and known as Ferncroft Village and bounded and described as follows:

Parcel 1

NORTHEASTERLY, by interstate highway I–95, as shown on sheet one of the commonwealth highway layout plan dated September 12, 1950, recorded in Plan Book 80, Plan 53 in the Essex Registry of Deeds, Southern District, by various courses, a total distance of approximately seven hundred fifty-seven (757) feet;

SOUTHEASTERLY, by the town line between the towns of Middleton and Danvers, approximately one thousand five hundred eighty-one (1,581) feet;

SOUTHWESTERLY, by Locust Street, a public way in the town of Middleton, approximately two thousand five hundred ninety-seven (2,597) feet, part of said street being as shown on Land Court Plan 16270E, by a line crossing the said Locust Street; approximately thirty-six (36) feet; by land now or formerly of Salem Trust Company, approximately three hundred thirty-six (336) feet; and by lot 2, as shown on Land Court Plan 16270C, approximately one thousand thirty-one (1,031) feet;

NORTHWESTERLY, by land now or formerly of Leverett A. Haskell, Trustee, approximately two hundred (200) feet; by land now or formerly of Essex Development Corporation, approximately fifty-nine (59) feet; by a line crossing said Locust Street, approximately thirty (30) feet; and by land now or formerly of Earl McGee, approximately one thousand sixty-two (1,062) feet, all as shown on said Land Court Plan 16270E;

NORTHERLY and NORTHEASTERLY, by the town line between Middleton and Topsfield, which follows the center line of Nichols Brook.

Parcel 2

NORTHERLY, by the center line of the Ipswich River, which center line is the boundary between the towns of Boxford and Middleton;

NORTHWESTERLY and WESTERLY, by Nichols Brook;

SOUTHERLY, by the town line between Middleton and Topsfield;

EASTERLY, by interstate highway I–95, as shown on sheet two of said September 12, 1950 highway layout plan, approximately one thousand three hundred thirty-six (1,336) feet; and

the land with the buildings and other structures thereon, owned or controlled by the county of Essex, by the county commissioners of said county, by said county commissioners as trustees and by the commonwealth, lying within the limits of the town of Middleton and used by or in connection with any institution owned or controlled by any of them.

SECTION 2. The South Essex Sewerage Board hereinafter called the board, acting on behalf of the South Essex Sewerage District, hereinafter called the district, shall, subject to such conditions, rules and regulations, including a reasonable charge for the use of existing facilities, as set forth by the board, permit, from time to time, that portion of the town of Middleton, as described in section one, to connect the sewerage outlets of the sewerage system or systems from time to time serving these parcels to the existing main sewer of the district now located in the town of Danvers, as well as to any replacement or relocation of that main sewer, at or near route 62, on the south side thereof, provided the system or systems so connected, including portions thereof

located in said town of Danvers, have been constructed in accordance with plans approved by the department of public health and by the division of water pollution control.

SECTION 3. After any connection by any sewer system serving the property described in section one, to the district trunk sewer in accordance with section two, the board is hereby authorized to allocate and apportion annually to said portion of the town of Middleton described in section one a proportionate share of the cost of maintenance of and operation of the sewer system on the same basis as presently determined for the members currently in said district and make such assessment in the same manner as the members currently in said district are assessed.

The commissioner of corporations and taxation is hereby authorized and directed to submit to the board, prior to February the first and annually thereafter, the taxable valuation of that portion of the town of Middleton as described in section one.

SECTION 4. After any connection by any sewer system serving the property described in section one to the district trunk sewer in accordance with section two, the board is hereby authorized to allocate and apportion to that portion of the town of Middleton described in section one its proportionate share of all the costs of construction, operation of works and facilities constructed, principal retirement, interest payments due on bonds and notes issued under chapter five hundred and sixteen of the acts of nineteen hundred and sixty-nine, including notes issued to pay annual interest on bonds or notes previously issued and all other costs authorized by said chapter five hundred and sixteen and to assess the town of Middleton such proportionate share as provided by the board.

SECTION 5. The district may, in providing for payment of costs assessed pursuant to this act, or any portion thereof, avail itself of any or all of the methods permitted by the General Laws and chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five and all acts in amendment of or in addition thereto; and the provisions of said General Laws and said chapter three hundred and thirty-nine and all acts in amendment of or in addition thereto relative to the assessment, apportionment, division, reassessment, abatement and collection of sewer assessments, to liens therefor and to interest thereon shall apply to assessments made under this act.

SECTION 6. Before any sewer connection is made from a private estate situated in that part of the town of Middleton described in section one to the trunk sewer in accordance with section two, the town of Middleton shall require that the construction of said sewer connection shall be secured by a deposit of money equal to the cost of such connection as estimated by the board and said town may require that the time be specified within which such construction shall be completed.

The town of Middleton, in respect to any assessment allocated to it by the board under any provision of this act, is hereby granted all powers of assessment, in like manner, which are granted to the cities and towns by the General Laws for the assessment, collection and enforcement thereof of sewer uses and betterments and said assessment shall be made against the various owners of the part of the town of Middleton as described in section one and said town may adopt such rules and regulations as it may determine for the purpose of said assessment, collection and enforcement thereof.

SECTION 7. Said town of Middleton shall be entitled to participate in any balance remaining at the end of any year on account of assessments under the provisions of this act in the same proportion as assessed and shall be credited to said town of Middleton, and any deficit on account of any year shall be assessed in the following year in the same proportion as for the year in which the deficit occurred.

SECTION 8. Said town of Middleton, in making the assessments as provided in section six, shall reflect the appropriate credit or charge made, if any, as provided in section seven.

SECTION 9. Any powers and duties hereby conferred and imposed upon the board shall be in addition to those conferred and imposed upon it by chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five, by chapter four hundred and thirty-one of the acts of nineteen hundred and forty-five, by chapter five hundred and sixteen of the acts of nineteen hundred and sixty-nine and acts in amendment of or in addition to, which powers and duties shall remain in full force and the board shall have full power and authority to do all acts not herein provided for to effectuate the purposes and intent of this act.

SECTION 10. This act shall take effect upon its acceptance by the town of Middleton. *Approved April 20, 1972.*

Chap. 191. AN ACT INCREASING THE PENALTY FOR LITTERING OR THE DISPOSAL OF REFUSE OR RUBBISH ON OR NEAR PUBLIC HIGHWAYS OR COASTAL OR INLAND WATERS.

Be it enacted, etc., as follows:

Section 16 of chapter 270 of the General Laws is hereby amended by striking out the first sentence, as amended by chapter 79 of the acts of 1971, and inserting in place thereof the following sentence: — Whoever places, throws, deposits or discharges, or causes to be placed, thrown, deposited or discharged, 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, and the court may require, in addition thereto, that such person remove, at his own expense, such trash, refuse, rubbish or debris.

Approved April 20, 1972.

Chap. 192. AN ACT RELATIVE TO THE APPOINTMENT OF CERTAIN EMPLOYEES BY THE DIRECTOR OF THE STATE LOTTERY.

Be it enacted, etc., as follows:

Section 26 of chapter 10 of the General Laws, added by section 2 of chapter 813 of the acts of 1971, is hereby amended by inserting after the third sentence the following sentence: — 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 such instance, and in every instance of an employee so promoted from a position in which at the time of promotion he shall have tenure by reason of section nine A of chapter thirty, upon termination of his service in such classified 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 said chapter thirty-one. *Approved April 20, 1972.*

Chap. 193. AN ACT FURTHER REGULATING BUSINESS PRACTICES BETWEEN MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS AND DEALERS.

Be it enacted, etc., as follows:

Subsection (3) of section 4 of chapter 93B of the General Laws, as appearing in section 1 of chapter 814 of the acts of 1970, is hereby amended by striking out paragraph (*k*) and inserting in place thereof the following paragraph: —

(*k*) to compete with a motor vehicle dealer operating under an agreement or franchise from such manufacturer, distributor or wholesaler in the relevant market area, such area to be determined exclusively by equitable principles; provided, however, that a manufacturer, distributor or wholesaler shall not be deemed to be competing when operating a dealership either temporarily for a reasonable period in any case not to exceed one year or in a bona fide relationship in which an independent person has made a significant investment subject to loss in the dealership and can reasonably expect to acquire full ownership of said dealership on reasonable terms and conditions; and, provided, further, that a distributor shall not be deemed to be competing when a wholly owned subsidiary corporation of such distributor sells motor vehicles at retail, if, for at least three years prior to January the first, nineteen hundred and seventy-one, such subsidiary corporation has been a wholly owned subsidiary of such distributor and engaged in the sale of motor vehicles at retail; and provided, further, that an exclusive motor truck manufacturer, when selling vehicles having a gross vehicle weight over six thousand pounds, shall not be deemed to be competing when operating a dealership which sells motor trucks at retail if, for at least six years prior to January the first, nineteen hundred and seventy-one, such manufacturer has continuously so operated such dealership.

Approved April 20, 1972.

Chap. 194. AN ACT AUTHORIZING THE CITY OF WORCESTER TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO ANN O'BRIEN.

Be it enacted, etc., as follows:

In order to correct an error in the computation of the salary of Ann O'Brien, an employee of the city of Worcester, said city is hereby authorized to appropriate and pay to said Ann O'Brien the sum of seven hundred twenty-nine dollars and fifty-six cents covering the period from September the first, nineteen hundred and sixty-eight to December the thirty-first, nineteen hundred and sixty-nine, both dates inclusive.

Approved April 20, 1972.

Chap. 195. AN ACT AUTHORIZING THE TOWN OF UXBRIDGE 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 Uxbridge may appropriate money annually from and including the year nineteen hundred and seventy-two to and including the year nineteen hundred and seventy-seven, for the celebration in the year nineteen hundred and seventy-seven of the two hundred and fiftieth anniversary of the establishment of said town.

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 said 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 the anniversary committee, upon 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.

Approved April 20, 1972.

Chap. 196. AN ACT INCREASING THE NUMBER OF THE TRUSTEES OF THE CLARKE SCHOOL FOR THE DEAF.

Be it enacted, etc., as follows:

Chapter 62 of the Special Acts of 1918 is hereby amended by striking out section 1 and inserting in place thereof the following section: —

Section 1. The trustees of The Clarke School for the Deaf, incorporated by chapter three hundred and thirty-four of the acts of eighteen hundred and sixty-seven under the name of the Clarke Institution for Deaf Mutes, which name was changed by chapter seventy-four of the acts of eighteen hundred and ninety-six, shall be not more than twenty-five nor less than eleven in number. *Approved April 20, 1972.*

Chap. 197. AN ACT FURTHER REGULATING THE ISSUANCE OF DRIVERS' LICENSES BY THE DEPARTMENT OF PUBLIC UTILITIES TO PERSONS OVER 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 most recently amended by chapter 540 of the acts of 1971, and inserting in place thereof the following sentence: — No such license shall be issued by the department to any person who has not attained age eighteen or who has not qualified in accordance with the department's requirements or to any person who has attained age seventy unless such person in February and August of each year passes a physical examination in accordance with requirements established by the department. *Approved April 20, 1972.*

Chap. 198. AN ACT REGULATING THE PENALTIES THAT MAY BE ASSESSED BY THE MASSACHUSETTS PORT AUTHORITY.

Be it enacted, etc., as follows:

Section 3 of chapter 465 of the acts of 1956 is hereby amended by striking out paragraph (*a*) and inserting in place thereof the following paragraph: —

(*a*) To adopt by-laws for the regulation of its affairs and the conduct of its business and to fix penalties for the violation thereof; provided, however, that no penalty shall be in excess of two thousand dollars.

Approved April 20, 1972.

Chap. 199. AN ACT PROVIDING FOR THE TRANSFER OF CERTAIN EMPLOYEES OF THE MUNICIPAL NURSING HOME OF HOLYOKE TO THE GERIATRIC AUTHORITY OF HOLYOKE.

Be it enacted, etc., as follows:

Chapter 554 of the acts of 1971 is hereby amended by inserting after section 4 the following section: —

Section 4A. All persons appointed by, or holding by, through or under the Municipal Nursing Home of Holyoke are hereby transferred to and made employees of the Authority without reduction in their rank or compensation, or impairment of their retirement, vacation, holiday or sick leave rights and other rights in the position held by them on January the first, nineteen hundred and seventy-two.

Approved April 20, 1972.

Chap. 200. AN ACT PROVIDING FOR PROMPT CONFIRMATION OF ARBITRATION AWARDS ON PUBLIC AND PRIVATE CONSTRUCTION WORK.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 251 of the General Laws, as appearing in section 1 of chapter 374 of the acts of 1960, is hereby amended by striking out paragraph (*b*) and inserting in place thereof the following paragraph: —

(*b*) An application under this section shall be made within thirty days after delivery of a copy of the award to the applicant, but, if such application is predicated upon corruption, fraud or other undue means, it shall be made within thirty days after such grounds are known or should have been known.

SECTION 2. Section 13 of said chapter 251, as so appearing, is hereby amended by striking out, in line 1, the word "ninety" and inserting in place thereof the word: — thirty. *Approved April 20, 1972.*

Chap. 201. AN ACT FURTHER REGULATING THE FILING OF A PETITION BY A TENANT TO ENFORCE THE SANITARY CODE.

Be it enacted, etc., as follows:

Section 127H of chapter 111 of the General Laws, as appearing in section 3 of chapter 898 of the acts of 1965, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — The petition shall also state that the violation has been determined to exist by inspection of a board of health or, in the city of Boston, of the commissioner of housing inspection, or shall state that such inspection had been requested at least twenty-four hours prior to the filing of the petition and that there has been no inspection.

Approved April 20, 1972.

Chap. 202. 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-two.

BARNSTABLE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$205,247 50
2.	For reduction of county debt		420,000 00
3.	For county commissioners, salaries and expenses		39,110 14
	1. Personal services	$36,384 64	
	2. Contractual services	1,520 00	
	3. Supplies and materials	482 50	
	4. Current charges and obligations	128 00	
	5. Equipment	595 00	

Item		Subtotal	Total
4.	For transportation and expenses of county and acting commissioners		$700 00
5.	For clerk of courts, salaries and expenses		53,575 09
	1. Personal services	$49,102 29	
	2. Contractual services	1,900 00	
	3. Supplies and materials	750 00	
	4. Current charges and obligations	576 00	
	5. Equipment	1,246 80	
6.	For county treasurer, salaries and expenses		71,156 57
	1. Personal services	34,954 57	
	2. Contractual services	1,500 00	
	3. Supplies and materials	3,075 00	
	4. Current charges and obligations	597 00	
	5. Equipment	31,030 00	
7.	For sheriff, salary and expenses		16,638 68
	1. Personal services	14,498 68	
	2. Contractual services	1,050 00	
	3. Supplies and materials	765 00	
	4. Current charges and obligations	325 00	
8.	For registry of deeds, salaries and expenses		419,757 00
	1. Personal services	266,617 00	
	2. Contractual services	98,665 00	
	3. Supplies and materials	20,555 00	
	4. Current charges and obligations	14,160 00	
	5. Equipment	19,760 00	
8a.	For registry of probate, salaries and expenses		7,170 53
	2. Contractual services	1,810 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	500 00	
	5. Equipment	1,860 00	
9.	For law library, salaries and expenses		15,742 35
	1. Personal services	5,789 85	
	3. Supplies and materials	50 00	
	4. Current charges and obligations	9,500 00	
	5. Equipment	402 50	
10.	For highways, including state highways, bridges and land damages		246,560 00
	2. Contractual services	19,110 00	
	6. All other	227,450 00	
12.	For criminal costs in superior court		114,768 02
	1. Personal services	37,676 57	
	2. Contractual services	74,150 00	
	3. Supplies and materials	1,730 50	
	4. Current charges and obligations	1,010 00	
	5. Equipment	200 95	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		62,000 00
	1. Personal services	15,500 00	
	2. Contractual services	46,500 00	
14.	For district courts, salaries and expenses First District Court of Barnstable		323,729 94
	1. Personal services	291,969 69	
	2. Contractual services	25,307 54	
	3. Supplies and materials	2,800 00	
	4. Current charges and obligations	2,196 00	
	5. Equipment	1,456 71	

Item		Subtotal	Total
	Second District Court of Barnstable		$182,204 22
	1. Personal services	$164,593 52	
	2. Contractual services	12,050 00	
	3. Supplies and materials	3,820 70	
	4. Current charges and obligations	1,740 00	
	District Court — Appellate Division		550 00
	1. Personal services	100 00	
	2. Contractual services	300 00	
	3. Supplies and materials	150 00	
15.	For medical examiners and commitments of insane		13,820 00
16.	For jail and house of correction, maintenance and operation		426,956 06
	1. Personal services	319,168 06	
	2. Contractual services	25,000 00	
	3. Supplies and material	74,510 00	
	4. Current charges and obligations	3,830 00	
	5. Equipment	4,448 00	
17.	For training school		2,000 00
18.	For court houses and registry buildings, maintenance and operation		207,458 40
	1. Personal services	91,479 80	
	2. Contractual services	76,483 00	
	3. Supplies and materials	36,065 30	
	4. Current charges and obligations	2,591 30	
	5. Equipment	839 00	
18a.	For sewage system		4,424 68
20.	For agricultural school or county aid to agriculture, maintenance and operation		88,176 01
	1. Personal services	76,586 01	
	2. Contractual services	5,000 00	
	3. Supplies and materials	2,100 00	
	4. Current charges and obligations	265 00	
	5. Equipment	4,225 00	
22.	For hospital		1,105,027 00
	1. Personal services	839,880 08	
	2. Contractual services	80,000 00	
	3. Supplies and materials	115,000 00	
	4. Current charges and obligations	54,655 92	
	5. Equipment	15,491 00	
23.	For health service		105,506 55
	1. Personal services	93,239 80	
	2. Contractual services	10,000 00	
	3. Supplies and materials	1,400 00	
	4. Current charges and obligations	750 00	
	5. Equipment	116 75	
24.	For noncontributory pensions		32,000 00
25.	For contributory retirement system and supervisory expenses		102,866 05
26.	For miscellaneous and contingent expenses		52,645 64
27.	For unpaid bills of previous years		8,160 19

Item		Total
28.	For reserve fund	$55,000 00
28a.	For reserve for salary increases	140,000 00
29.	For advertising recreational advantages of the county	125,000 00
31.	For police radio system	111,252 78
32a.	For maintenance, forest fire apparatus	2,000 00
33.	For police training school and bureau of criminal investigation	77,174 63
35.	For Cape Cod county planning and economic development commission	68,800 85
36.	For police services building	3,500 00
37.	For drug abuse information bureau	45,628 50
38.	For airplane	1,765 00
39.	For group insurance	65,913 00
40.	For advertising and promoting county fairs	500 00
41.	For fire fighters' training school	5,345 04
	Total amount of appropriations	$5,029,830 42
	Less estimated amount available for reduction of county tax	2,064,001 79
	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	$2,965,828 63

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

Approved April 24, 1972.

Chap. 203. 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-two.

DUKES COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$5,800 00
2.	For reduction of county debt		25,000 00
3.	For county commissioners, salaries and expenses		13,008 30
	1. Personal services	$11,923 30	
	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		8,775 40
	1. Personal services	8,125 00	
	2. Contractual services	465 00	
	3. Supplies and materials	170 00	
	4. Current charges and obligations	15 40	
6.	For county treasurer, salaries and expenses		7,415 72
	1. Personal services	6,690 72	
	2. Contractual services	285 00	
	3. Supplies and materials	300 00	
	4. Current charges and obligations	20 00	
	5. Equipment	120 00	
7.	For sheriff, salary and expenses		8,650 92
	1. Personal services	6,605 92	
	2. Contractual services	800 00	
	3. Supplies and materials	350 00	
	4. Current charges and obligations	20 00	
	5. Equipment	875 00	
8.	For registry of deeds, salaries and expenses		31,861 47
	1. Personal services	25,678 97	
	2. Contractual services	3,730 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	35 00	
	5. Equipment	417 50	
8a.	For registry of probate, salaries and expenses		2,855 00
	2. Contractual services	1,550 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	240 00	
	5. Equipment	565 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		29,800 00
	6. All other	29,800 00	
12.	For criminal costs in superior court		11,285 62
	1. Personal services	585 62	
	2. Contractual services	10,700 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		10,607 04
	1. Personal services	407 04	
	2. Contractual services	10,200 00	

Item		Subtotal	Total
14.	For district courts, salaries and expenses		
	District Court of Edgartown		$55,040 47
	1. Personal services	$49,339 02	
	2. Contractual services	3,963 50	
	3. Supplies and materials	982 00	
	4. Current charges and obligations	287 50	
	5. Equipment	468 45	
15.	For medical examiners and commitments of insane		2,000 00
16.	For jail and house of correction, maintenance and operation		23,884 73
	1. Personal services	10,200 00	
	2. Contractual services	8,500 00	
	3. Supplies and materials	1,184 73	
	5. Equipment	4,000 00	
18.	For court houses and registry buildings, maintenance and operation		14,042 80
	1. Personal services	7,326 80	
	2. Contractual services	6,000 00	
	3. Supplies and materials	600 00	
	5. Equipment	116 00	
19.	For construction of county buildings and purchase of land		5,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		25,536 20
	1. Personal services	20,551 20	
	2. Contractual services	2,200 00	
	3. Supplies and materials	1,344 00	
	4. Current charges and obligations	1,406 00	
	5. Equipment	35 00	
21a.	For state reservation, maintenance and operation (Indian Burial Ground)		1,000 00
23a.	For mental health program or tuberculosis clinic		5,000 00
23c.	For public health program		4,000 00
24.	For noncontributory pensions		4,776 62
25.	For contributory retirement system and supervisory expenses		26,100 90
26.	For miscellaneous and contingent expenses		27,500 00
27.	For unpaid bills of previous years		840 35
28.	For reserve fund		7,500 00
28a.	For reserve for salary increases		12,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		22,779 36
33.	For police training school		500 00
35.	For planning or economic development commission		18,272 15

Item		Subtotal	Total
38.	For county airport, maintenance and operation		$77,093 09
	1. Personal services	$53,733 09	
	2. Contractual services	7,000 00	
	3. Supplies and materials	10,200 00	
	4. Current charges and obligations	3,850 00	
	5. Equipment	2,310 00	
39.	For group insurance		15,000 00
42.	For rodent control		13,100 04
43.	For woodtick control		1,250 00
44.	For communication system		40,703 80
	Total amount of appropriations		$560,679 98
	Less estimated amount available for reduction of county tax		155,262 04
	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		$405,417 94

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

Approved April 24, 1972.

Chap. 204. AN ACT AUTHORIZING SAVINGS BANKS TO INVEST IN SECURITIES OF COUNTRIES FRIENDLY TO THE UNITED STATES.

Be it enacted, etc., as follows:

Section 42 of chapter 168 of the General Laws is hereby amended by striking out paragraph 5, as most recently amended by section 2 of chapter 465 of the acts of 1968, and inserting in place thereof the following paragraph:—

5. *Other International Obligations.*—Bonds, notes or obligations issued, assumed or guaranteed by governments of foreign countries friendly to the United States, as defined by the United States Department of State, the International Bank for Reconstruction and Development, the Inter-American Development Bank or the Asian Development Bank containing an unconditional promise to pay, or an unconditional guarantee of the payment of, the interest thereon regularly, and the principal thereof on or before a specified date, in lawful currency of the United States; provided, that not more than three per cent of the deposits of any such corporation shall be invested in such bonds, notes or obligations; and provided, further, that the commissioner may at any time on his own initiative, or shall, upon the written request of the directors of the Mutual Savings Central Fund, Inc., suspend the authorization granted by this paragraph for such period or periods as he may determine.

Approved April 25, 1972.

Chap. 205. AN ACT AUTHORIZING CREDIT UNIONS TO INVEST IN SECURITIES OF COUNTRIES FRIENDLY TO THE UNITED STATES.

Be it enacted, etc., as follows:

Section 21 of chapter 171 of the General Laws, as most recently amended by chapter 525 of the acts of 1971, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—The capital, deposits, and surplus of a credit union shall be invested in loans to members, with approval of the credit committee, as provided in section twenty-two, and also when so required herein, of the board of directors; and any capital, deposits, or surplus funds in excess of the amount for which loans shall be approved by the credit committee and the board of directors may be deposited in savings banks or trust companies incorporated in the commonwealth, or in banking companies so incorporated and which are members of the Federal Deposit Insurance Corporation, or in national banks located in the commonwealth, or invested in any bonds, notes, 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 in bonds of governments of countries friendly to the United States, as defined by the United States Department of State, 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. *Approved April 25, 1972.*

Chap. 206. AN ACT AUTHORIZING CO-OPERATIVE BANKS TO INVEST IN SECURITIES OF COUNTRIES FRIENDLY TO THE UNITED STATES.

Be it enacted, etc., as follows:

Subsection 7 of section 26 of chapter 170 of the General Laws, as appearing in section 1 of chapter 371 of the acts of 1950, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—In such other loans on or in relation to real estate and in such other investments in interest bearing securities, including bonds of governments of friendly foreign countries, as defined by the United States Department of State, to such extent and subject to such conditions and limitations as may be

authorized by the commissioner pursuant to the following provisions:—Upon application by twenty-five such corporations to The Co-operative Central Bank, submitted in such form and under such regulations as its directors may require, requesting authority for co-operative banks to invest their funds in any loans or investments not otherwise authorized for investment by this chapter or by general or special law, said directors may request the commissioner, in such form and under such regulations as he may require, in his discretion, to authorize co-operative banks, notwithstanding any other provisions of this chapter or of general or special law, to invest their funds in any such loans or investments. *Approved April 25, 1972.*

Chap. 207. 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:

To provide for supplementing certain items in the general appropriation act and for certain new activities and projects, the sum 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.

Department of Public Welfare.

Item		
1902–1000	For payment on account of medical assistance and permanent and total disability assistance for recipients at Tewksbury hospital	$8,000
1902–2000	For payments on account of medical assistance and old age assistance for recipients at Tewksbury hospital	40,000
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 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	70,000,000
1903–2000 1902–5000	From the unencumbered balance remaining in item 1903–2000 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one, the sum of four million dollars is hereby transferred and made available for the purposes of item 1902–5000 of section two of said chapter four hundred and seventy-one.	
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	10,000,000
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	

Item

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 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 $10,000,000

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 5,000,000

Approved April 26, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, April 26, 1972

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 207 of the Acts of 1972, entitled "AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN, AND FOR CERTAIN NEW ACTIVITIES AND PROJECTS." and the enactment of which received my approval on April 26, 1972, 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 provisions of this act immediately to take effect.

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

OFFICE OF THE SECRETARY, BOSTON, April 26, 1972.

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, 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 seven of the acts of nineteen hundred and seventy-two.

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

Chap. 208. AN ACT FURTHER REGULATING THE TAX ON RUNNING HORSE RACING AND HARNESS HORSE RACING MEETINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is forthwith to regulate the tax on running horse

racing and harness horse 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. The third paragraph of section 5 of chapter 128A of the General Laws, as appearing in section 1 of chapter 718 of the acts of 1971, is hereby amended by striking out, in line 16, the word "sixteen" and inserting in place thereof the word:—eighteen.

SECTION 2. Said section 5 of said chapter 128A is hereby further amended by striking out the fourth paragraph, as so appearing, and inserting in place thereof the following paragraph:—

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, except on the day following a Sunday horse racing meeting, a sum equal to nine 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 eighteen per cent withheld, as provided in this section, from the total amount wagered. Each licensee holding a racing meeting on Sunday, 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 Sunday of such horse racing meeting a sum equal to eight and one half per cent of the total amount deposited on the preceding Sunday by the patrons so wagering at such meeting, said percentage to be paid from the eighteen per cent withheld, as provided in this section from the total amount wagered.

SECTION 3. Said section 5 of said chapter 128A is hereby further amended by striking out the last paragraph, as amended by section 2 of chapter 718 of the acts of 1971, and inserting in place thereof the following paragraph:—

Each person licensed to conduct a harness horse racing meeting, other than a licensee holding a harness racing meeting in connection with a state or county fair, shall pay to the commission on the following day of each such horse racing meeting, except on the day following a Sunday 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 licensee holding a harness horse racing meeting on Sunday other than a licensee holding a harness horse racing meeting in connection with a state or county fair, shall pay to the commission on the day following each Sunday of such harness horse racing meeting a sum equal to five and one half per cent of so much of the total amount deposited on the preceding Sunday by the patrons so wagering at such meeting as does not exceed four hundred thousand dollars, six 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, seven 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, seven 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, eight 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, eight 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 nine 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. *Approved April 26, 1972.*

Chap. 209. AN ACT DIRECTING THE DEPARTMENT OF NATURAL RESOURCES TO CONVEY CERTAIN LAND OF THE COMMONWEALTH IN THE TOWN OF WRENTHAM TO THE COUNTY OF NORFOLK.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the use for highway purposes by Norfolk county of certain land 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:

The department of natural resources, on behalf of the commonwealth, is hereby authorized and directed to convey to Norfolk county, to be used for highway purposes, the land of the commonwealth under the control of said department, located in the town of Wrentham, described in a plan of land entitled, "Plan and Profile showing the relocation and widening of a portion of Madison street, Wrentham from Washington street (Route 1) to East street," dated December, 1948 and recorded with the registry of deeds in Norfolk county in plan book 148, plans numbered 1181 to 1190, inclusive, and more particularly described as follows: —

Parcel No. 5. 9,200 square feet, more or less, and a slope easement as shown on said plans.

Parcel No. 7. 4,150 square feet, more or less, and a slope easement as shown on said plans.

Parcel No. 8. 7,800 square feet, more or less, and a slope easement as shown on said plans.

Parcel No. 13. 9,000 square feet, more or less, and a slope easement as shown on said plans.

Parcel No. 14. 8,400 square feet, more or less, and a slope easement as shown on said plans. *Approved April 27, 1972.*

Chap. 210. 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-two.

HAMPSHIRE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$4,000 00
3.	For county commissioners, salaries and expenses . . .		35,229 80
	1. Personal services	$32,895 80	
	2. Contractual services	725 00	
	3. Supplies and materials	700 00	
	4. Current charges and obligations . .	260 00	
	5. Equipment	649 00	
4.	For transportation and expenses of county and acting commissioners		700 00
5.	For clerk of courts, salary and expenses		56,321 35
	1. Personal services	51,208 30	
	2. Contractual services	2,574 60	
	3. Supplies and materials	800 00	
	4. Current charges and obligations . .	387 50	
	5. Equipment	1,350 95	
6.	For county treasurer, salaries and expenses		37,599 01
	1. Personal services	34,544 01	
	2. Contractual services	1,575 00	
	3. Supplies and materials	1,100 00	
	4. Current charges and obligations . .	380 00	
7.	For sheriff, salary and expenses		14,158 18
	1. Personal services	13,438 68	
	2. Contractual services	400 00	
	3. Supplies and materials	20 00	
	4. Current charges and obligations . .	299 50	

Item		Subtotal	Total
8.	For registry of deeds, salaries and expenses		$92,647 05
	1. Personal services	$76,056 50	
	2. Contractual services	12,000 00	
	3. Supplies and materials	3,500 00	
	4. Current charges and obligations	845 00	
	5. Equipment	245 55	
8a.	For registry of probate, salaries and expenses		7,109 00
	2. Contractual services	2,700 00	
	3. Supplies and materials	2,200 00	
	4. Current charges and obligations	700 00	
	5. Equipment	1,509 00	
9.	For law library, salaries and expenses		22,686 00
	1. Personal services	3,146 00	
	2. Contractual services	2,030 00	
	3. Supplies and materials	610 00	
	4. Current charges and obligations	15,035 00	
	5. Equipment	1,865 00	
10.	For highways, including state highways, bridges and land damages		230,825 00
	2. Contractual services	23,000 00	
	6. All other	207,825 00	
12.	For criminal costs in superior court		190,276 57
	1. Personal services	47,819 97	
	2. Contractual services	137,777 60	
	3. Supplies and materials	1,105 00	
	4. Current charges and obligations	1,405 00	
	5. Equipment	2,169 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		42,975 82
	1. Personal services	9,025 82	
	2. Contractual services	32,980 00	
	3. Supplies and materials	425 00	
	4. Current charges and obligations	200 00	
	5. Equipment	345 00	
14.	For district courts, salaries and expenses		
	District Court of Hampshire		272,391 72
	1. Personal services	249,321 59	
	2. Contractual services	14,010 13	
	3. Supplies and materials	5,370 00	
	4. Current charges and obligations	2,884 40	
	5. Equipment	805 60	
	District Court of Eastern Hampshire		36,215 29
	1. Personal services	32,791 29	
	2. Contractual services	1,080 00	
	3. Supplies and materials	355 00	
	4. Current charges and obligations	1,939 00	
	5. Equipment	50 00	
15.	For medical examiners and commitments of insane		16,450 00
16.	For jail and house of correction, maintenance and operation		352,999 96
	1. Personal services	246,109 56	
	2. Contractual services	25,000 00	
	3. Supplies and materials	71,000 00	
	4. Current charges and obligations	4,369 00	
	5. Equipment	5,415 00	
	6. All other	1,106 40	

Item		Subtotal	Total
17.	For training school		$3,500 00
18.	For court houses and registry buildings, maintenance and operation		48,889 82
	1. Personal services	$30,358 82	
	2. Contractual services	7,313 00	
	3. Supplies and materials	8,035 00	
	4. Current charges and obligations	2,823 00	
	5. Equipment	360 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		92,393 81
	1. Personal services	81,921 81	
	2. Contractual services	7,900 00	
	3. Supplies and materials	1,900 00	
	4. Current charges and obligations	500 00	
	5. Equipment	172 00	
21.	For state reservation, maintenance and operation (Mount Tom)		20,948 91
21a.	For state reservation, maintenance and operation (Deer Hill)		1,000 00
24.	For noncontributory pensions		26,611 51
25.	For contributory retirement system and supervisory expenses		87,035 68
26.	For miscellaneous and contingent expenses		3,015 12
27.	For unpaid bills of previous years		1,048 19
28.	For reserve fund		20,000 00
28a.	For reserve for salary increases		41,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		15,000 00
31.	For radio system for fire protection		7,500 00
32.	For forest development		4,200 00
39.	For group insurance		35,000 00
	Total amount of appropriations		$1,819,727 79
	Less estimated amount available for reduction of county tax		299,231 73
	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		$1,520,496 06

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

Approved April 27, 1972.

Chap. 211. AN ACT PROVIDING FOR ADDITIONAL COURT OFFICERS IN CERTAIN DISTRICT COURTS.

Be it enacted, etc., as follows:

Chapter 218 of the General Laws is hereby amended by striking out section 62, as most recently amended by chapter 56 of the acts of 1972, and inserting in place thereof the following two sections:—

Section 62. The district and juvenile courts shall have as many court officers as are designated for each of them in the following clauses:—

(1) Ten court officers:—
municipal court of the Roxbury district.

(2) Eight court officers:—
Boston juvenile court.

(3) Seven court officers:—
municipal court of the Dorchester district.

(4) Six court officers:—
third district court of eastern Middlesex,
District court of Springfield.

(5) Five court officers:—
district court of Lowell, and
central district court of Worcester.

(6) Four court officers:—
first district court of eastern Middlesex,
first district court of southern Middlesex,
municipal court of the West Roxbury district, and
district court of Somerville.

(7) Three court officers:—
first district court of Barnstable,
municipal court of Brookline,
district court of Chelsea,
East Boston district court,
second district court of eastern Middlesex,
fourth district court of eastern Middlesex,
district court of east Norfolk,
district court of northern Norfolk, and
second district court of Plymouth.

(8) Two court officers:—
second district court of Bristol,
third district court of Bristol,
district court of Brockton,
municipal court of the Charlestown district,
municipal court of the South Boston district,
district court of Hampshire,
district court of Newton,
third district court of southern Worcester,
Worcester juvenile court,
Springfield juvenile court,
central district court of northern Essex,
district court of southern Essex,

first district court of Essex,
district court of Lawrence,
district court of central Middlesex,
district court of western Norfolk, and
district court of Marlborough.

(9) One court officer:—

Each of the other district or juvenile courts of the commonwealth not hereinbefore listed.

In the municipal court of the Roxbury district and in the municipal court of the Dorchester district one court officer shall be designated by the justice of each said court as chief court officer and one as assistant chief court officer. In the East Boston district court one court officer shall be designated by the justice of said court as chief court officer. In the Boston juvenile court one court officer shall be designated by the justice of said court as chief court officer, and two as assistant chief court officers.

Section 62A. 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 assistant chief court officer of said court, 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. *Approved April 27, 1972.*

Chap. 212. AN ACT REGULATING AN INVESTIGATING COMMISSIONER'S POWERS AND DUTIES WITH RESPECT TO COMPLAINTS OF HOUSING DISCRIMINATION FILED WITH THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION AGAINST NON-RESIDENT RESPONDENTS.

Be it enacted, etc., as follows:

The ninth sentence of the second paragraph of section 5 of chapter 151B of the General Laws, added by chapter 727 of the acts of 1968, is hereby amended by striking out, in line 1, the words "a hearing" and inserting in place thereof the words:—an investigating,—and by striking out, in line 7, the word "hearing" and inserting in place thereof the word:—investigating. *Approved April 27, 1972.*

Chap. 213. AN ACT DIRECTING THE BOARD OF EDUCATION TO ADOPT REGULATIONS RELATIVE TO THE MAINTENANCE OF STUDENT RECORDS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 34C the following section:—

Section 34D. The board of education shall adopt regulations relative to the maintenance of student records by the public elementary and secondary schools of the commonwealth.

Approved April 27, 1972.

Chap. 214. AN ACT AUTHORIZING COOPERATIVE BANKS TO EXECUTE AND DELIVER CERTAIN GUARANTIES IN THE TRANSFER OF INVESTMENT SECURITIES.

Be it enacted, etc., as follows:

Chapter 170 of the General Laws is hereby amended by inserting after section 32A, inserted by chapter 228 of the acts of 1967, the following section:—

Section 32B. Such corporation may execute and deliver such guaranties as may be incidental or usual in the transfer of investment securities.

Approved April 27, 1972.

Chap. 215. AN ACT PROVIDING FOR THE ADDITION OF COURSES IN THE CURRICULA OF PUBLIC HIGH SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 71 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. In every public high school having not less than one hundred and fifty pupils, any course not included in the regular curriculum shall be taught if the parents or guardians of not less than twenty pupils request in writing the teaching thereof and if there is an enrollment of not less than twenty pupils, provided said request is made and said enrollment is completed before the preceding August first and provided a qualified teacher is available to teach said course. The teaching of any course as provided by this section may be discontinued if the enrollment of pupils falls below ten.

SECTION 2. Sections thirteen A, thirteen B, thirteen C and thirteen E of said chapter seventy-one are hereby repealed.

Approved April 27, 1972.

Chap. 216. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A BICYCLE PATH ADJACENT TO A CERTAIN STATE HIGHWAY IN THE TOWNS OF OAK BLUFFS AND EDGARTOWN.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to construct a bicycle path adjacent to the state highway, Seaview avenue, so-called, in the towns of Oak Bluffs and Edgartown, beginning at or near station 253–25 in the town of Oak Bluffs and ending at or near the intersection of Oak Bluffs road and Vineyard Haven road in the town of Edgartown. For such purposes said department may expend such sums as may be appropriated therefor.

Approved April 27, 1972.

Chap. 217. AN ACT REQUIRING POLICE DEPARTMENTS TO FORWARD COPIES OF CERTAIN FINGERPRINTS AND PHOTOGRAPHS TO THE COMMISSIONER OF PUBLIC SAFETY.

Be it enacted, etc., as follows:

Section 1A of chapter 263 of the General Laws, inserted by chapter 443 of the acts of 1964, is hereby amended by adding the following sentence:—Two copies of such fingerprints and photographs shall be forwarded within a reasonable time to the commissioner of public safety by the person in charge of the police department taking such fingerprints and photographs. *Approved April 27, 1972.*

Chap. 218. AN ACT PROVIDING FOR A CERTIFICATE OF DISABILITY SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY ON ABSENTEE APPLICATIONS OF CERTAIN VOTERS, AND ELIMINATING THE REQUIREMENT OF FILING SUCH CERTIFICATES BY CERTAIN PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Subsection (*b*) of section 87 of chapter 54 of the General Laws, as most recently amended by section 2 of chapter 409 of the acts of 1971, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

Blank forms of application for such ballots, worded as follows:

I, ..., hereby apply for an absent voting ballot. The place of my legal residence (permanent home) is in the city or town of ..... in the state of ....., and, as I believe, I am a duly registered voter at ..... (Street and Number) in the city or town of ..... and entitled to vote at the next state election at ward ....., precinct ....., in said city or town of .....

..... (Signature) ..... (Date)

CHECK ONE:

☐ Mail official absent voting ballot to..... (Street and Number)

..... (City or Town) (State or Country)

☐ Since I have no address outside the city or town from which the ballot may be seasonably returned, I will call for the ballot at the office of the town or city clerk, following certification of this application by the registrars, and will vote upon the ballot in said office, at a time arranged with the clerk.

(If in the service of the United States, the applicant will fill out the following:)

I am in the military, naval, civil service of the United States, and my rank or official position is.....

..... (Signature) ..... (Date)

(If unable by reason of physical disability to cast his vote in person at the polling place, the applicant will sign the following:)

I hereby certify that I will be unable by reason of physical disability to cast my vote in person at the polling place on the date of the election.

....
(Signature) (Date)

Signed under the pains and penalties of perjury.

We, the undersigned, a majority of the registrars of voters of the ..... of ....., hereby certify that the above signature, to the best of our knowledge and belief, appears to be genuine, and that we believe said ..... is a duly registered voter in said ward ....., precinct ....., city or town of .....

Registrars of the ..... of .....

SECTION 2. Said section 87 of said chapter 54 is hereby further amended by striking out subsection (*f*), as most recently amended by section 3 of said chapter 409, and inserting in place thereof the following subsection: —

(*f*) Blank forms of applications for absent voting ballots printed on cards suitable for mailing as post cards, but without postage, as follows: —

APPLICATION FOR ABSENT VOTING BALLOT

(s. 87(*f*), c. 54, G.L.)

To the Registrars of Voters or Election Commissioners:

I hereby apply for an absent voting ballot for the special state election or the biennial state election to be held on .....

My name is .....
(Please Print)

I vote from .....
(Street and Number)

Mail ballot to .....
(Your Signature Here)

.....
(Street and Number)

.....
(City or Town) (State)

(If you are unable to vote in person by reason of physical disability ALSO complete this part of the application.)

I hereby certify that I will be unable by reason of physical disability to cast my vote in person at the polling place on the day of the election.

....
(Your Signature Here) (Date)

Signed under the pains and penalties of perjury.

SECTION 3. Section 96 of said chapter 54 is hereby amended by inserting after the word "law", in line 6, as appearing in section 7 of chapter 404 of the acts of 1936, the words: — , including that the voter was not unable by reason of physical disability to cast his vote in person at the polling place on the day of the election.

Approved April 27, 1972.

Chap. 219. AN ACT DEFINING THE WORD "PERSON" AS USED IN THE LAW 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 10A of chapter 214 of the General Laws, inserted by section 1 of chapter 732 of the acts of 1971, is hereby amended by inserting after the first paragraph the following paragraph:—

As used in this section "person" shall mean any individual, association, partnership, corporation, company, business organization, trust, estate, the commonwealth or any political subdivision thereof, any administrative agency, public or quasi-public corporation or body, or any other legal entity or its legal representatives, agents or assigns. *Approved April 27, 1972.*

Chap. 220. AN ACT AUTHORIZING CITIES AND TOWNS TO ENTER INTO AGREEMENTS TO PROVIDE MUTUAL POLICE AID PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 40 of the General Laws is hereby amended by adding after clause (65), inserted by section 1 of chapter 784 of the acts of 1971, the following clause:—

(66) For the necessary expense of implementing an agreement entered into under the provisions of section eight G.

SECTION 2. Said chapter 40 is hereby further amended by inserting after section 8F the following section:—

Section 8G. A city or town which accepts this section may enter into an agreement with another city or town, or other cities and towns, to provide mutual aid programs for police departments to increase the capability of such departments to protect the lives, safety, and property of the people in the area designated in the agreement. Said agreement may include the furnishing of personal services, supplies, materials, contractual services, and equipment when the resources normally available to any municipality in the agreement are not sufficient to cope with a situation which requires police action. *Approved April 27, 1972.*

Chap. 221. AN ACT AUTHORIZING CERTAIN ENFORCEMENT OFFICERS TO ENTER UPON AND PASS OVER PRIVATE LANDS IN THE PERFORMANCE OF THEIR DUTIES RELATIVE TO THE FISH AND GAME LAWS.

Be it enacted, etc., as follows:

Section 87 of chapter 131 of the General Laws, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—Any of the foregoing persons authorized to arrest without a warrant may, in the performance of their duties, enter upon and pass over private lands, whether or not covered by water.

Approved April 27, 1972.

Chap. 222. AN ACT AUTHORIZING THE UPPER BLACKSTONE WATER POLLUTION ABATEMENT DISTRICT TO ENTER INTO AGREEMENTS TO ACCEPT, COLLECT, TREAT AND DISPOSE OF SEWAGE WITH POLITICAL SUBDIVISIONS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 752 of the acts of 1968 is hereby amended by inserting after section 14 the following section:—

Section 14A. The district may enter into an agreement with any political subdivision of the commonwealth to accept sewage and for the collection, treatment and disposal of sewage from a portion of any city or town named in section one, or from a portion of any political subdivision of the commonwealth whose land area lies within the geographic limits of the district. Such agreements shall provide for the apportionment of the cost of original construction, interest on bonds or notes, and the cost of maintenance and operation of any facility necessary for said purposes. *Approved April 27, 1972.*

Chap. 223. AN ACT FURTHER REGULATING THE PROCEDURE FOR IMPORTING INLAND FISH AND WILDLIFE INTO THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by striking out section 19, as appearing in section 1 of chapter 802 of the acts of 1967, and inserting in place thereof the following two sections:—

Section 19. A person shall not put into any of the inland waters of the commonwealth any species of fish or spawn thereof unless he possesses a valid license so to do issued under section twenty-three, or unless he has secured the written approval of the director.

A person shall not bring or cause to be brought into the commonwealth any live fish or viable eggs of fish protected by this chapter unless he first obtains a permit so to do from the director. Any application for such permit shall be received not less than fifteen nor more than thirty days prior to shipment. Upon payment of a fee of five dollars, a permit may be issued if the director determines that such importation is not detrimental to the inland fisheries resources of the commonwealth and provided that the immediate source of fish or eggs is certified by a person recognized by the director as qualified to diagnose fish diseases to be free of infectious diseases and parasites. Fish or viable eggs imported under this permit shall be subject to inspection by agents of the director at any time or place. Such inspections may include the taking of fish or egg samples for biological examination. The cost of such inspection shall be paid by the permittee.

Any such fish or viable eggs of fish which is brought into the commonwealth in violation of this section, or which is so brought under authority of a permit granted hereunder and is found upon inspection to be diseased, may be confiscated by an officer empowered

to enforce this chapter and shall be forfeited to the commonwealth and shall be disposed of by the director of law enforcement for the best interest of the commonwealth.

Section 19A. A person shall not bring or cause to be brought into the commonwealth any live bird or mammal protected by this chapter, or any member of the family sciuridae of the order rodentia or any member of the order lagomorpha or any other member of the group vertebrata, wild by nature, unless he first obtains a permit so to do from the director, nor shall he liberate any bird or mammal or other such vertebrates, nor shall he import into or transport within the commonwealth live foxes except in accordance with the provisions of an outstanding permit issued to him. Upon payment of a fee of five dollars, the director may issue such permit and may include therein reasonable conditions as to the importation, inspection, transportation, and liberation of such birds and mammals and other vertebrates if he determines that such importation is not detrimental to resident wildlife populations of the commonwealth and provided that any bird or mammal or other such vertebrates to be imported is certified by a person recognized by the director as qualified to diagnose wildlife diseases to be free of any infectious disease or parasites if in his judgment such certification is deemed necessary. Application for this permit shall be filed with the director not later than ten days in advance of the importation date, and he may at any time for cause revoke such a permit. He may make, alter, amend, or repeal reasonable rules and regulations relative to the issuance of such permit and to the importation, inspection, transportation and liberating of birds and mammals and other such vertebrates.

Nothing in this section shall be construed to allow liberation into the wild of any pheasant or quail unless it shall have been certified by the department of agriculture that it has either been individually tested within the preceding six months, or that the parent stock has been tested within one year, and found free of salmonella pullorum as required in the official Massachusetts pullorum passed grade for poultry or of any transmissible poultry disease by the veterinary department of the University of Massachusetts, or shall have been so certified by a corresponding official of another state. The department of agriculture shall supply the director with the names and addresses of persons whose individual birds, or their parent stock, have met with the foregoing requirements, whereupon such individual birds and the offspring of such parent stock shall be eligible for release without being subjected to an individual test; provided, that they have not been confined for any period on premises where untested birds or poultry are kept.

Any such bird, mammal or vertebrate which is brought into the commonwealth in violation of this section, or which is so brought under authority of a permit granted hereunder and is found upon inspection to be diseased, may be confiscated by an officer empowered to enforce this chapter and shall be forfeited to the commonwealth and shall be disposed of by the director of law enforcement for the best interest of the commonwealth.

SECTION 2. Section 29 of said chapter 131, as amended by chapter 125 of the acts of 1972, is hereby further amended by inserting after

the word "Sections", in line 1, the words:—nineteen, nineteen A and.

SECTION 3. Section 90 of said chapter 131 is hereby amended by striking out the paragraph inserted by chapter 102 of the acts of 1970.

SECTION 4. The third paragraph of said section 90 of said chapter 131, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by inserting after the word "eighteen", in line 1, the words:—, nineteen, nineteen A. *Approved April 27, 1972.*

Chap. 224. AN ACT FURTHER REGULATING THE ELECTION OF DELEGATES TO THE STATE CONVENTIONS OF POLITICAL PARTIES HELD IN THE YEAR 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 election of delegates to the state conventions of political parties in the year nineteen hundred and seventy-two by ward or town committees elected in said 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:

Notwithstanding any contrary provision of law, each ward or town committee desiring representation at the state convention of a political party to be held in the year nineteen hundred and seventy-two shall elect delegates to said convention at the organizational meeting of the members of said ward or town committee elected in the year nineteen hundred and seventy-two which is called pursuant to the provisions of section four of chapter fifty-two of the General Laws. The chairman of each such ward or town committee shall notify the respective city committee, in the case of a city, or the state committee, in the case of a town, of the election of said delegates not later than the last Wednesday in May, nineteen hundred and seventy-two. *Approved May 1, 1972.*

Chap. 225. AN ACT DEFINING THE TERMS "BOILER" AND "PRESSURE VESSEL" UNDER THE LAW REGULATING BOILERS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 146 of the General Laws is hereby amended by inserting after the definition of "Board" the following definition:—

"Boiler", A closed pressure vessel in which water is heated, steam is generated, steam is superheated or any combination thereof, under pressure or vacuum for use externally to itself by the direct application of heat from the combustion of fuel, or from electricity or nuclear energy. The term "Boiler" shall include fired units for heating or vaporizing liquids other than water where these units are separate from processing systems and are complete within themselves.

SECTION 2. Said section 1 of said chapter 146 is hereby further amended by inserting after the definition of "Inspector", as most recently amended by section 3 of chapter 486 of the acts of 1958, the following definition:—

"Pressure Vessel", A vessel in which the pressure is obtained from an external source or by the application of heat from an indirect source or from a direct source, other than a vessel defined as a "Boiler" in this section. *Approved May 2, 1972.*

Chap. 226. AN ACT FURTHER REGULATING THE RESIDENCY REQUIREMENTS FOR APPOINTMENT OF POLICE OFFICERS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

Section 48A of chapter 31 of the General Laws, as most recently amended by chapter 16 of the acts of 1969, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences:—No applicant for appointment to the police force of a city or town shall be required by rule, or otherwise, to be a resident of such city or town at the time of filing his application for examination for such appointment; provided, however, that notwithstanding the provisions of any general or special law to the contrary, any person who receives an appointment to the police force of a city or town shall within nine months after his appointment establish his residence within such city or town or at any other place in the commonwealth that is within ten miles of the perimeter of such city or town. If any person has resided in a city or town for one year immediately prior to filing his application for examination and has the same standing as any person who has not so resided in such city or town, the director of civil service, when establishing the list of eligible applicants, shall place the name of the person so residing ahead of the name of the person not so residing, or upon written request of the appointing authority to the director, the director shall place the names of all persons who have resided in a city or town for one year immediately prior to the date of examination ahead of the name of any person not so residing, provided that the request is made prior to establishment of the eligible list. *Approved May 2, 1972.*

Chap. 227. AN ACT FURTHER REGULATING THE MEMBERSHIP OF STUDENT ADVISORY COUNCILS TO THE BOARD OF EDUCATION TO INCLUDE CERTAIN STUDENTS IN A VOCATIONAL SECONDARY SCHOOL.

Be it enacted, etc., as follows:

The fifth paragraph of section 1E of chapter 15 of the General Laws, as appearing in section 1 of chapter 1009 of the acts of 1971, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—There is hereby established a student advisory council to the board of education, consisting of four elected representatives from each student regional council established under the provisions of this section, one of whom shall be a student in a vocational secondary school. *Approved May 2, 1972.*

Chap. 228. AN ACT REQUIRING THE ERECTION OF BARRIERS AT SITES OF EXCAVATIONS ABUTTING PUBLIC WAYS.

Be it enacted, etc., as follows:

Chapter 84 of the General Laws is hereby amended by adding after section 27 the following section:—

Section 27A. The owner of any land which abuts a public way and on which an excavation has been made within fifty feet of said way shall cause a fence or other barrier not less than five feet in height to be erected at the street line of such way. Such fence or barrier shall not be removed until the area abutting such way has been made level with the same for a distance of fifty feet from said street line. Whoever violates any provision of this section shall be punished by a fine of not less than two hundred nor more than five hundred dollars. *Approved May 2, 1972.*

Chap. 229. AN ACT MAKING CERTAIN CHANGES IN THE LAW RELATIVE TO CONSUMER CREDIT COST DISCLOSURE SUBJECT TO THE SUPERVISION OF THE COMMISSIONER OF BANKS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is to provide forthwith that the laws of the commonwealth relative to the disclosure of consumer credit costs and terms continue to be in conformity with federal law and regulations, and to provide for further promulgation of certain rules and regulations by the commissioner of banks, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 140C of the General Laws, as appearing in section 1 of chapter 517 of the acts of 1969, is hereby amended by adding after subsection (*h*) the following subsection:—

(*i*) Any variance in the amount of any finance charge, payment, percentage rate, or other term required under this chapter to be disclosed, or stated in any advertisement, which occurs by reason of the addition of February twenty-nine in any year, may be disregarded, and such term may be disclosed or stated without regard to such variance.

SECTION 2. Section 6 of said chapter 140C, as so appearing, is hereby amended by striking out subsection (*e*) and inserting in place thereof the following subsection:—

(*e*) Not later than fifteen days prior to the beginning date of the billing cycle in which any change is to be made in the terms previously disclosed to the customer of an open end credit account, the creditor shall mail or deliver a written disclosure of such change to each customer required to be furnished a statement under subsection (*b*). Such disclosure shall be mailed or delivered to each other customer who subsequently activates his account not later than the date of mailing or delivery of the next required billing statement on his account. However, if the periodic rate or rates, or any minimum, fixed, check service, transaction, activity, or similar charge is in-

creased, the creditor shall mail or deliver a written disclosure of such increase to each customer at least fifteen days prior to the beginning date of the billing cycle in which the increase is imposed on his account. No notice is necessary if the only change is a reduction in the minimum periodic payment, periodic rate or rates, or in any minimum, fixed, check service, transaction, activity, or similar charge applicable to the account.

SECTION 3. Section 7 of said chapter 140C is hereby amended by striking out subsection (*o*), as so appearing, and inserting in place thereof the following subsection:—

(*o*) (1) For the purposes of this subsection a transaction subject to this subsection is a credit sale transaction which is not exempt under section two and which is subject to a discount for payment on or before a specified date or to a charge for delaying payment after a specified date. Both such a discount and such a charge are referred to in this subsection as a "discount". In the case of any transaction subject to this subsection notwithstanding the provisions of the last sentence of subsection (*a*), the creditor shall disclose on the invoice or other evidence of such sale, as applicable:

(*i*) The date of the sale or invoice.

(*ii*) The rate of discount, the date by which or period within which the discount may be taken, and the date by which or period within which the full amount of the obligation is due and payable.

(*iii*) The information required under clauses (4) and (5) of subsection (*b*).

(*iv*) The amount of the discount, designated as a "finance charge", using that term.

(*v*) If the discount shown for prompt payment exceeds five per cent of the obligation to which the discount relates, the "annual percentage rate", using that term, computed in accordance with clause (2).

(2) For the purposes of clause (1) (*v*) the annual percentage rate shall be determined by dividing the amount of the finance charge by the least amount payable in satisfaction of the obligation and multiplying the quotient, expressed as a percentage, by a fraction in which the numerator is twelve and the denominator is the number of whole months, but not less than one, between the first day of the monthly billing cycle in which the transaction is consummated and the first day of the monthly billing cycle in which the obligation becomes due.

(3) In a transaction with multiple discount rates the largest discount shall be used for purposes of disclosing the amount of the finance charge under clause (1) (*iv*) and the annual percentage rate under clause (1) (*v*).

(4) In order to determine the applicability of clause (1) (*v*) and to facilitate disclosure of an annual percentage rate, if the amount of the discount for prompt payment is related, pursuant to usual business practice, to weight, quantity, or other physical measure rather than expressed as a percentage of discount, that discount may be converted to an approximate discount rate and, under clause (2), a reasonably accurate approximation of the annual percentage rate by using approximate or projected prices per physical unit determined on the basis of past experience, current information, or projected analysis.

(5) If by its terms a transaction subject to this subsection is payable in a single payment and no finance charge other than a discount is or may be imposed, and such discount is not utilized for the purpose of circumvention or evasion of disclosure requirements, the disclosure required by clause (1) shall constitute compliance with the requirements of this section and under subsection (*a*) of section eight shall constitute "all other material disclosures required under this chapter".

(6) If a transaction subject to this subsection is debited to an open end credit account, disclosures shall be made as specified in clause (1) and also as specified in section six. The full amount of the obligation including the amount of the discount may be debited to the open end credit account under clause (2) of subsection (*b*) of section six and the amount of any finance charge representing the discount need not be added to any other finance charge for the purpose of computing and disclosing the total amount of finance charge and the annual percentage rate under subsection (*a*) of section four and section six.

(7) If a transaction subject to this subsection is not debited to an open end credit account, but either is subject to an additional finance charge or is payable by its terms in more than one payment, disclosures shall be made as specified in clause (1) and also as specified in subsections (*b*) and (*c*). In such a case, if the transaction is payable in more than one payment, the amount of the discount shall be deducted for the purpose of computing and disclosing the cash price under clause (1) of subsection (*c*) and shall be added to any other finance charge for the purpose of computing and disclosing the amount of the finance charge under clause (8) (*i*) of subsection (*c*) and the annual percentage rate under clause (2) of subsection (*b*). If the transaction is payable in a single payment, the discount may be disregarded in computing and disclosing such cash price, finance charge, and annual percentage rate.

(8) Notwithstanding the provisions of the second sentence of subsection (*a*), the disclosures required under clause (1) made on the invoice or other evidence of sale may be delivered subsequent to consummation of the transaction.

SECTION 4. Said section 7 of said chapter 140C is hereby further amended by adding after subsection (*o*) the following subsection:—

(*p*) (1) In any transaction subject to this section, if the amount or date of any advance or payment in connection with an extension of credit for agricultural purposes under a written agreement is to be determined by production, seasonal needs, or similar operational factors, and is not determinable at the time of execution of the agreement, disclosures may be made at the creditor's option in accordance with this subjection, provided the use of this subsection is not for the purpose of circumvention or evasion of this chapter.

(2) If a creditor elects to make disclosures under this subsection, he shall disclose the following items in accordance with subsection (*a*), which shall constitute compliance with the requirements of this section, and under subsection (*a*) of section eight shall constitute "all other material disclosures required under this chapter":

(*i*) The method of computing the amount of the finance charge including an identification of each component thereof in accordance with section three;

(*ii*) Any item required to be disclosed under clause (3) of subsection (*b*) which is determinable at the time the disclosures are required to be made under this subsection.

(*iii*) The disclosures, as applicable, required under clauses (4), (5), (6), and (7) and the items described in clauses (1) and (2) of subsection (*e*).

(*iv*) The disclosures, as applicable, required under clauses (1), (2), (3), (4), (5), (8), and (9) of subsection (*o*).

(3) Disclosures made pursuant to clause (2) (*i*), (*ii*), and (*iii*) need be made only on the agreement or on a separate statement as specified in subsection (*a*).

(4) If a creditor making disclosures pursuant to this subsection transmits a periodic billing statement of the type described in subsection (*n*), such statement shall be in a form which the customer may retain and shall set forth the date by which, or the period, if any, within which payment must be made in order to avoid late payment or delinquency charges.

SECTION 5. The first paragraph of subsection (*b*) of section 8 of said chapter 140C, as appearing in section 1 of chapter 517 of the acts of 1969, is hereby amended by inserting after the fifth sentence the following sentence:—Where the real property on which the security interest may arise does not include a dwelling, the creditor may substitute the words "the property you are purchasing" for "your home", or "lot" for "home", where these words appear in the notice.

SECTION 6. Subsection (*c*) of said section 8 of said chapter 140C, as so appearing, is hereby amended by inserting after the word "section", in line 2, the words:— , other than an extension of credit primarily for agricultural purposes,.

SECTION 7. Subsection (*g*) of said section 8 of said chapter 140C, as so appearing, is hereby amended by striking out clause (4) and inserting in place thereof the following clause:—

(4) Any advance for agricultural purposes made pursuant to either:

(*i*) Subsection (*j*) of section seven under an open end real estate mortgage or similar lien, provided the disclosure required under subsection (*b*) was made at the time the security interest was acquired by the creditor or at any time prior to the first advance made on or after June first, nineteen hundred and seventy-two, or

(*ii*) Subsection (*p*) of section seven under a written agreement, provided the disclosure required under subsection (*b*) was made at the time the written agreement was executed by the customer.

SECTION 8. Section 9 of said chapter 140C, as so appearing, is hereby amended by adding the following subsection:—

(*e*) Any advertisement to aid, promote, or assist directly or indirectly the sale of residential real estate under Title II, Section 235, of the National Housing Act (12 U.S.C. 1715z) shall clearly identify those credit terms which apply to the assistance program and, except as provided in this subsection, comply with the provisions of subsection (*d*). No such advertisement shall state;

(1) the amount of any payment scheduled to repay the indebtedness without stating the family size and income level applicable to that amount.

(2) any rate of a finance charge, or the amount of the finance charge, expressed as an annual percentage rate based on the assistance. The annual percentage rate exclusive of the assistance may be stated, but is not required.

SECTION 9. Subsection (*b*) of section 10 of said chapter 140C, as so appearing, is hereby amended by inserting before the word "a", in line 9, the words:—the costs of the action together with.

SECTION 10. Section 27 of chapter 255D of the General Laws is hereby amended by striking out subsection E, as amended by section 53 of chapter 517 of the acts of 1969, and inserting in place thereof the following subsection:—

E. Not later than fifteen days prior to the beginning date of the billing cycle in which any change is to be made in the terms previously disclosed to the buyer of a revolving credit account, the seller or holder shall mail or deliver a written disclosure of such change to each buyer required to be furnished a statement under subsection D. Such disclosure shall be mailed or delivered to each other buyer who subsequently activates his account not later than the date of mailing or delivery of the next required billing statement on his account. However, if the periodic rate or rates, or any minimum or similar charge is increased, the creditor shall mail or deliver a written disclosure of such increase to each buyer at least fifteen days prior to the beginning date of the billing cycle in which the increase is imposed on his account. No notice is necessary if the only change is a reduction in the minimum periodic payment, periodic rate or rates, or in any minimum or similar charge applicable to the account.

SECTION 11. Said section 27 of said chapter 255D is hereby amended by striking out subsection F, added by chapter 788 of the acts of 1969, and inserting in place thereof the following subsection:—

F. The seller or holder shall mail or deliver to the buyer the statement or statements required by subsection D for each billing cycle at least nine days before the end of the next succeeding billing cycle or the payment due date, whichever is the earlier. If the seller or holder 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 buyer shall receive a credit or refund for any such finance charge assessed or collected other than in accordance with the provisions of this subsection within the two billing cycles following such assessment or collection. The failure to provide such credit or refund within the period specified shall subject the seller or holder to the penalties provided in subsection (*b*) of section ten of chapter one hundred and forty C.

Approved May 4, 1972.

Chap. 230. AN ACT AUTHORIZING THE CITY OF BOSTON TO PENSION PETER D. MUISE.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of promoting the public good the police commissioner of the city of Boston, with the approval of the mayor of said city, shall forthwith retire, on an annual pension to be paid by

said city in monthly installments, Peter D. Muise, a patrolman in the police department of said city, who is totally incapacitated as a result of injuries sustained by him when shot in the performance of his duty on March second, nineteen hundred and seventy-one. Such pension shall be equal to the annual rate of regular compensation which would have been paid him had he continued in service in the grade held by him at the time of his retirement. Upon his death leaving Mary E. Muise, his wife, surviving him, said city shall pay to her, so long as she remains unmarried, an annuity of three thousand dollars, increased by three hundred and twelve dollars for each child of said Peter D. Muise during such time as such child is under eighteen years of age or over said age and physically or mentally incapacitated from earning. If said Mary E. Muise remarries, said city shall pay, in lieu of the aforesaid annuity to her, an annuity of five hundred and twenty dollars to or for the benefit of each such child during the time aforesaid.

SECTION 2. Upon the retirement of said Peter D. Muise under this act the Boston retirement board shall forthwith pay to him all amounts standing to his credit in the annuity savings fund of the State-Boston retirement system.

SECTION 3. The provisions of section one hundred of chapter forty-one of the General Laws shall continue to apply to said Peter D. Muise relative to his indemnification by said city for any hospital, medical, and related expenses which may be incurred by him after the date of his retirement as a result of the aforementioned incapacity.

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

Approved May 4, 1972.

Chap. 231. AN ACT DESIGNATING THE BRIDGE ON STATE HIGHWAY ROUTE 125 OVER THE MERRIMAC RIVER IN THE CITY OF HAVERHILL AS THE RALPH THOMAS BASILIERE BRIDGE.

Be it enacted, etc., as follows:

The bridge on state highway route 125 over the Merrimac river in the city of Haverhill shall be designated and known as the Ralph Thomas Basiliere bridge, in memory of Private First Class Ralph Thomas Basiliere, who was killed in action while a member of the armed forces of the United States in the Vietnam campaign. Suitable markers bearing said designation shall be attached thereto by the department of public works. *Approved May 4, 1972.*

Chap. 232. AN ACT FURTHER REGULATING CERTAIN PERSONAL LOANS BY CREDIT UNIONS.

Be it enacted, etc., as follows:

Subdivision (A) 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 amended by striking out paragraph 5 and inserting in place thereof the following paragraph:—

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 or thirty thousand dollars whichever is the lesser upon said collateral and may also secure such notes by taking as collateral therefor the readily marketable common or preferred stocks of corporations listed on a stock exchange which is subject to regulation by the Securities and Exchange Commission, valued at not more than eighty per cent of their market value.

Approved May 4, 1972.

Chap. 233. 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:

The last paragraph of section 5 of chapter 152 of the General Laws, added by chapter 882 of the acts of 1971, is hereby amended by inserting after the word "may", in line 2, the words: — order, or, — and by inserting after the word "deposed", in line 11, the words: — or whose witness is ordered to be deposed. *Approved May 4, 1972.*

Chap. 234. AN ACT AUTHORIZING THE PAYMENT OF OVERTIME COMPENSATION TO MEMBERS OF THE FIRE FIGHTING FORCE OF FIRE DISTRICTS.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by striking out section 58C, as most recently amended by section 2 of chapter 544 of the acts of 1969, and inserting in place thereof the following section: —

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

Approved May 4, 1972.

Chap. 235. AN ACT EXTENDING THE DISCRETION OF THE COURT IN ACTIONS OF SUMMARY PROCESS IN GRANTING A STAY OR STAYS OF JUDGMENT AND EXECUTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 239 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 1 of chapter 26 of the acts of 1967, and inserting in place thereof the following section: —

Section 9. In an action of summary process to recover possession of premises occupied for dwelling purposes, other than a room or rooms in a hotel, lodging house or rooming house, where a tenancy has been terminated without fault of the tenant, either by operation of law or by act of the landlord, except by a notice to quit for nonpayment of rent as provided in section twelve of chapter one hundred and eighty-six, a stay or stays of judgment and execution may be granted, as hereinafter provided, for a period not exceeding six months or for periods not exceeding six months in the aggregate, as the court may deem just and reasonable, upon application of the tenant or the surviving spouse, parent or child of a deceased tenant if such spouse, parent or child occupied said premises for dwelling purposes at the time when said tenancy was terminated and such occupancy was not in violation of the terms of the tenancy; provided, however, that a stay or stays of judgment and execution in the case of premises occupied by an employee of a farmer conditioned upon his employment by such farmer and which employment has been legally terminated shall not be granted for a period exceeding two months or for periods exceeding two months in the aggregate.

SECTION 2. This act shall take effect on September first, nineteen hundred and seventy-two. *Approved May 4, 1972.*

Chap. 236. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY FOR THE PROPER OBSERVANCES OF CERTAIN PATRIOTIC HOLIDAYS BY THE POLISH LEGION OF AMERICAN VETERANS.

Be it enacted, etc., as follows:

Clause (12) of section 5 of chapter 40 of the General Laws is hereby amended by striking out, in lines 38 and 39, as appearing in section 2 of chapter 118 of the acts of 1958, the words "and the Polish-American Veterans of Massachusetts, Inc., and its affiliated posts" and inserting in place thereof the words: — the Polish-American Veterans of Massachusetts, Inc., and its affiliated posts, and the Polish Legion of American Veterans. *Approved May 4, 1972.*

Chap. 237. AN ACT INCREASING THE AUTHORITY OF CONSTABLES TO SERVE CIVIL PROCESS.

Be it enacted, etc., as follows:

Section 92 of chapter 41 of the General Laws is hereby amended by striking out the last sentence, as most recently amended by chapter 1061 of the acts of 1971, and inserting in place thereof the following

sentence: — A constable who has filed such bond, in a sum of not less than three thousand dollars, may, within his town, also serve any such writ or other process in which the damages are laid at a sum not exceeding eight hundred dollars, and any process in replevin in which the subject matter does not exceed in value eight hundred dollars.

Approved May 4, 1972.

Chap. 238. AN ACT AUTHORIZING TRUST COMPANIES TO MAKE "LEEWAY" INVESTMENTS, SO-CALLED, OF UP TO THREE PER CENT OF DEPOSITS.

Be it enacted, etc., as follows:

Section 48 of chapter 172 of the General Laws is hereby amended by adding after clause 19 the following clause: —

20. To make any investment not otherwise eligible under any other provision of this chapter or any other provision of law, including but not limited to investment in any capital stock of a corporation organized for the purposes of acquiring and managing interests in real property and acquiring, constructing, rehabilitating, leasing, financing and disposing of housing facilities, or in any other interest in real or personal property, debt security, equity security or loan; provided that (*a*) no more than three per cent of the deposits of such corporation shall be invested pursuant to the provisions of this section; (*b*) no investment shall be made by such corporation in the equity securities of any one issuer pursuant to this section if the aggregate amount invested by it in the equity securities of such issuer pursuant to this section together with the amount invested in such securities pursuant to any other provision of law exceeds, or by the making of such investment will exceed, one per cent of the deposits of such corporation, and no investment shall be made by such corporation in a loan to, or in the debt securities of, any one issuer pursuant to this section, if the aggregate amount invested by it pursuant to this section together with the amount invested in a loan to, or in the debt securities of, such issuer pursuant to any other provision of law exceeds one per cent of the deposits of such corporation; (*c*) any loan made or debt security purchased pursuant to this section shall be secured over the term of the loan or the debt security; (*d*) this section shall not be deemed to alter any provision of this chapter or other provision of law limiting the aggregate amount that may be invested in any class of loan or investment; and (*e*) investments authorized solely by this section shall not be deemed investments in which banks may legally invest for the purposes of any other provision of law which restricts investments to those in which banks may legally invest.

Approved May 4, 1972.

Chap. 239. AN ACT RESTRICTING THE USE OF THE COMPUTER TERMINALS UNDER THE CONTROL OF THE REGISTRAR OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 30 the following section: —

Section 30A. The registrar shall not permit direct or indirect use of the computer terminals under his control, whether for inquiry into

computer data files or otherwise, except by persons employed by the commonwealth or a political subdivision thereof, law enforcement agencies, or computer manufacturers or data processing consultants under contract with the commonwealth. *Approved May 4, 1972.*

Chap. 240. AN ACT AUTHORIZING DISTRICT PLANNING COMMISSIONS TO ACT AS ECONOMIC DEVELOPMENT REGIONAL COMMISSIONS.

Be it enacted, etc., as follows:

Chapter 40B of the General Laws is hereby amended by inserting after section 5A the following section:—

Section 5B. A district planning commission may, by an affirmative vote of two thirds of the representatives of the cities and towns comprising the district, agree to act as, and to assume the duties, obligations, and responsibilities of, an economic development regional commission for as many of the cities and towns within its area of jurisdiction as it may deem proper and logical, subject to the availability of funds for such purpose; provided, however, that said cities and towns shall be eligible for designation as an economic development region, hereinafter called the region, in accordance with the provisions of the Public Works and Economic Development Act of 1965. Additional eligible cities and towns may be added to or deleted from the region by an affirmative vote of two thirds of the representatives of the cities and towns comprising the district.

The district planning commission members and alternate designees of the cities and towns comprising the region shall constitute the economic development regional commission. In addition, such technical and advisory committees as are necessary and required by the Public Works and Economic Development Act of 1965 may be appointed in accordance with the provisions of said Act for the purpose of providing advice and guidance to the region.

The economic development regional commission may prepare economic development programs which shall be public records and may be changed or supplemented from time to time by a majority vote of the representatives of the cities and towns comprising the region. Said regional commission may conduct feasibility and implementation studies for public facilities and programs and develop public and private development projects which are consistent with and which aid in implementing the objectives of said commission. Said regional commission may advertise and otherwise promote the implementation of its plans and recommendations for the economic and industrial development of the region and may sponsor conferences, institutes, seminars and training programs on behalf of the region.

Approved May 8, 1972.

Chap. 241. AN ACT PROVIDING FOR THE FILING OF EXPENSE AND CONTRIBUTION RETURNS BY GROUPS FAVORING OR OPPOSING QUESTIONS APPEARING ON THE ELECTION BALLOT.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 4 of chapter 55 of the General Laws, as most recently amended by section 4 of chapter 444

of the acts of 1962, is hereby further amended by adding the following two sentences:—Any group of five or more persons, including the first ten signers to an initiative or referendum petition filed under the provisions of Article LXVIII of the Amendments to the Constitution, who favor or oppose the adoption or rejection of a question submitted to voters, and who intend to expend any monies or things of value in favoring or opposing such questions, shall file with the state secretary if the question is to appear upon the ballot at a state election, or with the city or town clerk if the question is to appear upon the ballot at a municipal election, the organizational statement referred to herein. Said filing shall be not later than the sixtieth day preceding a state election, or the thirtieth day preceding a municipal election.

SECTION 2. The second paragraph of section 16 of said chapter 55, as amended by chapter 281 of the acts of 1967, is hereby further amended by inserting after clause (*e*) the following clause:—

(*f*) By a committee organized under the provisions of section four to favor or oppose a question submitted to the voters, on the date of organization, and on the sixtieth day prior to the election, showing all receipts and expenditures and liabilities accrued until said date, and thereafter every fifth and twentieth day of the month, until all declared liabilities of such committee have been discharged, if the question appears on ballots at a state election. If the question appears on a ballot at a municipal election, said committee shall file its initial report with the city or town clerk upon organization, and no later than the fourteenth day following the election shall file a second, and final report. Both reports shall list all receipts, expenditures and liabilities incurred to the reporting date. *Approved May 8, 1972.*

Chap. 242. AN ACT GRANTING IMMUNITY FROM DAMAGES TO CERTAIN MEMBERS OF CERTAIN PROFESSIONAL SOCIETIES AND COMMITTEES FOR OFFICIAL ACTIONS TAKEN ON BEHALF OF SUCH SOCIETIES OR COMMITTEES.

Be it enacted, etc., as follows:

Chapter 231 of the General Laws is hereby amended by inserting after section 85M, inserted by chapter 165 of the acts of 1972, the following section:—

Section 85N. No member of a professional society or of a duly appointed committee thereof or a duly appointed member of a committee of a medical staff of a licensed hospital shall be liable in a suit for damages as a result of his acts, omissions or proceedings undertaken or performed within the scope of his duties as such committee member, provided that he acts in good faith and in the reasonable belief that based on all of the facts the action or inaction on his part was warranted.

For the purposes of this section "professional society" shall mean a society having as members persons who are licensed or admitted to practice in the field of law, medicine, chiropractic, optometry, psychiatry or psychology, dentistry, accounting, engineering, or architecture. *Approved May 8, 1972.*

Chap. 243. AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE JOINT COMMITTEE ON POST AUDIT AND OVERSIGHT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for subpoena powers for the joint committee on post audit and oversight, 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 63 of chapter 3 of the General Laws, added by section 1 of chapter 1008 of the acts of 1971, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

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. The committee shall have the power to summon witnesses, administer oaths, take testimony and compel the production of books, papers, documents and other evidence in connection with any authorized examination and review. 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.

Approved May 11, 1972.

Chap. 244. AN ACT REMOVING AN OFFICE OF ASSESSOR IN THE CITY OF MEDFORD FROM THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. On and after the effective date of this act, the provisions of chapter thirty-one of the General Laws shall not apply to that office of assessor of the city of Medford which was placed within the classified civil service by vote of said city on November sixth, nineteen hundred and forty-five. Any vacancy occurring in said office shall be filled by the city manager in accordance with the provisions of the charter of said city.

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

Approved May 11, 1972.

Chap. 245. AN ACT VALIDATING THE ACTION OF THE TOWN OF WAREHAM IN GRANTING RETROACTIVE PAY RAISES TO CERTAIN SCHOOL CUSTODIANS AND IN APPROPRIATING A CERTAIN SUM FOR RETROACTIVE PAYMENTS.

Be it enacted, etc., as follows:

SECTION 1. The town of Wareham is hereby authorized to appropriate the sum of two thousand six hundred fifty-seven dollars and

ninety-three cents, for the payment of, and after such appropriation the treasurer of said town is authorized to pay, certain school custodians employed by the school department of said town from August first, nineteen hundred and sixty-nine through July thirty-first, nineteen hundred and seventy-one, the sum to which each of them is entitled under the provisions of the Fair Labor Standard Amendments of 1966 (Public Law 89-601).

SECTION 2. Any action taken by the town of Wareham at the special town meeting held on January seventeenth, nineteen hundred and seventy-two, pursuant to the authority contained in section one is hereby validated and is effective as though this act were in effect at the time of the posting of the warrant for said meeting.

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

Approved May 11, 1972.

Chap. 246. 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-two.

BERKSHIRE COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$20,000 00
2.	For reduction of county debt		30,000 00
3.	For county commissioners, salaries and expenses		32,356 12
	1. Personal services	$30,745 12	
	2. Contractual services	810 00	
	3. Supplies and materials	466 00	
	4. Current charges and obligations	335 00	
4.	For transportation and expenses of county and acting commissioners		1,000 00
5.	For clerks of courts, salary and expenses		45,710 55
	1. Personal services	40,443 55	
	2. Contractual services	1,450 00	
	3. Supplies and materials	2,850 00	
	4. Current charges and obligations	437 00	
	5. Equipment	530 00	
6.	For county treasurer, salaries and expenses		37,199 13
	1. Personal services	34,470 13	
	2. Contractual services	1,472 00	
	3. Supplies and materials	925 00	
	4. Current charges and obligations	332 00	

Item		Subtotal	Total
7.	For sheriff, salary and expenses	. . . .	$14,456 00
	1. Personal services	$13,656 00	
	2. Contractual services	700 00	
	4. Current charges and obligations . .	100 00	
8.	For registry of deeds, salaries and expenses (Northern District)	. . . .	59,265 40
	1. Personal services	51,480 40	
	2. Contractual services	3,900 00	
	3. Supplies and materials	2,135 00	
	4. Current charges and obligations . .	1,100 00	
	5. Equipment	650 00	
	For registry of deeds, salaries and expenses (Middle District)	. . . .	90,863 29
	1. Personal services	76,103 29	
	2. Contractual services	7,000 00	
	3. Supplies and materials	4,200 00	
	4. Current charges and obligations . .	3,380 00	
	5. Equipment	180 00	
	For registry of deeds, salaries and expenses (Southern District)	. . . .	25,487 80
	1. Personal services	21,087 80	
	2. Contractual services	2,575 00	
	3. Supplies and materials	990 00	
	4. Current charges and obligations . .	60 00	
	5. Equipment	775 00	
8a.	For registry of probate, salaries and expenses .	. . . .	8,972 60
	2. Contractual services	4,500 00	
	3. Supplies and materials	2,400 00	
	4. Current charges and obligations . .	400 00	
	5. Equipment	1,672 60	
9.	For law library, salaries and expenses . . .	. . . .	18,871 30
	1. Personal services	9,003 40	
	2. Contractual services	630 00	
	3. Supplies and materials	120 00	
	4. Current charges and obligations . .	8,700 00	
	5. Equipment	417 90	
10.	For highways, including state highways, bridges and land damages	. . . .	414,783 88
	1. Personal services	95,948 88	
	2. Contractual services	7,000 00	
	3. Supplies and materials	3,200 00	
	4. Current charges and obligations . .	1,160 00	
	6. All other	307,475 00	
12.	For criminal costs in superior court	. . . .	180,694 07
	1. Personal services	61,342 72	
	2. Contractual services	113,180 35	
	3. Supplies and materials	4,285 00	
	4. Current charges and obligations . .	750 00	
	5. Equipment	1,136 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees	. . . .	82,300 00
	1. Personal services	12,000 00	
	2. Contractual services	70,000 00	
	3. Supplies and materials	300 00	

Item		Subtotal	Total
14.	For district courts, salaries and expenses		
	District Court of Northern Berkshire		$62,958 70
	1. Personal services	$52,933 50	
	2. Contractual services	1,960 00	
	3. Supplies and materials	3,880 00	
	4. Current charges and obligations	3,605 20	
	5. Equipment	580 00	
	District Court of Central Berkshire		182,872 66
	1. Personal services	169,637 66	
	2. Contractual services	8,510 00	
	3. Supplies and materials	3,350 00	
	4. Current charges and obligations	1,235 00	
	5. Equipment	140 00	
	District Court of Southern Berkshire		41,073 33
	1. Personal services	37,281 53	
	2. Contractual services	2,015 00	
	3. Supplies and materials	978 00	
	4. Current charges and obligations	798 80	
	Fourth District Court of Berkshire		53,521 40
	1. Personal services	47,786 40	
	2. Contractual services	2,450 00	
	3. Supplies and materials	2,100 00	
	4. Current charges and obligations	1,135 00	
	5. Equipment	50 00	
	District Court of Lee		52,278 15
	1. Personal services	44,919 35	
	2. Contractual services	2,100 00	
	3. Supplies and materials	2,700 00	
	4. Current charges and obligations	2,283 80	
	5. Equipment	275 00	
	District Court of Williamstown		46,550 36
	1. Personal services	40,730 36	
	2. Contractual services	1,125 00	
	3. Supplies and materials	1,605 00	
	4. Current charges and obligations	2,610 00	
	5. Equipment	480 00	
	District Court — Juvenile Division		46,979 50
	1. Personal services	41,712 50	
	2. Contractual services	4,292 00	
	3. Supplies and materials	550 00	
	4. Current charges and obligations	150 00	
	5. Equipment	275 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		31,032 17
	1. Personal services	239,267 67	
	2. Contractual services	19,000 00	
	3. Supplies and materials	64,000 00	
	4. Current charges and obligations	2,015 00	
	5. Equipment	6,749 50	
17.	For training school		7,000 00

Item		Subtotal	Total
18.	For court houses and registry buildings, maintenance and operation		$73,126 01
	1. Personal services	$41,499 01	
	2. Contractual services	25,000 00	
	3. Supplies and materials	4,900 00	
	4. Current charges and obligations	1,122 00	
	5. Equipment	605 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		92,790 68
	1. Personal services	79,370 68	
	2. Contractual services	8,300 00	
	3. Supplies and materials	1,800 00	
	4. Current charges and obligations	3,175 00	
	5. Equipment	145 00	
21.	For state reservation, maintenance and operation (Mount Everett)		12,645 00
	1. Personal services	8,935 00	
	2. Contractual services	260 00	
	3. Supplies and materials	350 00	
	4. Current charges and obligations	3,100 00	
23a.	For tuberculosis clinic		64,678 55
24.	For noncontributory pensions		6,114 80
25.	For contributory retirement system and supervisory expenses		81,500 00
26.	For miscellaneous and contingent expenses		24,172 82
27.	For unpaid bills of previous years		3,510 30
28.	For reserve fund		30,000 00
28a.	For reserve for salary increases		55,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		60,000 00
31.	For radio system for fire protection		4,670 00
32.	For forest development		2,609 70
35.	For industrial development commission		57,219 15
36.	For Dutch elm disease		5,000 00
39.	For group insurance		46,000 00
	Total amount of appropriations		$2,540,313 42
	Less estimated amount available for reduction of county tax		477,609 32
	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		$2,062,704 10

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

Approved May 11, 1972.

Chap. 247. 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-two 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	$741,586 43
2.	For contractual services	55,000 00
3.	For supplies and materials	115,000 00
4.	For current charges and obligations	53,485 80
5.	For equipment	12,000 00
8.	For debt and interest	266,000 00
10.	For unpaid bills of previous years	259 82
11.	For reserve fund	10,000 00
11A.	For reserve for salary increases	30,000 00
12.	For group insurance	20,234 16
	For total expenditures	$1,303,566 21

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

Approved May 11, 1972.

Chap. 248. AN ACT REGULATING PURCHASES OF ITEMS OF APPAREL BY THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 22 of chapter 7 of the General Laws is hereby amended by inserting after clause (18) the following clause:—

(19) Contracts or orders for items of clothing or apparel shall be given to such establishments only as submit to the commissioner the name and address of the manufacturer of such items, and the names and addresses of any and all contractors of such items, and only to such establishments as pay the prevailing rate of wages, determined by the commissioner of labor and industries as herein provided. Said prevailing rates shall be based on wage rates and working hours that have been established by collective bargaining agreement or understanding between organized labor and employers in the apparel industry. The commissioner of labor and industries shall upon application from the purchasing agent prepare and furnish for use of said purchasing agent or other awarding official a list of the several classifications of labor usually performed by the employees in the apparel trades, together with the prevailing rate of wages and working hours. A written declaration by the bidder on said contracts or orders for

items of clothing or apparel, upon submission of his bid, that each garment to be purchased shall have a union label affixed to such garment shall be sufficient evidence that said manufacturer or contractor pays the prevailing rate of wages based on wage rates and working hours established by collective bargaining or understanding between organized labor and the employer.

SECTION 2. The second paragraph of clause (18) of said section 22 of said chapter 7, as most recently amended by section 20 of chapter 757 of the acts of 1962, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—Every contractor, subcontractor or other employer, engaged in any work to which clause (18) and clause (19) apply, shall keep a true and accurate record of employees, showing the name, address and occupational classification of each employee, and the hours worked by, and the wages paid to, each such employee, and shall furnish to the commissioner of labor and industries upon his request a true statement of the contents of such record.

SECTION 3. The third paragraph of said clause (18) of said section 22 of said chapter 7, as amended by chapter 96 of the acts of 1959, is hereby further amended by inserting after the first sentence the following sentence:—Whoever, as a manufacturer, contractor, jobber or other employer engaged in any work to which clause (19) applies or whoever for himself or as an agent, superintendent or foreman for another, fails to pay the determined rate of wages or otherwise violates any provision of clause (19) shall be punished for a first offense by a fine of not less than one hundred nor more than five hundred dollars, and for a subsequent offense by a fine of not less than two hundred and fifty nor more than one thousand dollars, or by imprisonment for not more than three months, or both.

SECTION 4. Said third paragraph of said clause (18) of said section 22 of said chapter 7, as so amended, is hereby further amended by inserting after the number "(18)", wherever it appears, the words:—and clause (19).

SECTION 5. The fourth paragraph of said clause (18) of said section 22 of said chapter 7, as so amended, is hereby further amended by adding the words:—or clause (19). *Approved May 11, 1972.*

Chap. 249. AN ACT RELATIVE TO THE TENURE OF GRANT M. PALMER, JR., INCUMBENT OF THE OFFICE OF REPORTER OF DECISIONS OF THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, Grant M. Palmer, Jr., incumbent of the office of reporter of decisions of the supreme judicial court, may continue to serve in said office after reaching age seventy-two, subject to the pleasure of the justices of the supreme judicial court, but not beyond the age of seventy-three. His participation and that of his wife in the state group insurance program may be continued unchanged. Upon retirement at the termination of his service his retirement rights shall be determined as though he had retired on August thirty-first, nineteen hundred and seventy. *Approved May 11, 1972.*

Chap. 250. AN ACT PROHIBITING DISCRIMINATION BY HOUSING AUTHORITIES BECAUSE OF BLINDESS OR PHYSICAL HANDICAP.

Be it enacted, etc., as follows:

The second sentence of clause (*e*) of the second paragraph of 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, in line 3, the words "or religion" and inserting in place thereof the words:—religion, blindness or physical handicap.

Approved May 11, 1972.

Chap. 251. AN ACT RELATIVE TO ARREST OF PERSONS UNDER PROBATION SUPERVISION.

Be it enacted, etc., as follows:

Section 3 of chapter 279 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:—At any time before final disposition of the case of a person placed under probation supervision or in the custody or care of a probation officer, the probation officer may arrest him without a warrant and take him before the court, or the court may issue a warrant for his arrest.

Approved May 11, 1972.

Chap. 252. AN ACT PROVIDING THAT A CERTIFICATE ISSUED BY A CHEMIST OF THE DEPARTMENT OF PUBLIC SAFETY SHALL BE PRIMA FACIE EVIDENCE OF THE RESULT OF ANALYSIS BY HIM OF THE PRESENCE OF A SPERM CELL OR CELLS OR SEMINAL FLUID ON OR IN ANY MATERIAL OR SUBSTANCE.

Be it enacted, etc., as follows:

Chapter 147 of the General Laws is hereby amended by inserting after section 4E the following section:—

Section 4F. A certificate by a chemist of the department of the result of analysis made by him for the presence of a sperm cell or cells or seminal fluid on or in any material or substance furnished him by a police officer of any department, signed and sworn to by such chemist, shall be prima facie evidence of the presence of a sperm cell or cells or seminal fluid on or in such material or substance.

Approved May 11, 1972.

Chap. 253. 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, November 3, 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:

"In the town of Natick, approximately 0.5 acres consisting of a narrow strip of land running along the southerly side of Route 135 and the northerly shore line of Fisk Pond for a distance of approximately 1500 feet, to be used for the construction of the new bridge and approaches to replace a sub-standard bridge. Said parcel of land is presently controlled by the Department of Natural Resources and is dedicated to conservation." *Approved May 11, 1972.*

Chap. 254. AN ACT FURTHER REGULATING THE PAYMENT OF MONIES DEDUCTED FROM AN EMPLOYEE'S WAGES FOR CERTAIN SPECIFIED PURPOSES.

Be it enacted, etc., as follows:

Section 8 of chapter 154 of the General Laws is hereby amended by adding the following sentence:—Any other money deducted from an employee's wages shall be paid over forthwith, but in no event more than fourteen business days from the date when the deduction has been made or was due to the employee, to the person, credit union, bank, insurance company or corporation named by the employee pursuant to the provisions of this section, unless there is a prior written agreement between the employer and the recipient named by the employee that provides that payment may be made at some other time or times. *Approved May 11, 1972.*

Chap. 255. AN ACT PROVIDING THAT CERTAIN PERSONS ARRESTED ON MESNE PROCESS MAY BE DELIVERED TO THE KEEPER OF A LOCKUP FOR DETENTION THEREIN.

Be it enacted, etc., as follows:

The fifth sentence of section 6 of chapter 224 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "jail", in line 3, the words:—or lockup.

Approved May 11, 1972.

Chap. 256. AN ACT EXTENDING THE TIME FOR THE BRINGING OF CERTAIN ACTIONS AGAINST EXECUTORS AND ADMINISTRATORS.

Be it enacted, etc., as follows:

Chapter 197 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 1 of chapter 548 of the acts of 1971, 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 nine months from the time of his giving bond for the performance of his trust, or to such an action which is commenced within said nine 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.

Approved May 11, 1972.

Chap. 257. AN ACT AUTHORIZING APPOINTING AUTHORITIES TO SUSPEND PERSONS FROM THE SERVICE OF COUNTIES, CITIES, TOWNS AND DISTRICTS DURING ANY PERIOD SUCH PERSONS ARE UNDER INDICTMENT FOR MISCONDUCT IN OFFICE.

Be it enacted, etc., as follows:

Chapter 268A of the General Laws is hereby amended by adding the following section:—

Section 25. An officer or employee of a county, city, town or district, howsoever formed, including, but not limited to, regional school districts and regional planning districts, or of any department, board, commission or agency thereof may, during any period such officer or employee is under indictment for misconduct in such office or employment or for misconduct in any elective or appointive public office, trust or employment at any time held by him, be suspended by the appointing authority, whether or not such appointment was subject to approval in any manner. Notice of said suspension shall be given in writing and delivered in hand to said person or his attorney, or sent by registered mail to said person at his residence, his place of business, or the office or place of employment from which he is being suspended. Such notice so given and delivered or sent shall automatically suspend the authority of such person to perform the duties of his office or employment until he is notified in like manner that his suspension is removed. A copy of any such notice together with an affidavit of service shall be filed as follows: in the case of a county, with the clerk of the superior court of the county in which the officer or employee is employed; in the case of a city, with the city clerk; in

the case of a town, with the town clerk; in the case of a regional school district, with the secretary of the regional school district; and in the case of all other districts, with the clerk of the district.

Any person so suspended shall not receive any compensation or salary during the period of suspension, nor shall the period of his suspension be counted in computing his sick leave or vacation benefits or seniority rights, nor shall any person who retires from service while under such suspension be entitled to any pension or retirement benefits, notwithstanding any contrary provisions of law, but all contributions paid by him into a retirement fund, if any, shall be returned to him.

A suspension under this section shall not, in any way, be used to prejudice the rights of the suspended person either civilly or criminally. During the period of any such suspension, the appointing authority may fill the position of the suspended officer or employee on a temporary basis, and the temporary officer or employee shall have all the powers and duties of the officer or employee suspended.

Any such temporary officer or employee who is appointed as a member of a board, commission or agency may be designated as chairman.

If the criminal proceedings against the person suspended are terminated without a finding or verdict of guilty on any of the charges on which he was indicted, his suspension shall be forthwith removed, and he shall receive all compensation or salary due him for the period of his suspension, and the time of his suspension shall count in determining sick leave, vacation, seniority and other rights, and shall be counted as creditable service for purposes of retirement.

Approved May 11, 1972.

Chap. 258. AN ACT FURTHER REGULATING THE DEPOSIT OF CERTAIN PUBLIC MONEYS.

Be it enacted, etc., as follows:

The first sentence of section 34 of chapter 29 of the General Laws, as appearing in chapter 135 of the acts of 1954, is hereby amended by inserting after the word "taxation", in line 14, the words:—; and provided further, that said limit may be exceeded for the purpose of the deposits of state lottery funds. *Approved May 11, 1972.*

Chap. 259. AN ACT FURTHER REGULATING THE ACCEPTANCE FOR RECORDING OF CERTAIN INSTRUMENTS BY A REGISTER OF DEEDS.

Be it enacted, etc., as follows:

Chapter 36 of the General Laws is hereby amended by inserting after section 12 the following section:—

Section 12A. A register of deeds may refuse to accept an instrument for recording if it cannot be properly duplicated or a proper record cannot be made thereof. *Approved May 11, 1972.*

Chap. 260. AN ACT RELATIVE TO THE ISSUANCE OF DEATH CERTIFICATES.

Be it enacted, etc., as follows:

Section 9 of chapter 46 of the General Laws, as most recently amended by chapter 106 of the acts of 1969, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence:—A physician, after the death of a person whom he has attended during his last illness, or the physician declaring such person dead, or if the death occurred in a hospital, a registered hospital medical officer duly appointed by the hospital director or administrator, shall immediately furnish for registration a standard certificate of death, to an undertaker or other authorized person or any member of the family of the deceased, stating to the best of his knowledge and belief the name of the deceased, the disease of which he died, defined as required by section one, where same was contracted, the duration of the illness from which he died, when last seen alive by the physician, or, if death occurs in a hospital, when last seen alive by a physician and the date of death.

Approved May 11, 1972.

Chap. 261. AN ACT FURTHER REGULATING THE DISCHARGE OF FIREARMS WITHIN A CERTAIN DISTANCE FROM BUILDINGS.

Be it enacted, etc., as follows:

Chapter 269 of the General Laws is hereby amended by striking out section 12E, inserted by chapter 223 of the acts of 1971, and inserting in place thereof the following section:—

Section 12E. Whoever discharges a firearm as defined in section one hundred and twenty-one of chapter one hundred and forty, a rifle or shotgun 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 (*a*) the lawful defense of life and property; (*b*) any law enforcement officer acting in the discharge of his duties; (*c*) persons using underground or indoor target or test ranges with the consent of the owner or legal occupant thereof; (*d*) persons using outdoor skeet, trap, target or test ranges with the consent of the owner or legal occupant of the land on which the range is established; (*e*) persons using shooting galleries, licensed and defined under the provisions of section fifty-six A of chapter one hundred and forty; and (*f*) the discharge of blank cartridges for theatrical, athletic, ceremonial, firing squad, or other purposes in accordance with section thirty-nine of chapter one hundred and forty-eight.

Approved May 11, 1972.

Chap. 262. AN ACT DESIGNATING THE OVERPASS OVER INTERSTATE HIGHWAY ROUTE 195 AT FAUNCE CORNER ROAD IN THE TOWN OF DARTMOUTH AS THE DARTMOUTH FIREFIGHTERS BRIDGE.

Be it enacted, etc., as follows:

The overpass on interstate highway route 195 at Faunce Corner road in the town of Dartmouth shall be known and designated as the Dartmouth Firefighters Memorial bridge. Suitable markers bearing said designation shall be attached thereto by the department of public works in compliance with the standards of said department and as authorized by the federal highway administration.

Approved May 11, 1972.

Chap. 263. AN ACT PROVIDING GUIDELINES FOR THE WORK ACTIVITIES OF STUDENTS IN VOCATIONAL SCHOOLS.

Be it enacted, etc., as follows:

Chapter 74 of the General Laws is hereby amended by inserting after section 2 the following section:—

Section 2A. The commissioner shall establish rules and regulations to promote the use of vocational students during their vocational studies by the city or town in which said students attend school, or in the case of a regional school district, the cities and towns comprising said district. Students shall not be permitted to perform work on projects which are outside the city or town or regional school district served by the school attended by said students, unless said projects have exceptional educational value as determined by the commissioner.

Approved May 11, 1972.

Chap. 264. AN ACT PROVIDING FOR THE ESTABLISHMENT OF OFFICES IN THE CITIES OF BOSTON AND SPRINGFIELD FOR THE IMPLEMENTATION OF THE ASSIGNED RISK PLAN UNDER THE COMPULSORY MOTOR VEHICLE LIABILITY INSURANCE LAW.

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 third sentence the following sentence:—Such a plan shall provide for the establishment of offices in the cities of Boston and Springfield for its implementation.

Approved May 11, 1972.

Chap. 265. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR HARBIG THOMASIAN, INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF NORTH BROOKFIELD.

Be it enacted, etc., as follows:

Harbig Thomasian, incumbent of the office of chief of police of the town of North Brookfield, 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 be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws. *Approved May 11, 1972.*

Chap. 266. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR JOHN S. ZABEK, JR., INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF WEST BROOKFIELD.

Be it enacted, etc., as follows:

John S. Zabek, Jr., incumbent of the office of chief of police of the town of West Brookfield, 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 be removed from office, lowered in rank or suspended, except for just cause and for reasons specifically given him in writing by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws. *Approved May 11, 1972.*

Chap. 267. AN ACT INCREASING THE AMOUNT OF MONEY THAT THE COUNTY COMMISSIONERS OF THE COUNTY OF BARNSTABLE MAY EXPEND FOR THE CAPE COD PLANNING AND ECONOMIC DEVELOPMENT COMMISSION.

Be it enacted, etc., as follows:

Section 2 of chapter 453 of the acts of 1965 is hereby amended by striking out, in line 5, the word "fifty" and inserting in place thereof the word:—seventy-five. *Approved May 11, 1972.*

Chap. 268. AN ACT PROVIDING THAT CERTAIN CERTIFICATIONS BY CERTAIN PERSONNEL OF THE DEPARTMENT OF PUBLIC SAFETY RELATIVE TO THE IDENTIFICATION OF CERTAIN ITEMS AS FIREARMS SHALL BE PRIMA FACIE EVIDENCE OF THE RESULT OF SUCH IDENTIFICATION.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by inserting after section 121 the following section:—

Section 121A. A certificate by a ballistics expert of the firearms identification section of the department of public safety of the result of an examination made by him of an item furnished him by any police officer, signed and sworn to by such expert, shall be prima facie evidence of his findings as to whether or not the item furnished is a firearm, as defined by section one hundred and twenty-one, provided that in order to qualify as an expert under this section he shall have previously qualified as an expert in a court proceeding.

Approved May 11, 1972.

Chap. 269. AN ACT AUTHORIZING THE APPOINTMENT OF CONSERVATORS OF THE PROPERTY OF PERSONS DECLARED MISSING IN ACTION OR PRISONERS OF WAR WHILE SERVING IN THE ARMED FORCES OF THE UNITED STATES.

Be it enacted, etc., as follows:

Chapter 201 of the General Laws is hereby amended by inserting after section 16 the following section:—

Section 16A. If a person is declared missing in action or a prisoner of war while serving in the armed forces of the United States, the probate court may, upon the petition of one or more of his relatives or friends, after the notice and hearing provided for in section seventeen, appoint a conservator to have charge and management of his property, subject to the direction of the court.

Approved May 11, 1972.

Chap. 270. AN ACT MAKING APPROPRIATIONS FOR THE MAINTENANCE OF HAMPDEN COUNTY, ITS DEPARTMENTS, BOARDS, COMMISSIONS AND INSTITUTIONS, OF SUNDRY OTHER SERVICES, FOR CERTAIN PERMANENT IMPROVEMENTS, FOR INTEREST AND DEBT REQUIREMENTS, AND TO MEET CERTAIN REQUIREMENTS OF LAW AND GRANTING A COUNTY TAX FOR SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. To provide for the maintenance of Hampden county, its departments, boards, commissions and institutions, of sundry other services, for certain permanent improvements, for interest and debt requirements, and to meet certain requirements of law, the following sums 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-two.

HAMPDEN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$36,000 00
2.	For reduction of county debt		38,000 00
3.	For county commissioners, salaries and expenses		56,875 41
	1. Personal services	$51,749 91	
	2. Contractual services	1,825 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	460 00	
	5. Equipment	840 50	
4.	For transportation and expenses of county and acting commissioners		500 00
5.	For clerk of courts, salary and expenses		227,069 04
	1. Personal services	211,841 04	
	2. Contractual services	6,000 00	
	3. Supplies and materials	5,800 00	
	4. Current charges and obligations	2,380 00	
	5. Equipment	1,048 00	

Item		Subtotal	Total
6.	For county treasurer, salaries and expenses		$58,819 04
	1. Personal services	$51,778 04	
	2. Contractual services	3,200 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	1,045 00	
	5. Equipment	796 00	
7.	For sheriff, salary and expenses		16,794 00
	1. Personal services	16,324 00	
	2. Contractual services	225 00	
	4. Current charges and obligations	245 00	
8.	For registry of deeds, salaries and expenses		383,050 91
	1. Personal services	321,697 51	
	2. Contractual services	30,900 00	
	3. Supplies and materials	25,000 00	
	4. Current charges and obligations	5,273 40	
	5. Equipment	180 00	
8a.	For registry of probate, salaries and expenses		62,552 53
	1. Personal services	34,195 20	
	2. Contractual services	11,600 00	
	3. Supplies and materials	8,900 00	
	4. Current charges and obligations	4,534 00	
	5. Equipment	3,323 33	
9.	For law library, salaries and expenses		43 528 93
	1. Personal services	25,571 43	
	2. Contractual services	1,095 00	
	3. Supplies and materials	245 00	
	4. Current charges and obligations	16,500 00	
	5. Equipment	117 50	
10.	For highways, including state highways, bridges and land damages		361,725 00
	2. Contractual services	4,450 00	
	3. Supplies and materials	125 00	
	6. All other	357,150 00	
12.	For criminal costs in superior court		550,341 54
	1. Personal services	161,624 74	
	2. Contractual services	373,450 00	
	3. Supplies and materials	4,950 00	
	4. Current charges and obligations	7,565 00	
	5. Equipment	2,751 80	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		336,710 00
	1. Personal services	166,960 00	
	2. Contractual services	165,140 00	
	3. Supplies and materials	2,230 00	
	4. Current charges and obligations	2,380 00	
14.	For district courts, salaries and expenses		
	District Court of Chicopee		139,804 63
	1. Personal services	121,119 43	
	2. Contractual services	5,700 00	
	3. Supplies and materials	5,425 00	
	4. Current charges and obligations	5,365 00	
	5. Equipment	2,195 20	
	District Court of Holyoke		208,610 22
	1. Personal services	187,280 57	
	2. Contractual services	10,450 00	
	3. Supplies and materials	4,400 00	
	4. Current charges and obligations	5,987 00	
	5. Equipment	501 65	

Item		Subtotal	Total
	District Court of Eastern Hampden		$147,769 30
	1. Personal services	$123,888 30	
	2. Contractual services	11,240 00	
	3. Supplies and materials	3,720 00	
	4. Current charges and obligations	7,586 00	
	5. Equipment	1,335 00	
	District Court of Springfield		908,073 67
	1. Personal services	795,713 45	
	2. Contractual services	66,550 00	
	3. Supplies and materials	30,035 00	
	4. Current charges and obligations	10,964 89	
	5. Equipment	4,810 33	
	District Court of Western Hampden		160,280 95
	1. Personal services	140,257 55	
	2. Contractual services	6,650 00	
	3. Supplies and materials	4,390 00	
	4. Current charges and obligations	6,437 40	
	5. Equipment	2,546 00	
	Springfield Juvenile Court		252,382 78
	1. Personal services	215,895 28	
	2. Contractual services	18,375 00	
	3. Supplies and materials	8,300 00	
	4. Current charges and obligations	4,325 00	
	5. Equipment	5,487 50	
	District Court — Appellate Division		400 00
15.	For medical examiners and commitments of insane		90,000 00
16.	For jail and house of correction, maintenance and operation		881,316 08
	1. Personal services	625,710 03	
	2. Contractual services	65,400 00	
	3. Supplies and materials	168,400 00	
	4. Current charges and obligations	7,400 00	
	5. Equipment	13,206 05	
	6. All other	1,200 00	
17.	For training school		110,512 59
	1. Personal services	83,802 59	
	2. Contractual services	6,562 50	
	3. Supplies and materials	19,187 50	
	4. Current charges and obligations	960 00	
18.	For court houses and registry buildings, maintenance and operation		289,101 36
	1. Personal services	216,066 36	
	2. Contractual services	62,375 00	
	3. Supplies and materials	7,790 00	
	4. Current charges and obligations	1,000 00	
	5. Equipment	1,870 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		237,341 21
	1. Personal services	224,381 21	
	2. Contractual services	10,000 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	455 00	
	5. Equipment	505 00	
21.	For state reservation, maintenance and operation (Mount Tom)		106,943 31

Item		Total
24.	For noncontributory pensions	$52,760 78
25.	For contributory retirement system and supervisory expenses	268,738 26
26.	For miscellaneous and contingent expenses	17,936 20
27.	For unpaid bills of previous years	33,886 31
28.	For reserve fund	50,000 00
28a.	For reserve for salary increases	180,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	8,000 00
31.	For radio system for fire protection	2,000 00
39.	For group insurance	155,000 00
	Total amount of appropriations	$6,472,824 05
	Less estimated amount available for reduction of county tax	1,095,743 27
	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	$5,377,080 78

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

Approved May 16, 1972.

Chap. 271. AN ACT EXCEPTING VETERANS DAY FROM THE RESTRICTIONS OF THE COMMON DAY OF REST LAW AND MAKING IT A HALF HOLIDAY.

Be it enacted, etc., as follows:

SECTION 1. It is hereby declared that the financial hardships besetting the commonwealth and its citizens and the prevailing injustice of adjoining states gaining substantial revenues due to the manner in which we commemorate Veterans Day, and the economic disadvantages therein, necessitate changes in the commonwealth's statutes relating to the aforementioned holiday.

It is further declared that it is the intent of the general court not to demean the dignity of Veterans Day or of any observances conducted thereon, but rather to assist the citizens of the commonwealth in such observances while simultaneously rectifying the aforementioned economic condition. The general court encourages all businesses to contribute meaningfully to the observance of Veterans Day in their respective communities.

SECTION 2. Chapter 136 of the General Laws is hereby amended by striking out section 13, as amended by section 4 of chapter 24 of the acts of 1968, and inserting in place thereof the following section: —

Section 13. The provisions of sections five to eleven, inclusive, shall, except as provided in section fourteen, apply to all legal holidays, except the third Monday in February, the third Monday in April, March

seventeenth, June seventeenth, and the fourth Monday in October after one o'clock post meridiem, or on the day following when either of said days occur on a Sunday.

Any establishment which operates on the fourth Monday in October under the exemption granted by this section shall pay to those employees required to work on this day, time and one half or such larger sum as may be determined by contract. *Approved May 17, 1972.*

Chap. 272. 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-two.

FRANKLIN COUNTY.

Item		Subtotal	Total
1.	For interest on county debt	. . .	$2,500 00
3.	For county commissioners, salaries and expenses	. . .	17,147 74
	1. Personal services	$16,067 74	
	2. Contractual services	620 00	
	3. Supplies and materials	400 00	
	4. Current charges and obligations . .	60 00	
4.	For transportation and expenses of county and acting commissioners	. . .	900 00
5.	For clerk of courts, salaries and expenses . .	. . .	46,373 15
	1. Personal services	43,626 90	
	2. Contractual services	1,325 00	
	3. Supplies and materials	800 00	
	4. Current charges and obligations . .	275 00	
	5. Equipment	346 25	
	For county treasurer, salaries and expenses .	. . .	22,669 20
	1. Personal services	20,735 20	
	2. Contractual services	945 00	
	3. Supplies and materials	675 00	
	4. Current charges and obligations . .	314 00	
7.	For sheriff, salary and expenses	. . .	12,877 00
	1. Personal services	12,299 00	
	2. Contractual services	350 00	
	3. Supplies and materials	100 00	
	4. Current charges and obligations . .	128 00	

Item		Subtotal	Total
8.	For registry of deeds, salaries and expenses		$61,529 45
	1. Personal services	$47,658 45	
	2. Contractual services	8,290 00	
	3. Supplies and materials	4,550 00	
	4. Current charges and obligations	411 00	
	5. Equipment	620 00	
8a.	For registry of probate, salaries and expenses		3,670 00
	2. Contractual services	2,575 00	
	3. Supplies and materials	595 00	
	4. Current charges and obligations	500 00	
9.	For law library, salaries and expenses		13,040 26
	1. Personal services	3,820 26	
	2. Contractual services	505 00	
	3. Supplies and materials	135 00	
	4. Current charges and obligations	8,580 00	
10.	For highways, including state highways, bridges and land damages		282,500 00
	2. Contractual services	8,925 00	
	3. Supplies and materials	75 00	
	6. All other	273,500 00	
12.	For criminal costs in superior court		102,088 44
	1. Personal services	28,823 44	
	2. Contractual services	69,740 00	
	3. Supplies and materials	775 00	
	4. Current charges and obligations	430 00	
	5. Equipment	2,320 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		27,526 45
	1. Personal services	6,881 45	
	2. Contractual services	18,950 00	
	3. Supplies and materials	570 00	
	4. Current charges and obligations	400 00	
	5. Equipment	725 00	
14.	For district courts, salaries and expenses		
	District Court of Greenfield		143,939 75
	1. Personal services	130,331 55	
	2. Contractual services	7,550 00	
	3. Supplies and materials	2,775 00	
	4. Current charges and obligations	909 20	
	5. Equipment	2,374 00	
	District Court of Orange		39,530 47
	1. Personal services	35,399 17	
	2. Contractual services	1,610 00	
	3. Supplies and materials	355 00	
	4. Current charges and obligations	1,851 30	
	5. Equipment	315 00	
15.	For medical examiners and commitments of insane		7,133 00
16.	For jail and house of correction, maintenance and operation		255,967 28
	1. Personal services	172,249 88	
	2. Contractual services	9,565 00	
	3. Supplies and materials	35,885 00	
	4. Current charges and obligations	3,176 40	
	5. Equipment	9,891 00	
	6. All other	25,200 00	

Item		Subtotal	Total
17.	For training school		$5,000 00
18.	For court houses and registry buildings, maintenance and operation		50,460 82
	1. Personal services	$29,504 32	
	2. Contractual services	9,500 00	
	3. Supplies and materials	6,115 00	
	4. Current charges and obligations	160 00	
	5. Equipment	5,181 50	
19.	For construction of county buildings and/or purchase of land		7,500 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		92,008 29
	1. Personal services	82,693 29	
	2. Contractual services	6,845 00	
	3. Supplies and materials	1,575 00	
	4. Current charges and obligations	365 00	
	5. Equipment	530 00	
21.	For state reservation, maintenance and operation (Mount Sugarloaf)		4,904 06
	1. Personal services	2,684 06	
	2. Contractual services	810 00	
	3. Supplies and materials	285 00	
	4. Current charges and obligations	25 00	
	5. Equipment	100 00	
	6. All other	1,000 00	
23a.	For mental health clinic		12,840 00
23b.	For children's camp		3,000 00
24.	For noncontributory pensions		2,201 88
25.	For contributory retirement system and supervisory expenses		53,861 60
26.	For miscellaneous and contingent expenses		14,062 25
27.	For unpaid bills of previous years		459 68
28.	For reserve fund		25,000 00
28a.	For reserve for salary increases		31,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		15,000 00
31.	For radio system for fire protection and police radio system		3,455 00
35.	For county planning or economic development commission		19,885 98
36.	For Dutch elm disease		5,000 00
37.	For outreach program for the elderly		3,500 00
39.	For group insurance		23,000 00
	Total amount of appropriations		$1,411,531 75

	Total
Less estimated amount available for reduction of county tax	$225,180 34
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	$1,186,351 41

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

Approved May 18, 1972.

Chap. 273. AN ACT AUTHORIZING THE TOWN OF BREWSTER TO HOLD TOWN MEETINGS AT THE NAUSET REGIONAL MIDDLE SCHOOL BUILDING IN THE TOWN OF ORLEANS.

Be it enacted, etc., as follows:

SECTION 1. The town of Brewster may hold town meetings or any adjournments thereof at the Nauset Regional Middle school building within the town of Orleans, provided that any meeting for the election by official ballot of federal, state, county or other officials shall be held within the town of Brewster.

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

Approved May 18, 1972.

Chap. 274. AN ACT AUTHORIZING THE TOWN OF WAREHAM TO APPROPRIATE AND PAY RETROACTIVE WAGE INCREASES AND FRINGE BENEFITS CONTAINED IN CERTAIN COLLECTIVE BARGAINING AGREEMENTS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the town of Wareham is hereby authorized to appropriate the sum of nineteen thousand eight hundred and seventy-four dollars and seven cents for the payment of retroactive wage increases and fringe benefits contained in a certain collective bargaining contract with the American Federation of State, County and Municipal Employees, A.F.L.-C.I.O., Massachusetts State Council No. 41, Wareham police, Local 1700-A, dated November twenty-third, nineteen hundred and seventy-one, and after such appropriation, the treasurer is hereby authorized to pay the employees within said bargaining unit the sum to which each is entitled under said contract from January first to December thirty-first, nineteen hundred and seventy-one, inclusive, including longevity payments to those employees who qualify therefor.

SECTION 2. Notwithstanding any contrary provision of law, the town of Wareham is hereby authorized to appropriate the sum of twenty-two thousand five hundred and twenty-five dollars and fifty-seven cents for the payment of retroactive wage increases and fringe benefits contained in a certain collective bargaining contract with the

American Federation of State, County and Municipal Employees, A.F.L.-C.I.O., Massachusetts State Council No. 41, Local 1700-A, dated November twenty-third, nineteen hundred and seventy-one representing the Industrial Trades Division, and after such appropriation the treasurer is hereby authorized to pay the employees within said bargaining unit the sum to which each is entitled under said contract from January first to December thirty-first, nineteen hundred and seventy-one, inclusive, including the sum of nineteen hundred dollars for the year nineteen hundred and seventy for longevity payments to those employees who qualify therefor.

SECTION 3. Any action taken by the town of Wareham at the special town meeting held on January seventeenth, nineteen hundred and seventy-two, shall be as valid and effective as though sections one and two of 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 May 18, 1972.

Chap. 275. AN ACT AUTHORIZING THE CITY COUNCIL OF THE CITY OF GLOUCESTER TO ESTABLISH THE SALARY OF THE CITY MANAGER IN EXCESS OF THE LIMIT PRESCRIBED BY GENERAL LAW.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section one hundred and three of chapter forty-three of the General Laws, the city council of the city of Gloucester is hereby authorized to establish by ordinance the compensation of the city manager of said city not exceeding thirty thousand dollars annually.

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

Approved May 18, 1972.

Chap. 276. AN ACT AUTHORIZING THE CITY OF NORTHAMPTON TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN TEACHERS CERTAIN BACK WAGES.

Be it enacted, etc., as follows:

The city of Northampton 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 one hundred and ten dollars to Rosanne S. Soffer for salary due her during a period from September, nineteen hundred and seventy, through December, nineteen hundred and seventy, and the sum of five hundred and seven dollars to Emma-Jane Carnes for salary due her during a period from September, nineteen hundred and sixty-nine, through December, nineteen hundred and seventy, as teachers in the school department of said city and not paid to them because of a clerical error. *Approved May 18, 1972.*

Chap. 277. AN ACT AUTHORIZING THE SEEKONK WATER DISTRICT TO BORROW MONEY TO PAY A CERTAIN FINAL JUDGMENT HELD BY THE CITY OF EAST PROVIDENCE IN THE STATE OF RHODE ISLAND.

Be it enacted, etc., as follows:

Notwithstanding the provisions of clause (11) of section seven of chapter forty-four of the General Laws, as made applicable by the provisions of section nine of said chapter forty-four, or any other law to the contrary, the Seekonk Water District may borrow for the payment of a final judgment held by the city of East Providence in the state of Rhode Island against said District on account of land taken for said District, a sum not to exceed sixty thousand dollars, to be repaid within ten years from the date thereof, but shall be subject to all other provisions of said chapter forty-four. *Approved May 18, 1972.*

Chap. 278. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR LINDOLPH O. PARKER, INCUMBENT IN THE OFFICE OF FIRE CHIEF OF THE TOWN OF GRANBY.

Be it enacted, etc., as follows:

Lindolph O. Parker, incumbent in the office of fire chief of the town of Granby, shall hold said office during good behavior until he reaches age seventy or retires voluntarily prior thereto, unless incapacitated by physical or mental disability from performing the duties thereof, notwithstanding his attaining the maximum age for his retirement group; but he may be removed therefrom for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws. *Approved May 18, 1972.*

Chap. 279. AN ACT FURTHER REGULATING THE HOURS DURING WHICH POLLING PLACES SHALL BE OPEN DURING PRIMARIES.

Be it enacted, etc., as follows:

Chapter 53 of the General Laws is hereby amended by striking out section 43, as most recently amended by chapter 935 of the acts of 1971, and inserting in place thereof the following section: —

Section 43. The polls at every primary shall be open at least ten hours, such hours to be designated in cities by the aldermen or councillors, and in towns by by-laws or vote, or, in default of such by-laws or vote, by the selectmen. The polls shall in no case be kept open after eight o'clock in the evening. *Approved May 18, 1972.*

Chap. 280. AN ACT AUTHORIZING THE LICENSING OF FRATERNAL, VETERANS' OR CHARITABLE ORGANIZATIONS AS AGENTS UNDER THE LAW ESTABLISHING A STATE LOTTERY.

Be it enacted, etc., as follows:

Section 27 of chapter 10 of the General Laws, added by section 2 of chapter 813 of the acts of 1971, is hereby amended by inserting after the word "person", in line 1, the words: —, other than a fraternal, veterans', or charitable organization,. *Approved May 18, 1972.*

Chap. 281. AN ACT FURTHER REGULATING THE PROCEDURE FOR THE COMMITMENT TO A MENTAL HOSPITAL OF A DEFENDANT IN A CRIMINAL CASE FOUND INCOMPETENT TO STAND TRIAL.

Be it enacted, etc., as follows:

The second sentence of paragraph (*b*) of section 16 of chapter 123 of the General Laws, as appearing in section 13 of chapter 760 of the acts of 1971, is hereby amended by striking out, in lines 3 to 5, inclusive, the words ", if the petitioner is the superintendent of a facility or the medical director of the Bridgewater state hospital,".

Approved May 18, 1972.

Chap. 282. AN ACT FURTHER REGULATING THE POSTING OF SENIORITY LISTS UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The second paragraph of section 15C of chapter 31 of the General Laws, as amended by chapter 341 of the acts of 1965, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Every such appointing officer shall cause copies of such lists, signed by him, to be posted forthwith in all areas under the control of such officer where five or more civil service employees start their tour of duty in order that such lists may be inspected on or before May first in the year in which the list of officers and employees is compiled. *Approved May 18, 1972.*

Chap. 283. AN ACT FURTHER REGULATING THE USE OF THE TITLE LANDSCAPE ARCHITECT.

Be it enacted, etc., as follows:

Section one hundred and five of chapter one hundred and twelve of the General Laws is hereby repealed. *Approved May 18, 1972.*

Chap. 284. AN ACT PLACING CERTAIN PUBLIC EMPLOYEES IN GROUP 2 OF THE CONTRIBUTORY RETIREMENT SYSTEM.

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 992 of the acts of 1971, and inserting in place thereof the following definition: —

Group 2. Capitol police, public works building police, permanent watershed guards and permanent park police, University of Massachusetts 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, elevator maintenance men employed by a county and employees of the commonwealth or 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 or parolees or persons who are mentally ill or mentally defective or of defective delinquents or wayward children; 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. The provisions of paragraph (*g*) of subdivision (2) of section three of chapter thirty-two of the General Laws, as amended by section one of this act, placing in *Group 2* employees of the commonwealth, whose regular and major duties require them to have the care, custody, instruction or other supervision of prisoners, shall take effect as of October fifteenth, nineteen hundred and sixty-eight.

Approved May 18, 1972.

Chap. 285. AN ACT INCREASING THE NUMBER OF PREEMPTORY CHALLENGES IN CERTAIN CRIMINAL CASES.

Be it enacted, etc., as follows:

The first sentence of section 29 of chapter 234 of the General Laws, as appearing in section 1 of chapter 485 of the acts of 1955, is hereby amended by striking out, in line 6, the word "three" and inserting in place thereof the word: — four. *Approved May 18, 1972.*

Chap. 286. AN ACT AUTHORIZING THE SALE OF ALCOHOLIC BEVERAGES NOT TO BE CONSUMED ON THE PREMISES BEFORE ONE O'CLOCK POSTMERIDIAN ON CERTAIN LEGAL HOLIDAYS.

Be it enacted, etc., as follows:

Section 33 of chapter 138 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 2 of chapter 188 of the acts of 1968, and inserting in place thereof the following sentence: — No holder of a tavern license shall sell any alcoholic beverages on Sundays, no other licensee under section twelve shall sell any such

beverages on Sundays between one o'clock antemeridian and twelve o'clock noon, in any county other than Suffolk no licensee under section twelve shall sell any such beverages on Christmas day, or on the day following when said day occurs on Sunday, or on the last Monday in May, between one o'clock antemeridian and twelve o'clock noon, and in Suffolk county no licensee under said section twelve shall sell any such beverages on Christmas day or on the day following when said day occurs on Sunday, or on the last Monday in May, between two o'clock antemeridian and twelve o'clock noon, no registered pharmacist acting under section twenty-nine and no licensee under section thirty A shall sell any alcoholic beverages or alcohol without a prescription on Sundays or legal holidays, no licensee under section fifteen shall sell or deliver any alcoholic beverages on Sunday or on the last Monday in May, Thanksgiving day or Christmas day or on the day following when Christmas day occurs on a Sunday, and no licensee under any other section of this chapter for the sale of alcoholic beverages not to be drunk on the premises shall sell or deliver any such beverages or alcohol on Sundays or legal holidays. *Approved May 18, 1972.*

Chap. 287. AN ACT DESIGNATING THE METROPOLITAN DISTRICT COMMISSION ICE SKATING RINK IN THE TOWN OF CANTON AS THE JOHN P. METROPOLIS SKATING RINK.

Be it enacted, etc., as follows:

The metropolitan district commission ice skating rink located in the town of Canton shall be known and designated as the John P. Metropolis skating rink, in memory of John P. Metropolis, a former firefighter in said town. A suitable marker bearing said designation shall be erected and maintained at said skating rink by said commission.

Approved May 18, 1972.

Chap. 288. AN ACT PROVIDING THAT CERTAIN FIRE APPARATUS OPERATED BY A CITY, TOWN OR DISTRICT SHALL BE EQUIPPED WITH CERTAIN GAS MASKS.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by striking out section 51A, as amended by section 1 of chapter 467 of the acts of 1949, and inserting in place thereof the following section: —

Section 51A. Each city, town or district shall equip any fire apparatus operated by it with at least three self-contained air gas masks, so called. Such masks shall meet the requirements of the standards set up by the United States bureau of mines for gas masks. This section shall not apply to any fire apparatus designed solely for extinguishing woods or brush fires. *Approved May 18, 1972.*

Chap. 289. AN ACT RELATIVE TO THE MEMBERSHIP OF THE TRUSTEES OF THE CONGREGATIONAL MINISTERIAL FUND FOR THE FIRST PARISH IN THE TOWN OF MEDFORD.

Be it enacted, etc., as follows:

Section two of chapter fifty-two of the acts of eighteen hundred and seventy-four is hereby repealed. *Approved May 18, 1972.*

Chap. 290. AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY TO REIMBURSE THE FEDERAL GOVERNMENT FOR CERTAIN EXPENDITURES MADE UNDER THE FEDERAL EMERGENCY EMPLOYMENT ACT OF 1971.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, any city or town may appropriate money for the purpose of reimbursing the federal government for amounts expended from funds allocated under the Federal Emergency Employment Act of 1971 for salaries or wages paid on account of services rendered on or after September the first, nineteen hundred and seventy-one to persons who did not meet the requirements of said act. *Approved May 18, 1972.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, May 18, 1972

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 290 of the Acts of 1972, entitled "AN ACT AUTHORIZING CITIES AND TOWNS TO APPROPRIATE MONEY TO REIMBURSE THE FEDERAL GOVERNMENT FOR CERTAIN EXPENDITURES MADE UNDER THE FEDERAL EMERGENCY EMPLOYMENT ACT OF 1971." and the enactment of which received my approval on May 18, 1972, 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 cities and towns may immediately appropriate money for the purposes of this act.

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

OFFICE OF THE SECRETARY, BOSTON, May 19, 1972.

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 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 ninety of the acts of nineteen hundred and seventy-two.

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

Chap. 291. AN ACT PROVIDING THAT HARRY M. HARRIS SHALL, NOTWITHSTANDING CERTAIN MAXIMUM AGE REQUIREMENTS, BE ELIGIBLE FOR APPOINTMENT AS A POLICE OFFICER 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 police officer, Harry M. Harris shall be eligible to take the next open competitive examination for police officer in the town of Burlington and, provided he meets all other requirements, shall be eligible for certification and appointment as a police officer in said town. *Approved May 18, 1972.*

Chap. 292. AN ACT DESIGNATING A GLADE OF TREES NEAR SOLDIERS FIELD ROAD IN THE BRIGHTON-ALLSTON SECTION OF THE CITY OF BOSTON THE RABBI JOSEPH S. SHUBOW MEMORIAL GLADE.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to plant trees in such a manner as to surround an open space, selected by said commission, near a rest area on Soldiers Field road in the Brighton-Allston section of the city of Boston, which area shall be known and designated as the Rabbi Joseph S. Shubow Memorial Glade, in memory of Rabbi Joseph S. Shubow, who was decorated for his heroic service in World War II and beloved for his outstanding spiritual leadership of the community for many years. A suitable marker bearing said designation shall be placed thereat by said commission.

Approved May 18, 1972.

Chap. 293. AN ACT RELATIVE TO THE INDETERMINATE SENTENCING OF PRISONERS.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 279 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 2 and 3, the words "reformatory for women" and inserting in place thereof the words: — Massachusetts Correctional Institution, Framingham.

SECTION 2. Said chapter 279 is hereby further amended by striking out section 17, as so appearing, and inserting in place thereof the following section: —

Section 17. The court or trial justice, imposing a sentence to the Massachusetts Correctional Institution, Framingham, shall not prescribe the limit of the sentence unless it is for more than two and one half years. The maximum term of any indeterminate sentence imposed hereunder shall not exceed the maximum term fixed by law for the punishment of the crime of which a female has been convicted.

SECTION 3. Said chapter 279 is hereby further amended by striking out section 18, as most recently amended by section 12 of chapter 1076 of the acts of 1971, and inserting in place thereof the following section: —

Section 18. A female sentenced to the Massachusetts Correctional Institution, Framingham for larceny of property of a value exceeding one hundred dollars, or for any felony except adultery and lewd and lascivious cohabitation, may be held therein for not more than two and one half years unless she is sentenced for a longer term, in which case she may be held therein for such longer term; if sentenced to said Massachusetts Correctional Institution, Framingham for larceny of property of a value not exceeding one hundred dollars, adultery or lewd and lascivious cohabitation, she may be held therein for not more than two years; if sentenced to said Massachusetts Correctional Institution, Framingham for any other offense, she may be held therein for not more than the maximum term fixed by law for the punishment of the offense of which she has been convicted.

SECTION 4. Said chapter 279 is hereby further amended by striking out section 32, as amended by section 100 of chapter 770 of the acts of 1955, and inserting in place thereof the following section: —

Section 32. The court imposing a sentence of commitment for an indefinite term shall not fix the maximum term unless it exceeds two and one half years, but shall merely impose an indefinite sentence or commitment. The maximum term of any indeterminate sentence imposed hereunder shall not exceed the maximum term fixed by law for the punishment of the crime of which a male has been convicted.

SECTION 5. Said chapter 279 is hereby further amended by striking out section 33, as most recently amended by section 12 of chapter 308 of the acts of 1964, and inserting in place thereof the following section: —

Section 33. Whoever is sentenced to the Massachusetts Correctional Institution, Concord for larceny of property of a value exceeding one hundred dollars or for any felony may be held therein for not more than two and one half years unless sentenced for a longer term, in which case he may be held therein for such longer term; if sentenced to said Massachusetts Correctional Institution, Concord for larceny of property of a value not exceeding one hundred dollars, he may be held therein for not more than two years; if sentenced to said Massachusetts Correctional Institution, Concord for any other offense, he may be held therein for not more than the maximum term fixed by law for the punishment of the offense of which he has been convicted.

SECTION 6. The provisions of this act shall apply to all sentences for misdemeanors imposed under sections seventeen, eighteen, thirty-two, and thirty-three of chapter two hundred and seventy-nine of the General Laws on or after January first, nineteen hundred and seventy.

Approved May 18, 1972.

Chap. 294. AN ACT REQUIRING ANY PERSON FURNISHING BAIL FOR HIRE OR REWARD TO BE APPROVED AND REGISTERED AS A PROFESSIONAL BONDSMAN BY THE SUPERIOR COURT OR A JUSTICE THEREOF.

Be it enacted, etc., as follows:

Section 61B of chapter 276 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out the eighth sentence and inserting in place thereof the following sentence: — The provisions of this section shall not apply to probation officers.

Approved May 18, 1972.

Chap. 295. AN ACT REQUIRING THE EMPLOYMENT OF CERTAIN NUCLEAR POWER PLANT ENGINEERS AND OPERATORS IN NUCLEAR POWER PLANTS, AND RELATIVE TO THEIR POWERS AND DUTIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 146 of the General Laws is hereby amended by inserting after section 50A the following two sections: —

Section 50B. Licenses to have charge of and to operate a nuclear steam power plant, in which plant steam is generated by the release of heat energy as a result of neutron activity, shall be classified as follows:

1. Nuclear Power Plant Senior Supervising Engineer, to be the responsible engineer in full charge of the entire nuclear plant, prime movers, auxiliaries, control systems, and related equipment.

2. Nuclear Power Plant Operating Engineer, to be in charge of the nuclear power plant, its auxiliaries, prime movers, and related control systems as the designated shift supervisor.

3. Assistant Nuclear Power Plant Operator, to operate the auxiliaries, the control room or their related systems under the supervision of either a nuclear power plant operating engineer or a nuclear power plant senior supervising engineer.

Section 50C. Every nuclear power plant shall have at least one nuclear power plant senior supervising engineer. One nuclear power plant operating engineer and one assistant nuclear power plant operator shall be the minimum requirement for each working shift.

SECTION 2. Any person employed as a nuclear power plant supervising engineer on the effective date of this act shall be granted a license as a nuclear power plant senior supervising engineer without being required to take an examination therefor upon application and payment of a fee of twenty-five dollars. Any person licensed by the commonwealth on said effective date as a stationary engineer shall, upon application and payment of said fee be granted, without further examination, a license as a nuclear power plant engineer equivalent to the type of license which he holds on the date of said application. The provisions of this section shall cease to be operative on July first, nineteen hundred and seventy-three. *Approved May 18, 1972.*

Chap. 296. AN ACT FURTHER REGULATING SOUND LEVEL LIMITS FOR SNOWMOBILES.

Be it enacted, etc., as follows:

The third paragraph of section 24 of chapter 90B of the General Laws, as appearing in chapter 62 of the acts of 1972, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — Sound pressure levels in decibels shall be measured on the "A" scale of a sound level meter approved by the director.

Approved May 18, 1972.

Chap. 297. AN ACT REQUIRING THAT APPLICANTS FOR APPOINTMENT AS CORRECTION OFFICERS SHALL BE HIGH SCHOOL GRADUATES OR THE EQUIVALENT.

Be it enacted, etc., as follows:

The third paragraph of section 6A of chapter 31 of the General Laws is hereby amended by inserting after the word "department", in line 3, as appearing in chapter 484 of the acts of 1969, the words: — , or as correction officers. *Approved May 18, 1972.*

Chap. 298. AN ACT FURTHER REGULATING THE LIMITATION OF ACTIONS AGAINST EXECUTORS AND ADMINISTRATORS FOR PERSONAL INJURIES OR DEATH AND THE SATISFACTION OF JUDGMENT IN SUCH ACTIONS.

Be it enacted, etc., as follows:

Chapter 197 of the General Laws is hereby amended by inserting after section 9 the following section: —

Section 9A. Notwithstanding the provisions of section nine, an action for personal injuries or death, if commenced more than six months from the time of the giving of bond by an executor or administrator, may be brought against said executor or administrator, provided that such action is commenced within two years next after the cause of action accrues, and provided further that any judgment recovered in any action so brought may be satisfied only from the proceeds of a policy of insurance or bond, if any, and not from the general assets of the estate. *Approved May 18, 1972.*

Chap. 299. AN ACT PROHIBITING INSURANCE COMPANIES FROM REQUIRING A PHYSICAL EXAMINATION OF AN APPLICANT FOR MOTOR VEHICLE LIABILITY INSURANCE.

Be it enacted, etc., as follows:

Chapter 175 of the General Laws is hereby amended by inserting after section 113M the following section: —

Section 113N. No company issuing or executing a motor vehicle liability policy or bond, as defined in section thirty-four A of chapter ninety shall require a medical examination of the applicant therefor. *Approved May 18, 1972.*

Chap. 300. 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 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 116 of the acts of 1971, and inserting in place thereof the following: —

GENERAL SALARY SCHEDULE

Effective December 26, 1971

(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	$97.70	$100.85	$104.00	$107.15	$110.30	$113.45	$116.60
II	100.50	103.65	106.80	109.95	113.10	116.25	119.40
III	103.75	107.30	110.85	114.40	117.95	121.50	125.05
IV	107.90	111.45	115.00	118.55	122.10	125.65	129.20
V	111.10	114.95	118.80	122.65	126.50	130.35	134.20
VI	116.70	120.55	124.40	128.25	132.10	135.95	139.80
VII	121.60	125.80	130.00	134.20	138.40	142.60	146.80
VIII	126.20	130.80	135.40	140.00	144.60	149.20	153.80
IX	133.55	138.45	143.35	148.25	153.15	158.05	162.95
X	140.95	146.20	151.45	156.70	161.95	167.20	172.45
XI	148.30	153.95	159.60	165.25	170.90	176.55	182.20
XII	157.15	163.10	169.05	175.00	180.95	186.90	192.85
XIII	168.70	175.00	181.30	187.60	193.90	200.20	206.50
XIV	179.30	186.65	194.00	201.35	208.70	216.05	223.40
XV	190.85	198.90	206.95	215.00	223.05	231.10	239.15
XVI	202.80	211.80	220.80	229.80	238.80	247.80	256.80
XVII	216.90	226.35	235.80	245.25	254.70	264.15	273.60
XVIII	228.75	238.95	249.15	259.35	269.55	279.75	289.95
XIX	242.15	253.15	264.15	275.15	286.15	297.15	308.15
XX	256.80	268.15	279.50	290.85	302.20	313.55	324.90
XXI	270.15	282.35	294.55	306.75	318.95	331.15	343.35
XXII	285.10	298.10	311.10	324.10	337.10	350.10	363.10
XXIII	301.20	314.60	328.00	341.40	354.80	368.20	381.60
XXIV	316.20	330.35	344.50	358.65	372.80	386.95	401.10
XXV	331.15	346.10	361.05	376.00	390.95	405.90	420.85
XXVI	344.55	360.25	375.95	391.65	407.35	423.05	438.75
XXVII	360.70	376.85	393.00	409.15	425.30	441.45	457.60
XXVIII	375.70	392.65	409.60	426.55	443.50	460.45	477.40
XXIX	392.15	409.85	427.55	445.25	462.95	480.65	498.35
XXX	410.25	428.75	447.25	465.75	484.25	502.75	521.25
XXXI	426.80	446.10	465.40	484.70	504.00	523.30	542.60
XXXII	444.95	465.05	485.15	505.25	525.35	545.45	565.55
XXXIII	463.05	483.90	504.75	525.60	546.45	567.30	588.15

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, and excluding 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 excluding 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-fifth, nineteen hundred and seventy-one by an amount equal to four and three-tenths per cent thereof.

SECTION 3. The first sentence of section 22 of chapter 6 of the General Laws is hereby amended by striking out the words "sixteen thousand nine hundred and sixty", inserted by section 3 of chapter 116 of the acts of 1971, and inserting in place thereof the words: — seventeen thousand six hundred and eighty-nine.

SECTION 4. The next to the last sentence of section 43 of said chapter 6 is hereby amended by striking out the words "twelve thousand and eighty-four", inserted by section 4 of said chapter 116, and inserting in place thereof the words: — twelve thousand six hundred and three, — and by striking out the words "ten thousand two hundred and eighty-two", as so inserted, and inserting in place thereof the words: — ten thousand seven hundred and twenty-four.

SECTION 5. The first sentence of the third paragraph of section 48 of said chapter 6 is hereby amended by striking out the words "nine thousand six hundred and forty-six", inserted by section 5 of said chapter 116, and inserting in place thereof the words: — ten thousand and sixty, — and by striking out the words "eight thousand one hundred and sixty-two", as so inserted, and inserting in place thereof the words: — eight thousand five hundred and twelve.

SECTION 6. The first sentence of the third paragraph of section 56 of said chapter 6 is hereby amended by striking out the words "sixteen thousand eight hundred and fifty-four", inserted by section 6 of said chapter 116, and inserting in place thereof the words: — seventeen thousand five hundred and seventy-eight, — and by striking out the words "eight thousand two hundred and sixty-eight", as so inserted, and inserting in place thereof the words: — eight thousand six hundred and twenty-three.

SECTION 7. The second sentence of section 75 of said chapter 6 is hereby amended by striking out the words "eighteen thousand two hundred and thirty-two", inserted by section 7 of said chapter 116, and inserting in place thereof the words: — nineteen thousand and fifteen.

SECTION 8. The second sentence of the second paragraph of section 129 of said chapter 6 is hereby amended by striking out the words "sixteen thousand nine hundred and sixty", inserted by section 8 of said chapter 116, and inserting in place thereof the words: — seventeen thousand six hundred and eighty-nine.

SECTION 8A. The fifth sentence of section 159 of said chapter 6, as appearing in section 32B of chapter 859 of the acts of 1969, is hereby amended by striking out, in lines 1 and 2, the words "sixteen thousand" and inserting in place thereof the words: — sixteen thousand six hundred and eighty-eight.

SECTION 9. The first sentence of section 4A of chapter 7 of the General Laws is hereby amended by striking out the words "twenty-four thousand nine hundred and ten", inserted by section 10 of chapter 116 of the acts of 1971, and inserting in place thereof the words: — twenty-five thousand nine hundred and eighty-one, — and by striking out the words "twenty-four thousand nine hundred and ten", as so inserted, and inserting in place thereof the words: — twenty-five thousand nine hundred and eighty-one.

SECTION 10. The last sentence of the second paragraph of section 2 of chapter 13 of the General Laws, as most recently amended by section 2 of chapter 1102 of the acts of 1971, is hereby further amended by striking out, in lines 2 and 3, the words "twenty-eight thousand one hundred and eighty-nine" and inserting in place thereof the words: — twenty-nine thousand four hundred and one.

SECTION 11. The fourth sentence of section 2A of said chapter 13 is hereby amended by striking out the words "thirteen thousand seven hundred and eighty", inserted by section 12 of chapter 116 of the acts of 1971, and inserting in place thereof the words: — fourteen thousand three hundred and seventy-two, — and by striking out the words "twelve thousand seven hundred and twenty", as so inserted, and inserting in place thereof the words: — thirteen thousand three hundred and twenty-nine.

SECTION 12. The first sentence of section 8 of said chapter 13 is hereby amended by striking out the words "nine thousand six hundred and forty-six", inserted by section 13 of said chapter 116, and inserting in place thereof the words: — ten thousand and sixty.

SECTION 13. Section 41 of said chapter 13 is hereby amended by striking out the words "six thousand seven hundred and eighty-four", inserted by section 14 of said chapter 116, and inserting in place thereof the words: — seven thousand and seventy-five, — by striking out the words "six thousand and forty-two", as so inserted, and inserting in place thereof the words: — six thousand three hundred and one, — and by striking out the words "six thousand and forty-two", as so inserted, and inserting in place thereof the words: — six thousand three hundred and one.

SECTION 14. Section 44 of said chapter 13 is hereby amended by striking out the words "eight thousand two hundred and sixty-eight", inserted by section 15 of said chapter 116, and inserting in place thereof the words: — eight thousand six hundred and twenty-three, — and by striking out the words "seven thousand five hundred and twenty-six", as so inserted, and inserting in place thereof the words: — seven thousand eight hundred and forty-nine.

SECTION 15. The second sentence of the third paragraph of section 2 of chapter 14 of the General Laws is hereby amended by striking out the words "twenty-four thousand nine hundred and ten", inserted by section 16 of said chapter 116, and inserting in place thereof the words: — twenty-five thousand nine hundred and eighty-one, — and by striking out the words "nineteen thousand two hundred and ninety-two", as so inserted, and inserting in place thereof the words: — twenty thousand one hundred and twenty-one.

SECTION 16. The seventh sentence of section 1 of chapter 16 of the General Laws is hereby amended by striking out the words "twenty-seven thousand six hundred and sixty-six", inserted by section 17 of said chapter 116, and inserting in place thereof the words: — twenty-eight thousand eight hundred and eighty-five, — and by striking out the words "twenty-one thousand seven hundred and thirty", as so inserted, and inserting in place thereof the words: — twenty-two thousand six hundred and sixty-four.

SECTION 17. The third sentence of section 9 of said chapter 16 is hereby amended by striking out the words "twenty-one thousand and

ninety-four", inserted by section 18 of said chapter 116, and inserting in place thereof the words: — twenty-two thousand and one.

SECTION 18. The third sentence of section 12 of said chapter 16, as most recently amended by chapter 375 of the acts of 1971, is hereby further amended by striking out, in lines 2 and 3, the words "fifteen thousand four hundred and seventy-six" and inserting in place thereof the words: — sixteen thousand one hundred and forty-one.

SECTION 19. The third sentence of section 2 of chapter 17 of the General Laws is hereby amended by striking out the words "thirty thousand four hundred and twenty-two", inserted by section 20 of chapter 116 of the acts of 1971, and inserting in place thereof the words:— thirty-one thousand seven hundred and thirty.

SECTION 19A. The fourth sentence of section 1 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, in line 1, the words "twenty-five thousand" and inserting in place thereof the words: — twenty-six thousand and seventy-five.

SECTION 20. The fourth sentence of section 3 of chapter 18 of the General Laws is hereby amended by striking out the words "thirty thousand two hundred and ten", inserted by section 21 of chapter 116 of the acts of 1971, and inserting in place thereof the words: — thirty-one thousand five hundred and nine.

SECTION 21. The fourth sentence of section 4 of said chapter 18 is hereby amended by striking out the words "twenty-six thousand six hundred and six", inserted by section 22 of said chapter 116, and inserting in place thereof the words: — twenty-seven thousand seven hundred and fifty, — and by striking out the words "twenty-one thousand seven hundred and thirty", as so inserted, and inserting in place thereof the words: — twenty-two thousand six hundred and sixty-four.

SECTION 21A. The sixth paragraph of section 2 of chapter 19 of the General Laws is hereby amended by striking out the words "thirty-nine thousand two hundred and twenty", inserted by section 23 of said chapter 116, and inserting in place thereof the words: — forty thousand nine hundred and six.

SECTION 22. The second sentence of section 2 of chapter 20 of the General Laws is hereby amended by striking out the words "seventeen thousand two hundred and eighty-seven", inserted by section 24 of said chapter 116, and inserting in place thereof the words: — eighteen thousand and twenty.

SECTION 23. Section 5 of said chapter 20, as most recently amended by chapter 988 of the acts of 1971, is hereby further amended by striking out, in line 2, the words "fourteen thousand" and inserting in place thereof the words: — fourteen thousand six hundred and two.

SECTION 24. The second sentence of section 3A of chapter 21 of the General Laws is hereby amended by striking out the words "twenty-one thousand seven hundred and thirty", inserted by section 26 of chapter 116 of the acts of 1971, and inserting in place thereof the words:— twenty-two thousand six hundred and sixty-four.

SECTION 25. The second sentence of section 2 of chapter 22 of the General Laws is hereby amended by striking out the words "twenty-one thousand and ninety-four", inserted by section 27 of said chapter 116, and inserting in place thereof the words: — twenty-two thousand and one.

SECTION 26. The second sentence of section 2 of chapter 23 of the General Laws is hereby amended by striking out the words "nineteen thousand one hundred and eighty-six", inserted by section 28 of said chapter 116, and inserting in place thereof the words: — twenty thousand and ten, — and by striking out the words "eleven thousand four hundred and forty-eight", as so inserted, and inserting in place thereof the words: — eleven thousand nine hundred and forty.

SECTION 27. Paragraph (*b*) of section 9I of said chapter 23 is hereby amended by striking out the words "twenty-two thousand eight hundred and ninety-six", inserted by section 29 of said chapter 116, and inserting in place thereof the words: — twenty-three thousand eight hundred and eighty.

SECTION 28. The eighth sentence of paragraph (*b*) of section 9N of said chapter 23 is hereby amended by striking out the words "fourteen thousand five hundred and twenty-two", inserted by section 30 of said chapter 116, and inserting in place thereof the words: — fifteen thousand one hundred and forty-six, — and by striking out the words "thirteen thousand three hundred and fifty-six", as so inserted, and inserting in place thereof the words: — thirteen thousand nine hundred and twenty-six.

SECTION 29. The first sentence of section 9P of said chapter 23 is hereby amended by striking out the words "seventeen thousand two hundred and seventy-eight", inserted by section 31 of said chapter 116, and inserting in place thereof the words: — eighteen thousand and twenty, — and by striking out the words "ten thousand nine hundred and eighteen", as so inserted, and inserting in place thereof the words: — eleven thousand three hundred and eighty-seven.

SECTION 30. The first paragraph of section 15 of said chapter 23 is hereby amended by striking out the words "nineteen thousand two hundred and ninety-two", inserted by section 32 of said chapter 116, and inserting in place thereof the words: — twenty thousand one hundred and twenty-one, — and by striking out the words "eighteen thousand one hundred and twenty-six", as so inserted, and inserting in place thereof the words: — eighteen thousand nine hundred and five.

SECTION 31. The fourth sentence of section 1 of chapter 23A of the General Laws is hereby amended by striking out the words "twenty-four thousand one hundred and sixty-eight", inserted by section 33 of said chapter 116, and inserting in place thereof the words: — twenty-five thousand two hundred and seven.

SECTION 32. The fourth sentence of section 1 of chapter 23B of the General Laws is hereby amended by striking out the words "twenty-two thousand eight hundred and ninety-six", inserted by section 34 of said chapter 116, and inserting in place thereof the words: — twenty-three thousand eight hundred and eighty.

SECTION 33. The fifth sentence of section 2 of chapter 25 of the General Laws is hereby amended by striking out the words "nineteen thousand one hundred and eighty six", inserted by section 35 of said chapter 116, and inserting in place thereof the words: — twenty thousand and ten, — and by striking out the words "thirteen thousand eight hundred and eighty-six", as so inserted, and inserting in place thereof the words: — fourteen thousand four hundred and eighty-three.

SECTION 34. The second sentence of section 2 of chapter 26 of the General Laws is hereby amended by striking out the words "twenty-

one thousand and ninety-four", inserted by section 36 of said chapter 116, and inserting in place thereof the words: — twenty-two thousand and one.

SECTION 35. The second sentence of section 6 of said chapter 26 is hereby amended by striking out the words "twenty-two thousand and forty-eight", inserted by section 37 of said chapter 116, and inserting in place thereof the words: — twenty-two thousand nine hundred and ninety-six.

SECTION 36. The third sentence of section 1 of chapter 27 of the General Laws is hereby amended by striking out the words "twenty-four thousand nine hundred and ten", inserted by section 38 of said chapter 116, and inserting in place thereof the words: — twenty-five thousand nine hundred and eighty-one.

SECTION 37. The first sentence of the first paragraph of section 2 of said chapter 27, as most recently amended by section 1 of chapter 1102 of the acts of 1971, is hereby further amended by striking out, in line 6, the words "eighteen thousand seven hundred" and inserting in place thereof the words: — nineteen thousand five hundred and four.

SECTION 38. The fourth paragraph of section 4 of said chapter 27, as appearing in section 1 of chapter 994 of the acts of 1971, is hereby amended by striking out, in lines 1 and 2, the words "twenty-one thousand and ninety-four" and inserting in place thereof the words: — twenty-two thousand and one, — and by striking out, in line 3, the words "sixteen thousand three hundred and twenty-four" and inserting in place thereof the words: — seventeen thousand and twenty-five.

SECTION 39. Section 2 of chapter 28 of the General Laws is hereby amended by striking out the words "twenty-four thousand nine hundred and ten", inserted by section 41 of chapter 116 of the acts of 1971, and inserting in place thereof the words: — twenty-five thousand nine hundred and eighty-one, — and by striking out the words "eight thousand and fifty-six", as so inserted, and inserting in place thereof the words: — eight thousand four hundred and two.

SECTION 40. The fourth sentence of the first paragraph of section 1 of chapter 58A of the General Laws is hereby amended by striking out the words "twenty-one thousand and ninety-four", inserted by section 42 of said chapter 116, and inserting in place thereof the words: — twenty-two thousand and one, — and by striking out the words "sixteen thousand nine hundred and sixty", as so inserted, and inserting in place thereof the words: — seventeen thousand six hundred and eighty-nine.

SECTION 40A. The second sentence of the last paragraph of section 3 of chapter 354 of the acts of 1952, as most recently amended by section 1 of chapter 786 of the acts of 1969, is hereby further amended by striking out, in lines 4 and 5, the words "thirty-two thousand" and inserting in place thereof the words: — thirty-three thousand three hundred and seventy-six, — and by striking out, in line 6, the words "eighteen thousand" and inserting in place thereof the words: — eighteen thousand seven hundred and seventy-four.

SECTION 41. Section 2 of chapter 635 of the acts of 1960 is hereby amended by striking out the words "eleven thousand three hundred and forty-two", inserted by section 43 of chapter 116 of the acts of 1971, and inserting in place thereof the words: — eleven thousand eight hun-

dred and twenty-nine, — and by striking out the words "seven thousand six hundred and thirty-two", as so inserted, and inserting in place thereof the words: — seven thousand nine hundred and sixty.

SECTION 42. The third sentence of section 3 of said chapter 635 is hereby amended by striking out the words "twenty thousand five hundred and sixty-four", inserted by section 44 of said chapter 116, and inserting in place thereof the words: — twenty-one thousand four hundred and forty-eight.

SECTION 43. Sections one and two of this act shall take effect as of December twenty-sixth, nineteen hundred and seventy-one; provided however that the cost-of-living adjustments provided for in said sections shall be due and payable on September first, nineteen hundred and seventy-two retroactively for the period commencing on December twenty-sixth, nineteen hundred and seventy-one, and ending on June twenty-fourth, nineteen hundred and seventy-two.

SECTION 44. Sections three to forty-two, inclusive, shall take effect on January first, nineteen hundred and seventy-two; provided however that the cost-of-living adjustments provided for in said sections shall be due and payable on September first, nineteen hundred and seventy-two retroactively for the period commencing on January first, nineteen hundred and seventy-two, and ending on June thirtieth, nineteen hundred and seventy-two.

(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, May 23, 1972, and, in concurrence, by the Senate, May 23, 1972, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 301. AN ACT AUTHORIZING THE COMMISSIONER OF BANKS TO APPOINT THE FEDERAL DEPOSIT INSURANCE CORPORATION AS LIQUIDATING AGENT OF BANKS INSURED BY SAID CORPORATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to expedite the liquidation of the Surety Bank and Trust Company, a state-chartered institution taken into possession by the commissioner of banks on May twenty-second, nineteen hundred and seventy-two, for the purpose of liquidation, and in connection therewith said commissioner is desirous of appointing the Federal Deposit Insurance Corporation as liquidating agent, therefore it is hereby declared to be en emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 26 of chapter 167 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by adding the following two paragraphs: —

The commissioner may, under his hand and official seal, appoint the Federal Deposit Insurance Corporation as the liquidating agent of a bank insured by the Federal Deposit Insurance Corporation. Upon its acceptance of the appointment, the Federal Deposit Insurance Corpora-

tion as liquidating agent shall acquire both legal and equitable title to all of the assets, rights or claims and to all of the real or personal property of the closed bank. The Federal Deposit Insurance Corporation as liquidating agent shall have the power to perform all acts and duties of the commissioner in the liquidation of the closed bank. The commissioner shall petition the supreme judicial court for the county where the principal office of such bank is located for an order confirming the appointment of the Federal Deposit Insurance Corporation as liquidating agent of such bank.

Whenever the Federal Deposit Insurance Corporation pays or makes available for payment the insured deposit liabilities of a closed bank, it shall become subrogated to all of the rights of the owners of the deposits against the closed bank, whether or not it has become receiver thereof, in the same manner and to the same extent as it would be subrogated in the closing of a national banking association as provided in the Federal Deposit Insurance Act, as amended, 12 U.S.C. §§ 1811–1832.

Approved May 25, 1972.

Chap. 302. AN ACT VALIDATING CERTAIN PROCEEDINGS OF THE TOWN OF MERRIMAC AND AUTHORIZING THE TOWN TO ACQUIRE A BUILDING AND RENOVATE IT FOR USE AS MUNICIPAL OFFICES AND AS A MUNICIPAL GARAGE AND TO BORROW MONEY FOR SAID PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The town of Merrimac is hereby authorized to acquire by purchase or to take by eminent domain under chapter seventy-nine of the General Laws certain land with the building thereon known as the Brox Building on East Main street in said town for municipal offices and municipal garage purposes, and after such acquisition the town may remodel, renovate, equip and furnish said building, said property consisting of a building and two parcels of land, described in a deed of Merrill Rosenberg, Receiver in Bankruptcy, to Brox Development Co., Inc., recorded in Essex South District Registry of Deeds, Book 5196, page 757.

SECTION 2. For the purposes of section one, the treasurer of said town, with the approval of the selectmen, is hereby authorized to borrow on behalf of the town from time to time such sums as may be necessary, not exceeding, in the aggregate, sixty-five thousand dollars, and may issue bonds or notes therefor. In addition to the foregoing authorization, the town may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars for the purpose of remodeling, renovating, equipping and furnishing the said building, and may issue bonds or notes therefor. Such bonds or notes shall bear on their face the words, Merrimac Municipal Building Loan, Act of 1972. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than twenty years from their dates. Indebtedness incurred under this act shall be in excess of the statutory limit, but shall, except as herein provided, be subject to chapter forty-four of the General Laws, exclusive of any limitation or requirement contained in section seven thereof.

SECTION 3. The vote passed by said town on February twenty-eighth, nineteen hundred and seventy-two, authorizing the acquisition

of the Brox Building, so called, and describing the land to be acquired in connection therewith for municipal offices and municipal garage purposes and appropriating and authorizing the borrowing of sixty-five thousand dollars therefor is hereby validated, ratified and confirmed in all respects as though this act were in effect at the time of the posting of the warrant for said meeting.

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

Approved May 25, 1972.

Chap. 303. AN ACT FURTHER EXTENDING THE TIME WITHIN WHICH THE OXFORD-ROCHDALE SEWER DISTRICT MAY BORROW CERTAIN SUMS.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 250 of the acts of 1957 is hereby amended by striking out the first sentence, as most recently amended by chapter 739 of the acts of 1971, and inserting in place thereof the following sentence: — For the purpose of paying the necessary expenses and liabilities incurred under this act, the district may from time to time, within twenty years after the passage of this act, borrow such sums as may be necessary, not exceeding, in the aggregate, four hundred and fifty thousand dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Oxford-Rochdale Sewerage Loan, Act of 1957.

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

Approved May 25, 1972.

Chap. 304. AN ACT AUTHORIZING THE TOWN OF WARE TO PAY A CERTAIN SUM OF MONEY TO BERNARD DULAK.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of discharging a moral obligation, the town of Ware is hereby authorized to appropriate, and after such appropriation the treasurer of said town is hereby authorized to pay to Bernard Dulak, the sum of two hundred and forty-four dollars and twenty cents for part of the cost of installing a manhole and appurtenances on Maple court in said town.

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

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

Approved May 25, 1972.

Chap. 305. AN ACT PROVIDING FOR THE REINSTATEMENT OF HELEN BROOKS DOHERTY AS A MEMBER OF THE TEACHERS' RETIREMENT SYSTEM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the reinstatement of Helen

Brooks Doherty as a member of the teachers' retirement system, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, Helen Brooks Doherty is hereby reinstated as a member in service of the teachers' retirement system notwithstanding her election to become a member inactive, provided that she repays into said system the total amount of any allowance she may have received from the date of her retirement to the date of her again becoming a member in service. Upon such reinstatement said Helen Brooks Doherty shall thereafter be eligible for employment as a teacher in the public schools of the commonwealth.

Approved May 25, 1972.

Chap. 306. AN ACT AUTHORIZING THE CITY OF NORTH ADAMS TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of North Adams is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay unpaid bills incurred by said city in the amount of two thousand two hundred forty-three dollars and forty-three cents for materials, supplies and services furnished to it in the year nineteen hundred and seventy-one, as shown on the following list, said bills being legally unenforceable against said city: — Tower Electric Co., of the city of North Adams, one thousand thirty dollars and seventy-three cents; Mohawk Industries Inc., four hundred seventeen dollars and seventy-three cents; Berkshire Gas Company, two hundred sixty-five dollars and thirty cents; Massachusetts Electric Company, of the city of North Adams, three hundred eighty-four dollars and seventy-eight cents; and H. A. George & Sons Fuel Corp., one hundred forty-four dollars and eighty-nine cents.

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

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

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

Approved May 25, 1972.

Chap. 307. AN ACT COMBINING THE OFFICES OF THE TOWN TREASURER AND TAX COLLECTOR OF THE TOWN OF WAYLAND INTO THE OFFICE OF TOWN TREASURER AND COLLECTOR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, the offices of town treasurer and tax collector of the town of Wayland shall be merged into one office to be known as town treasurer and collector and the powers and duties formerly exercised by the town treasurer and the tax collector shall be exercised by said town treasurer and collector.

SECTION 2. The selectmen shall appoint a suitably qualified person, regardless of residence, to hold the office of town treasurer and collector for a term of three years beginning May the first, nineteen hundred and seventy-three and the person so appointed shall serve until his successor is appointed and qualified.

SECTION 3. The selectmen shall fill any vacancy in said office, and any vacancy in the office of town treasurer or tax collector that may exist prior to May the first, nineteen hundred and seventy-three, by appointing a qualified successor for the remainder of any unexpired term.

SECTION 4. The terms of the persons holding the offices of town treasurer and of collector, respectively, on the effective date of this act shall terminate April the thirtieth, nineteen hundred and seventy-three upon the appointment and qualification of the town treasurer and collector pursuant to this act.

SECTION 5. This act shall take effect upon its passage.

Approved May 25, 1972.

Chap. 308. AN ACT PROVIDING FOR ADDITIONAL ASSISTANT CLERKS OF COURTS FOR THE COUNTIES OF BARNSTABLE AND NORFOLK.

Be it enacted, etc., as follows:

SECTION 1. Chapter 221 of the General Laws is hereby amended by striking out section 4, as most recently amended by chapter 459 of the acts of 1968, and inserting in place thereof the following section: —

Section 4. The justices of the supreme judicial court shall appoint for a term of three years from the date of their appointment, and may remove, assistant clerks of courts, as follows:

For the county of —

Barnstable, an assistant and a second assistant;

Bristol, an assistant and a second assistant;

Essex, an assistant, a second assistant, a third assistant, a fourth assistant, a fifth assistant, a sixth assistant and a seventh assistant;

Hampden, an assistant, a second assistant, a third assistant, a fourth assistant and a fifth assistant;

Middlesex, an assistant, a second assistant, a third assistant, a fourth assistant, a fifth assistant, a sixth assistant and a seventh assistant;

Norfolk, an assistant;

Plymouth, an assistant;

Suffolk, an assistant of the supreme judicial court;

Worcester, an assistant, a second assistant, a third assistant, a fourth assistant, a fifth assistant, a sixth assistant and a seventh assistant.

Assistant clerks of courts except in Suffolk county shall act as assistant clerks of the supreme judicial court, the superior court and the county commissioners.

SECTION 2. Section 5 of said chapter 221 is hereby amended by striking out the third paragraph, as amended by section 1 of chapter 511 of the acts of 1970, and inserting in place thereof the following paragraph: —

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

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

Approved May 25, 1972.

Chap. 309. AN ACT ELIMINATING THE REQUIREMENT THAT THERE BE ON THE BOARD OF DIRECTORS OF A NON-PROFIT HOSPITAL SERVICE CORPORATION CERTAIN EXECUTIVE OFFICERS OR TRUSTEES.

Be it enacted, etc., as follows:

The second paragraph of section 2 of chapter 176A of the General Laws, as amended by section one of chapter 147 of the acts of 1956, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The board of directors of each such corporation shall consist of thirty-one members, three of whom shall be officers or agents of contributing employers who are not identified with a hospital as officers, directors or employees, and three of whom shall be representatives of labor. *Approved May 25, 1972.*

Chap. 310. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS AND THE BOSTON REDEVELOPMENT AUTHORITY TO EXERCISE CERTAIN POWERS IN REGARD TO CERTAIN TIDELANDS ALONG THE ATLANTIC AVENUE AND COMMERCIAL STREET WATERFRONT IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Until January first, nineteen hundred and seventy-seven, no license to fill or maintain fill or to erect or maintain a structure within that area in the city of Boston beginning at the intersection of the northeasterly sideline of Northern avenue and the westerly U.S. Pierhead Line of the Fort Point Channel and running northwesterly by the northeasterly sideline of Northern avenue to the westerly sideline of Atlantic avenue; thence turning and running northerly and northwesterly by the westerly sideline of Atlantic avenue and of Commercial street to the southeasterly sideline of Hanover street; thence turning and running northeasterly by the southeasterly sideline of Hanover street, to the southwesterly property line of the U.S. Coast Guard Base; thence turning and running southeasterly by the southwesterly property line of the U.S. Coast Guard Base to the southeasterly property line of the U.S. Coast Guard Base, thence turning and running northeasterly by the southeasterly property line of the U.S. Coast Guard Base extended to the U.S. Pierhead Line; thence turning and running southeasterly, southerly and southwesterly by the U.S. Pierhead Line, to the point of

beginning; shall be granted by the department of public works, hereinafter called the department, unless the application is approved in writing by the Boston Redevelopment Authority and the mayor of the city of Boston. No license application so approved shall be granted by the department until a public hearing has been held by the department, in accordance with the provisions of chapter thirty A of the General Laws, to consider the license application and all factors relevant thereto, including the effect of the proposed work on navigation, pollution, natural resources, marine fisheries and wildlife, historic preservation and scenic preservation, recreational opportunities including access to the water and the water's edge, provision for parkland and open spaces, and the general public interest including public benefits to be realized from the proposed work. Upon full consideration of said relevant factors, the department shall determine whether, in the public interest, a license will be granted and, when granting a license, the conditions, if any to which the license will be subject in view of its evaluation of the said relevant factors; provided, however, that no license to fill or maintain fill or to erect or maintain a structure in the said area shall be granted by the department unless the application for a license is approved in writing by the Authority and the mayor of the city of Boston and unless the license is subject to such conditions as they prescribe in their approval and unless such license is subject to the further condition that the license shall expire in five years from its date, except as to valuable structures, fillings or enclosures actually and in good faith built or made under and in accordance with the terms and conditions of such license during the term thereof.

Notwithstanding the provisions of section fifteen of chapter ninety-one of the General Laws, every license granted with the approval of the Authority from the effective date of this act until January first, nineteen hundred and seventy-seven shall be irrevocable. The department shall execute and deliver a certificate in form suitable for recording upon the completion of any structure or filling pursuant to and in accordance with the terms and conditions of any such license issued by it, and the register of deeds for Suffolk county shall accept the same for recording and make a marginal reference thereto upon the record of the appropriate license upon payment of the fee prescribed in chapter two hundred and sixty-two of the General Laws.

SECTION 2. Notice of any hearing to be held under the preceding section shall be made in writing by the department at least twenty-one days prior to the date of the hearing to the secretary of environmental affairs and any other such cabinet secretaries, departments and agencies of the commonwealth that have jurisdiction by law or special expertise with respect to the relevant factors to be considered at the hearing. The notice shall indicate the statutory basis for the hearing, the time and place of the hearing and the nature and substance of the matter to be heard. Such notice shall be given to the public by publication of legal notice in a daily newspaper of general circulation in Suffolk county at least fourteen days prior to the date of the hearing.

SECTION 3. For the purpose of clarifying the relationship of the proposed work to the Downtown Waterfront-Faneuil Hall Urban Renewal Plan adopted by the Authority on April twenty-fourth, nineteen hundred and sixty-four, and approved by the city council of the city of Boston on June eighth, nineteen hundred and sixty-four, as amended, the following controls are hereby imposed upon said plan:

(a) North of India Wharf the toes of all new fill and supporting structures shall be within the Commonwealth's Harbor Line or Pierhead Line of 1880. As a condition precedent to the granting of a license to fill areas hereunder, the licensee shall agree to provide free and open public pedestrian access to the harbor ends of said licensee's wharf, which agreement shall be binding upon his successors, heirs and assigns.

(b) None of the slips between Commercial and Lewis wharves and between Sargents and Union wharves shall be narrowed by the construction of any structures other than those that are associated with marinas.

(c) The height of structures constructed on Lewis wharf or Commercial wharf shall be limited to the height of the tallest structure existing on the pier as of January first, nineteen hundred and seventy-two.

SECTION 4. The amount of tidewater displaced or to be displaced by any structure below high water mark or by any filling of flats shall be ascertained by the department which shall require the licensee to pay to the commonwealth before the license shall become effective such amount, if any, as shall be assessed by the department with respect to such displacement, in accordance with the provisions of chapter ninety-one of the General Laws, and each such license granted by the department shall contain a recitation that such assessment has been made and payment received.

SECTION 5. This act shall take effect as of January first, nineteen hundred and seventy-two. *Approved May 25, 1972.*

Chap. 311. AN ACT PROVIDING FOR THE APPOINTMENT OF SCHOOL TEACHERS IN THE DEPARTMENT OF CORRECTION.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 31 of the General Laws is hereby amended by inserting after line 32, as appearing in section 8 of chapter 780 of the acts of 1967, the following line: — Teachers in the state department of correction whose duties require the possession of a teacher's certificate; .

SECTION 2. The provisions of section five of chapter thirty-one of the General Laws, as amended by section one of this act, shall not impair the civil service status or promotional opportunities of any permanent teacher employed by the department of correction on the effective date of this act.

SECTION 3. Nothing in this act shall be deemed to exempt from the classified civil service instructors in the Massachusetts Correctional Institution, Walpole, the Massachusetts Correctional Institution, Concord, and the Massachusetts Correctional Institution, Norfolk, who have been made subject to the provisions of the civil service law and rules by the provisions of section four of chapter thirty-one of the General Laws. *Approved May 25, 1972.*

Chap. 312. AN ACT FURTHER REGULATING THE LAW RELATIVE TO THE PURCHASE, SALE AND POSSESSION OF FIREARMS, RIFLES AND SHOTGUNS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 129B of chapter 140 of the General Laws, as appearing in section 7 of chapter 799 of the acts of 1969, is hereby amended by striking out, in lines 6 and 7, the words "a state prison or penitentiary", and inserting in place thereof the word: — confinement, and by inserting after the word "card", in line 28, the words: — , or (*f*) is an alien.

SECTION 2. Said section 129B of said chapter 140 is hereby further amended by striking out the fifth paragraph, as so appearing, and inserting in place thereof the following paragraph: —

Said card shall be valid until revoked or suspended. The fee for an application and card shall be two dollars which shall be payable to the licensing authority and shall not be prorated or refunded in case of revocation or denial. The card holder shall notify, in writing, both the issuing authority and the commissioner of public safety of any change in his address. Such notification shall be made within ten days of its occurrence.

SECTION 3. Section 129C of said chapter 140 is hereby amended by striking out the third paragraph, as appearing in section 8 of chapter 799 of the acts of 1969, and inserting in place thereof the following paragraph: —

A seller shall, within seven days, report all such transfers to the commissioner of public safety according to the provisions set forth in section one hundred and twenty-eight A, and in the case of loss, theft or recovery of any firearm, rifle or shotgun, a similar report shall be made forthwith to both the commissioner and the licensing authority in the city or town where the owner resides.

SECTION 4. The second sentence of section 131A of said chapter 140, inserted by chapter 95 of the acts of 1965, is hereby amended by inserting after the word "firearm", in line 4, the words: — , rifle or shotgun.

SECTION 5. The fourth paragraph of section 10 of chapter 269 of the General Laws, as appearing in section 14 of chapter 737 of the acts of 1968, is hereby amended by striking out, in line 2, the word "therefor".

Approved May 25, 1972.

Chap. 313. AN ACT PROVIDING FOR PAYMENTS UPON PROOF OF NOTIFICATION OF DISABILITY FROM A LICENSED PHYSICIAN UNDER THE COMPULSORY PERSONAL INJURY PROTECTION LAW.

Be it enacted, etc., as follows:

The fourth paragraph of section 34M of chapter 90 of the General Laws, as appearing in section 4 of chapter 670 of the acts of 1970, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Personal injury protection benefits and benefits due from an insurer assigned shall be due and payable as loss accrues, upon receipt of reasonable proof of the fact and amount of expenses and loss incurred provided that upon notification of disability

from a licensed physician, the insurer shall commence medical payments within ten days or give written notice of its intent not to make such payments, specifying reasons for said nonpayment, but an insurer may agree to a lump sum discharging all future liability for such benefits on its own behalf and on behalf of the insured. *Approved May 25, 1972.*

Chap. 314. AN ACT AUTHORIZING CREDIT UNIONS TO BORROW MONEY FROM CERTAIN NATIONAL BANKS OR TRUST COMPANIES.

Be it enacted, etc., as follows:

Section 16 of chapter 171 of the General Laws is hereby amended by striking out the fifth sentence, as amended by chapter 312 of the acts of 1965, and inserting in place thereof the following sentence: — Said board may, if the credit union has a deposit or share account therein, borrow money for and on behalf of the credit union, without the approval of the commissioner, from a savings bank, co-operative bank, federal savings and loan association, national bank or trust company or the Central Credit Union Fund, Inc.; provided, that money borrowed from such institution is in an amount not exceeding said deposit or share account and is for a time not extending beyond the end of a one year period from the date on which the loan is made.

Approved May 25, 1972.

Chap. 315. AN ACT FURTHER REGULATING MORTGAGE LOANS MADE BY CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

Section 24 of chapter 170 of the General Laws is hereby amended by inserting after subsection 3A the following subsection: —

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

be guaranteed or insured by a mortgage insurance company which has been determined to be a "qualified private insurer" by the Federal Home Loan Mortgage Corporation (Public Law 91-351), or has been approved by the commissioner as qualified to insure loans of this class. Interest upon each such loan shall be computed monthly on the unpaid balance thereof. A note or mortgage taken under this subsection shall contain a provision requiring the payment each month of a proportionate part of the estimated real estate taxes and betterment assessments. The aggregate amount of loans outstanding hereunder shall not exceed ten per cent of the deposits of the corporation.

Approved May 25, 1972.

Chap. 316. AN ACT FURTHER REGULATING THE LAWS RELATIVE TO CERTAIN CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 156A of the General Laws, as amended by chapter 259 of the acts of 1971, is hereby further amended by adding the following sentence: — For purposes of this section and section nine neither the clerk nor any assistant clerk shall as such be deemed to be an officer.

SECTION 2. Section 14 of said chapter 156A, as appearing in section 1 of chapter 654 of the acts of 1963, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — Such certificate shall be signed under the penalties of perjury by the president or a vice president and by the clerk or an assistant clerk.

SECTION 3. Chapter 156B of the General Laws is hereby amended by striking out section 63, as most recently amended by section 3 of chapter 929 of the acts of 1971, 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 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 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. Section 11C of chapter 180 of the General Laws, inserted by section 5 of chapter 819 of the acts of 1971, is hereby amended by striking out paragraph (*d*) and inserting in place thereof the following paragraph: —

(*d*) The fee for filing a petition in accordance with section seven A shall be twenty-five dollars.

Approved May 25, 1972.

Chap. 317. AN ACT PROVIDING INDEMNIFICATION FOR RETIRED POLICE OFFICERS AND FIRE FIGHTERS FOR CERTAIN EXPENSES INCURRED BY THEM ATTRIBUTABLE TO A SERVICE-CONNECTED DISABILITY.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 100B, as most recently amended by chapter 227 of the acts of 1970, and inserting in place thereof the following section: —

Section 100B. Any city operating under a Plan D or Plan E charter which accepts this section by the affirmative vote of two thirds of all the members of its city council, and any other city which accepts this section by a majority vote of its city council with the approval of its mayor, and any town which accepts this section by a majority vote of its inhabitants at an annual town meeting, may, upon written application by any of its police officers or fire fighters retired either before or after the acceptance of this section under a general or special law specifically relating to retirement for accidental disability, except a special law applicable to one person, or in the event of the death of any such police officer or fire fighter, upon written application by his widow or, if he leaves no widow, by his next of kin, indemnify, out of any funds appropriated for the purposes of this section, such police officer or fire fighter or, in the event of his death, his widow, or if he leaves no widow, his next of kin, for all reasonable hospital, medical and surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for podiatry incurred within the commonwealth by such police officer or fire fighter after his retirement; provided, however, that no person shall be indemnified under this section unless a majority of the members of a panel consisting of (*a*) the chairman of the retirement board of the city or town, (*b*) the city solicitor, town counsel or other officer having similar duties or a person designated in writing by such solicitor, counsel or officer to act for him, and (*c*) such physician as the city or town manager or, if there is none, the mayor or selectmen in writing appoint shall, upon receipt from the applicant of due proof, certify: — (1) that the expenses for which indemnification is sought were the natural and proximate result of the disability for which the police officer or fire fighter was retired; (2) that such expenses were incurred after the acceptance of this section; (3) that the hospital, medical and surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses and reasonable charges for podiatry to which such expenses relate were rendered within six months before the filing of the application; (4) that such expenses were in no ways attributable to the use by the police officer or fire fighter of any intoxicating liquor or drug or to his being gainfully employed after retirement or to any other willful act or conduct on his part; and (5) that such expenses are reasonable under all the circumstances. *Approved May 25, 1972.*

Chap. 318. AN ACT FURTHER REGULATING THE APPROVAL OF CERTAIN LOW-RENT HOUSING PROJECTS BY THE DEPARTMENT OF COMMUNITY AFFAIRS.

Be it enacted, etc., as follows:

Section 31 of chapter 121B of the General Laws is hereby amended by striking out subparagraph (*a*), as amended by section 5 of chapter 851

of the acts of 1970, and inserting in place thereof the following subparagraph: —

(*a*) Projects involving the purchase or acquisition of the right to use completed dwelling units which have been recently constructed, reconstructed or remodeled, whether condominium units, individual buildings part of a larger development, or a portion of the units in a multifamily development, shall be approved by the department only after it makes the following determinations: (*i*) the number of units involved, other than units specifically to be used for elderly persons of low income, does not exceed one hundred in any one building or development; and (*ii*) the housing authority has made adequate arrangements for the maintenance and operation of the units, either through use of its own personnel or by contract with the owner or manager of the other units in the development. *Approved May 25, 1972.*

Chap. 319. AN ACT PROVIDING FOR A SPEEDY TRIAL OF CLAIMS FOR CERTAIN UNPAID BENEFITS DUE FROM INSURERS UNDER THE COMPULSORY PERSONAL INJURY PROTECTION PROVISIONS OF THE MOTOR VEHICLE INSURANCE LAW.

Be it enacted, etc., as follows:

The fourth paragraph of section 34M of chapter 90 of the General Laws, as appearing in section 4 of chapter 670 of the acts of 1970, is hereby amended by adding the following two sentences: — In any such action commenced in the district court in the judicial district in which the unpaid party resides, the court shall, upon the filing of an answer by the insurer and upon the motion of the unpaid party, advance the action for a speedy trial. If the unpaid party recovers a judgment for any amount due and payable by the insurer, the court shall assess against the insurer in addition thereto costs and reasonable attorney's fees. *Approved May 25, 1972.*

Chap. 320. AN ACT PROVIDING FOR PENALTIES FOR VIOLATIONS RELATING TO THE AWARDING OF CERTAIN PUBLIC CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. Section 4B of chapter 40 of the General Laws, as most recently amended by section 1 of chapter 61 of the acts of 1972, is hereby further amended by adding the following paragraph: —

Whoever violates any provision of this section shall be punished by a fine of not more than ten thousand dollars or by imprisonment in the state prison for not more than three years or in a jail or house of correction for not more than two and one-half years, or by both said fine and imprisonment; and in the event of final conviction, said person shall be incapable of holding any office of honor, trust or profit under the commonwealth or under any county, district or municipal agency.

SECTION 2. Section 28 of chapter 43 of the General Laws, as most recently amended by section 2 of said chapter 61, is hereby further amended by adding the following paragraph: —

Whoever violates any provision of this section shall be punished by a fine of not more than ten thousand dollars or by imprisonment in the state prison for not more than three years or in a jail or house of cor-

rection for not more than two and one half years, or by both said fine and imprisonment; and in the event of final conviction, said person shall be incapable of holding any office of honor, trust or profit under the commonwealth or under any county, district or municipal agency.

Approved May 25, 1972.

Chap. 321. AN ACT INCREASING THE PENALTY FOR FALSELY CLAIMING UNEMPLOYMENT BENEFITS.

Be it enacted, etc., as follows:

Section 47 of chapter 151A of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 19 of chapter 763 of the acts of 1951, and inserting in place thereof the following paragraph: —

Whoever knowingly makes a false statement or misrepresentation to obtain or increase any benefit or other payment under any provision of this chapter, either for himself or for any other person, shall be punished by a fine of not less than one hundred nor more than one thousand dollars, or by imprisonment for not more than six months, or both; provided, however, that the provisions of this section shall not apply in any instance where the provisions of section twenty-five (a) have been invoked. Each such false statement or misrepresentation shall constitute a separate offence. *Approved May 25, 1972.*

Chap. 322. AN ACT DESIGNATING THE MONTAGUE STATE FISH HATCHERY IN THE TOWN OF MONTAGUE AS THE BITZER STATE FISH HATCHERY.

Be it enacted, etc., as follows:

The Montague state fish hatchery, so called, in the town of Montague shall be known and designated as the Bitzer state fish hatchery, in honor of Ralph Bitzer and Harold Bitzer for their many years of dedicated service at said hatchery, and a suitable marker bearing said designation shall be erected thereat by the division of fisheries and game in the department of natural resources and charged to the Inland Fisheries and Game Fund. *Approved May 25, 1972.*

Chap. 323. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW ABOLISHING THE DIVISION ON THE NECESSARIES OF LIFE IN THE DEPARTMENT OF LABOR AND INDUSTRIES AND TRANSFERRING CERTAIN FUNCTIONS AND DUTIES TO THE DIVISION OF STANDARDS IN SAID DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Section 303G of chapter 94 of the General Laws, as appearing in chapter 481 of the acts of 1967, is hereby amended by striking out the definition of "Division" and inserting in place thereof the following definition: —

"Division", the division of standards in the executive office of consumer affairs.

SECTION 2. This act shall take effect as of September twenty-seventh, nineteen hundred and sixty-eight. *Approved May 25, 1972.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, June 1, 1972

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 323 of the Acts of 1972, entitled "AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW ABOLISHING THE DIVISION ON THE NECESSARIES OF LIFE IN THE DEPARTMENT OF LABOR AND INDUSTRIES AND TRANSFERRING CERTAIN FUNCTIONS AND DUTIES TO THE DIVISION OF STANDARDS IN SAID DEPARTMENT." and the enactment of which received my approval on May 25, 1972, 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 clarification provided by the bill may take effect immediately.

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

OFFICE OF THE SECRETARY, BOSTON, June 2, 1972.

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 fifty minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and twenty-three of the acts of nineteen hundred and seventy-two.

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

Chap. 324. AN ACT AUTHORIZING THE MERGER OF THE TRUSTEES OF THE MINISTERIAL FUND IN THE FIRST PARISH IN CAMBRIDGE INTO THE FIRST PARISH IN CAMBRIDGE.

Be it enacted, etc., as follows:

SECTION 1. The Trustees of the Ministerial Fund in the first parish in Cambridge, a religious body politic and corporate organized and existing under chapter seventy-four of the acts of eighteen hundred and sixteen hereinafter referred to as "the merging corporation", is hereby authorized to merge into The First Parish in Cambridge, a religious body politic and corporate organized and existing under the laws of the commonwealth, hereinafter referred to as "the surviving corporation", which surviving corporation shall in all respects be a continuation of each of said existing corporations.

SECTION 2. The surviving 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

surviving corporation is empowered to and shall devote its resources to and exercise its corporate powers for religious, educational, and charitable purposes within the full scope of the activities of said surviving corporation as defined by its membership subject to the general direction and governance of its standing committee and may solicit and receive funds separately or with others to support its work. The surviving 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 merger becoming effective, all property of The Trustees of the Ministerial Fund in the first parish in Cambridge, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for the benefit of said merging corporation, shall be transferred to and vested in the surviving corporation without further act or deed. The surviving corporation shall have the same powers, rights, and privileges with respect to such property and with respect to such bequests, devises, gifts, and transfers as would have been possessed by the surviving 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 merging corporation and by the surviving corporation, respectively, had such merger not been effected.

SECTION 4. The surviving corporation shall be deemed to have assumed and shall be liable for all liabilities and obligations of said merging corporation as well as of said surviving corporation.

SECTION 5. All members of the merging corporation shall be deemed to have become members of the surviving corporation on the date when the merger becomes effective. New members may be admitted to the surviving corporation thereafter in accordance with the provisions of the bylaws of the surviving corporation.

SECTION 6. The merger shall not become effective unless and until:

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

(*b*) after the acceptances, the prospective members of the surviving corporation shall have called and held a meeting to elect, and thereat have elected, its first standing committee, together with any other officers and committees required to be elected by the members under the aforesaid bylaws, in accordance therewith.

SECTION 7. The merger shall be complete and effective upon the filing with the state secretary, not later than thirty days after said election meeting and within one year after the passage of this act, of a certificate signed by the clerks of said existing corporations, who shall make affidavit setting forth detailed compliance with the provisions of section six and stating the names and addresses of the officers and committee members elected at said election meeting.

Approved May 25, 1972.

Chap. 325. AN ACT AUTHORIZING THE MERGER OF THE FIRST UNITARIAN SOCIETY OF CHICOPEE WITH THE THIRD CONGREGATIONAL SOCIETY IN SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. The First Unitarian Society of Chicopee, a religious society organized under section six of chapter one hundred and eighty-three of the acts of eighteen hundred and thirty-four, is hereby authorized to merge with the 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 changed 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, the First Unitarian Society of Chicopee shall no longer continue as a separate society and the Third Congregational Society in Springfield under its existing corporate powers may carry on the activities heretofore carried on by said First Unitarian Society of Chicopee as part of the activities of said Third Congregational Society in Springfield, and all persons who were members of said First Unitarian Society of Chicopee shall become members of said Third Congregational Society in Springfield.

SECTION 3. Upon such merger becoming effective, all property of the First Unitarian Society of Chicopee, including all bequests, devises, gifts and transfers of any kind heretofore and hereafter made for its benefit, shall be transferred to and vest in the 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 the First Unitarian Society of Chicopee and with respect to such bequests, devises, gifts and transfers as would have been possessed by the First Unitarian Society of Chicopee 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 the First Unitarian Society of Chicopee had such merger not been effected.

SECTION 4. The Third Congregational Society in Springfield shall be deemed to have assumed and shall be liable for all the liabilities and obligations of the First Unitarian Society of Chicopee.

SECTION 5. The merger shall not be complete unless at the meeting called for the purpose the First Unitarian Society of Chicopee shall, by a majority vote of its members present and voting, have accepted this act; and unless after acceptance as aforesaid by the First Unitarian Society of Chicopee, the standing committee of the 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 the First Unitarian Society of Chicopee, and by the clerk, or some other officer thereunto duly authorized, of the 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 May 25, 1972.*

Chap. 326. AN ACT FURTHER REGULATING THE MEMBERSHIP OF CREDIT UNIONS IN THE CENTRAL CREDIT UNION FUND, INC.

Be it enacted, etc., as follows:

Chapter 216 of the acts of 1932 is hereby amended by striking out section 3, as most recently amended by chapter 428 of the acts of 1959, and inserting in place thereof the following section: —

Section 3. Any credit union doing business in the commonwealth may become a member of the corporation by subscribing for, purchasing, and holding not less than five shares of its capital stock, but no member credit union shall invest in said shares more than ten per cent of its total assets exclusive of interest accumulated thereon. A credit union may withdraw as a member of the corporation in such manner as the by-laws of the corporation shall prescribe.

Approved May 25, 1972.

Chap. 327. AN ACT FURTHER REGULATING THE CONTRIBUTION OF A CREDIT UNION TO THE CREDIT UNION EMPLOYEES RETIREMENT ASSOCIATION AND INCREASING THE MAXIMUM AMOUNT OF PENSIONS AUTHORIZED FOR ELIGIBLE EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Section 31 of chapter 171 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by section 1 of chapter 293 of the acts of 1970, and inserting in place thereof the following paragraph: —

Eligible employees may contribute a portion of their salaries or wages, to be deducted by the employing credit unions and paid to the association. A participating credit union may contribute to the funds of the association to the extent determined by its directors, but its contribution for future service, as defined by the by laws, on account of any employee shall not exceed such employee's contribution or five per cent of his wages or salary, whichever is less, and an additional amount of not more than five per cent. A participating credit union may also contribute for past service, as defined in the by laws, amounts necessary to provide eligible employees with an annuity or pension to begin at age sixty-five or later, such annuity or pension not to exceed two per cent of the average salary for the five years preceding the date such credit union joins the association for each year, but not exceeding twenty-five years, of continuous employment between age thirty and the date of such joining.

SECTION 2. Said section 31 of said chapter 171 is hereby further amended by striking out the sixth paragraph, as appearing in chapter 449

of the acts of 1965, and inserting in place thereof the following paragraph: —

No annuity or pension provided by contributions from any and all credit unions for the benefit of any employee of such a credit union on account of past and future service and on account of 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 a five year period, as prescribed in the by laws, within the ten years preceding the date of retirement, plus one half of any additional amount of such average salary. *Approved May 25, 1972.*

Chap. 328. AN ACT ESTABLISHING THE CENTRAL BAPTIST CHURCH OF MIDDLEBOROUGH AND AUTHORIZING THE TRANSFER OF CERTAIN PROPERTY BY THE CENTRAL BAPTIST SOCIETY IN MIDDLEBOROUGH AND THE CENTRAL BAPTIST CHURCH IN MIDDLEBOROUGH TO SAID THE CENTRAL BAPTIST CHURCH OF MIDDLEBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. The Central Baptist Church in Middleborough, a voluntary religious association, and the Central Baptist Society in Middleborough, an incorporated religious society, incorporated under general laws, both situated in Middleborough, upon acceptance of this act by a two-thirds vote of the members of said respective organizations present and voting at a meeting called by each of said religious organizations for the purpose of accepting this act, and by recording with the secretary of the commonwealth and in the Plymouth county registry of deeds certificates of said votes, duly made and sworn to by the respective clerks of said religious organizations, shall hereafter be a religious corporation by the name of The Central Baptist Church of Middleborough, and shall have all the rights, powers, franchises, privileges and authority which the members of the aforesaid respective religious organizations have heretofore acquired or enjoyed by statute, vote, gift, grant, usage, prescription, or otherwise, and shall be subject to all the duties, obligations and liabilities to which said organizations have been subject heretofore; said, The Central Baptist Church of Middleborough shall have, except as may be provided otherwise in this act, all the rights, powers and privileges, and be subject to all the duties, obligations and liabilities of religious corporations organized under general laws; and, upon acceptance of this act as aforesaid, all members of said voluntary religious association and the Central Baptist Society in Middleborough shall be members of said new corporation The Central Baptist Church of Middleborough.

SECTION 2. The corporation created by section one is authorized to receive and hold, or disburse for religious, benevolent and charitable purposes, gifts, grants, bequests and devises of real and personal property, with full power to sell and convey, in accordance with the terms of any trust upon which the same is held, any part of the whole of said property, including land and buildings, for the purpose of investment and reinvestment, for the improvement, alteration or relocation of any said buildings, or for benevolence and charities, and upon any such sale the proceeds thereof shall be held upon the same trusts upon which the

property thus sold was held and the purchaser shall not be responsible for the application of the purchase money.

SECTION 3. At any time after the acceptance of this act, as provided in section one, the said voluntary religious association and the Central Baptist Society in Middleborough or either of them, may by a two-thirds vote of their respective members present and voting at meetings called for the purpose, authorize one or more persons in their name and on their behalf to execute, acknowledge and deliver proper deeds and other instruments conveying and transferring in fee simple any or all of their property, real and personal, except such as may be held or owned by them for or in connection with specific and limited charitable uses and trusts, to the corporation created by section one. Upon the acceptance of said conveyance by the corporation created by section one by a two-thirds vote of its members present and voting at a meeting duly called for the purpose, there shall be recorded in the registry of deeds of the county of Plymouth said deed and other instruments of transfer, together with certificates, duly made and sworn to by the clerks of said meetings, respectively, of said vote authorizing the said conveyance and the acceptance thereof.

SECTION 4. At any time after the acceptance of this act, as provided in section one, the said voluntary religious association, and the said the Central Baptist Society in Middleborough, or either of them, may, by a two-thirds vote of their members present and voting at meetings called for the purpose, convey and transfer property, real and personal, owned or held by them for or in connection with any and all specific and limited charitable uses and trusts, to the corporation created by section one.

SECTION 5. The property conveyed to, or vested in, the corporation created by section one, under the provisions of this act, shall not, after such conveyance and vesting, be applied or apportioned with reference to the source or the religious body from which it was derived under the provisions of this act, but shall be administered and applied by the corporation created by section one, for its general church, benevolent and charitable purposes.

SECTION 6. In case of doubt as to the names in which any property, or the income thereof, held in trust or otherwise, conveyed to or vested in the corporation created by section one, under the provisions of this act, should be held, administered or applied by the said corporation, the issue may be determined at any time by a court of competent jurisdiction upon the application of any person interested or of the attorney general; and, until said court shall otherwise order, such property and the income thereof shall be held, administered and applied by the said corporation in accordance with the terms of the original trusts or as nearly in accordance therewith as is possible. At any time within six months after the recording of the various deeds or other instruments in this act provided for, any person injured or aggrieved by any provision of this act may allege the cause of such injury in a petition to a court of competent jurisdiction and have his damages determined by a jury therein, or by or under the direction of said court; and damages so awarded, with the costs of suit allowed by statute in civil cases, shall be paid by the corporation created by section one.

SECTION 7. After acceptance of this act by said voluntary religious association and the Central Baptist Society in Middleborough, as provided in section one, all gifts, grants, bequests and devises made to or

for the benefit of said religious organizations, however described, shall vest in the corporation created by section one.

SECTION 8. All documents, records, books and papers of said voluntary religious association and the Central Baptist Society in Middleborough shall be the property of the corporation created by section one, which shall have and enjoy all franchises, powers and privileges of every kind now or formerly belonging to said voluntary religious association and said the Central Baptist Society in Middleborough and said corporation created by section one shall assume and be subject to all debts and liabilities of said voluntary religious association and said society.

SECTION 9. The first meeting of the corporation created by section one shall be held within ninety days following the passage of this act, for the adoption of by-laws consistent with law for the regulation of its government as a religious corporation. *Approved May 25, 1972.*

Chap. 329. AN ACT AUTHORIZING THE CITY OF QUINCY TO APPROPRIATE AND PAY A CERTAIN SUM OF MONEY TO EDWARD DELGIZZI FOR CERTAIN EDUCATIONAL BENEFITS.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the city of Quincy is hereby authorized to appropriate and pay to Edward DelGizzi, a member of the fire department of said city, a sum not exceeding five hundred dollars for certain educational benefits which were due to him in the year nineteen hundred and seventy-one under the provisions of a contract between said city and Local 792 International Association of Firefighters, AFL–CIO. *Approved May 25, 1972.*

Chap. 330. AN ACT RELATIVE TO THE TENURE OF CERTAIN EMPLOYEES OF THE LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 75A of the General Laws is hereby amended by striking out the first paragraph, as most recently amended by section 2 of chapter 739 of the acts of 1968, and inserting in place thereof the following paragraph: —

The trustees shall elect the president and members of the professional staff of the institute as they may determine necessary and shall define their duties and tenure of office without limitation of any other provision of law. The trustees shall have complete authority with respect to the election or appointment of the professional staff including terms, conditions and periods of employment, compensation, promotion, classification and reclassification, transfer, demotion and dismissal within funds available by appropriation of the general court or from other sources. The trustees shall establish and make public a policy on tenure for the professional staff of the institute which provides for removal for just cause, hearing upon dismissal and judicial review; provided, however, that no member of the professional teaching staff shall be retained after the seventh year of consecutive service without being

granted tenure. A leave of absence to a professional teaching staff member for the purpose of advanced study at an educational institution shall not be considered a break in service of consecutive years. A leave of absence for advanced study shall not be counted as a year of service.

SECTION 2. The provisions of section twelve of chapter seventy-five A of the General Laws, as amended by section one of this act, shall apply to officers and members of the professional staff of the Lowell Technological Institute of Massachusetts employed on and after the effective date of this act, and nothing in this act shall be construed so as to impair the seniority, tenure, retirement or other rights of any officer or member of said professional staff who on said effective date were so employed. The provisions of said section twelve in effect prior to the effective date of this act shall continue to apply to any officer or member of the professional staff who were employed at the Lowell Technological Institute of Massachusetts on the effective date hereof.

Approved May 25, 1972.

Chap. 331. AN ACT AUTHORIZING THE BOARD OF REGIONAL COMMUNITY COLLEGES TO MAKE RULES AND REGULATIONS CONCERNING PARKING ON CAMPUS OR OTHER LAND OF REGIONAL COMMUNITY COLLEGES.

Be it enacted, etc., as follows:

Chapter 15 of the General Laws is hereby amended by inserting after section 39 the following section: —

Section 39A. The board shall make rules and regulations for the control, movement and parking of vehicles on the campus or other land of a regional community college and may provide reasonable penalties for the violation of said rules and regulations. The board may appoint as police officers persons in the employ of such college who in the enforcement of said rules and regulations and throughout the property of such college shall have the powers of police officers, except as to service of civil process. Notwithstanding any other provision of law, all fines and penalties recovered for violation of rules and regulations made under authority of this section shall be accounted for by the clerk of the court and forwarded to the state treasurer, who shall deposit such fines and penalties in the state treasury in a special fund to be known as the Regional Community Colleges Scholarship Fund which shall be used, subject to appropriation, for the purpose of granting scholarships to worthy students as the board shall determine.

Approved May 25, 1972.

Chap. 332. AN ACT INCREASING THE SALARY OF THE CLERK OF THE THIRD DISTRICT COURT OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. *Class I* of paragraph (1) of section 79 of chapter 218 of the General Laws, as appearing in section 1 of chapter 668 of the acts of 1971, is hereby amended by inserting after the line reading "second

district court of Plymouth," the following line: — third district court of Plymouth,.

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

Class II. The third district court of southern Worcester.

SECTION 3. This act shall take effect as of September twelfth, nineteen hundred and seventy-one. *Approved May 25, 1972.*

Chap. 333. AN ACT ESTABLISHING LIABILITY FOR DAMAGES CAUSED BY BLASTING WITHOUT PROOF OF NEGLIGENCE.

Be it enacted, etc., as follows:

Chapter 148 of the General Laws is hereby amended by inserting after section 20B the following section: —

Section 20C. Any person engaged in a blasting operation shall be liable for direct damages to the person or property of another without proof of negligence. *Approved May 25, 1972.*

Chap. 334. AN ACT AUTHORIZING A CITY COUNCIL TO APPEAL FROM A DECISION OF THE BOARD OF APPEALS.

Be it enacted, etc., as follows:

The second paragraph of section 21 of chapter 40A of the General Laws as amended by chapter 80 of the acts of 1970, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — Notwithstanding the provisions of the first paragraph of this section any person aggrieved by the decision of the board of appeals or of the district court, whether or not previously a party to the proceeding, and including any municipal officer, planning board or city council, may appeal to the superior court for the county in which the land is situated, by filing a bill in equity within twenty days after the decision has been filed in the office of the city or town clerk or with the clerk of the district court hearing such matter.

Approved May 25, 1972.

Chap. 335. AN ACT LIMITING THE TIME DURING WHICH THE CITY OF PITTSFIELD MAY TAKE BY EMINENT DOMAIN CERTAIN LAND, RIGHTS OF WAY AND EASEMENTS IN THE TOWN OF WINDSOR.

Be it enacted, etc., as follows:

Chapter 590 of the acts of 1968 is hereby amended by inserting after section 8 the following section: —

Section 8A. The authority granted to the city of Pittsfield by this act to acquire any land or rights in land by eminent domain in the town of Windsor shall expire on December thirty-first, nineteen hundred and seventy-two. *Approved May 25, 1972.*

Chap. 336. AN ACT INCREASING THE MAXIMUM AMOUNT OF A LOAN WHICH A SAVINGS BANK MAY MAKE WHEN SECURED BY MORTGAGE OF REAL ESTATE.

Be it enacted, etc., as follows:

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

6B. *Ninety-Five Per Cent of Value.* A mortgage loan not exceeding ninety-five per cent of the value of the real estate, payable not more than twenty-five years from the date of the note; provided, that the loan shall be secured by a mortgage on real estate improved with a dwelling designed to be occupied by not more than four families and occupied or to be occupied in whole or in part by the mortgagor; and provided further, that the terms of the note or mortgage shall require monthly payments in such amounts that the aggregate principal reduction at any time during the term of the loan shall be not less than that which would be required in the case of a note of like amount and interest rate providing for complete amortization by equal monthly payments over a period of twenty-five years; and provided further, that construction of the dwelling on the mortgaged property shall be completed prior to the making of any disbursement on the loan in excess of eighty per cent of the value of the real estate, that the mortgagor shall furnish to the board of investment an affidavit that the mortgagor does not require junior financing and that the board of investment shall certify in writing that the dwelling has a useful life beyond the term said loan has to run; and provided further, that that portion of the unpaid balance of the loan which exceeds eighty per cent of the value of the real estate shall be guaranteed or insured by a mortgage insurance company which has been determined to be a "qualified private insurer" by the Federal Home Loan Mortgage Corporation (Public Law 91-351), or has been approved by the commissioner as qualified to insure loans of this class, and which is authorized to transact business in the commonwealth. Each such monthly payment shall be applied first to interest and the balance to principal. Interest upon such loan shall be computed monthly on the unpaid balance. The note or mortgage also shall require payment each month of a proportionate part of the estimated real estate taxes and betterment assessment on the mortgaged real estate. No loan of this class shall be made or acquired for a sum in excess of thirty-six thousand dollars. *Approved May 25, 1972.*

Chap. 337. AN ACT RELATIVE TO LEASING BY TRUST COMPANIES.

Be it enacted, etc., as follows:

Section 48 of chapter 172 of the General Laws is hereby amended by striking out clause 16, as appearing in section 1 of chapter 493 of the acts of 1961, and inserting in place thereof the following clause: —

16. To lease equipment, machinery, or personal property to customers provided that such equipment, machinery or personal property was acquired at the request of the customer and to maintain, and rent out for hire, at any location occupied by its principal office or any branch office, safe deposit boxes or other receptacles for the safe keeping of personal property upon such terms and conditions as may be agreed upon;. *Approved May 25, 1972.*

Chap. 338. AN ACT FURTHER REGULATING INVESTMENTS BY THE SAVINGS BANK INVESTMENT FUND.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*c*) of section 4 of chapter 283 of the acts of 1945, as appearing in chapter 624 of the acts of 1955, is hereby amended by striking out, in lines 3 to 5, inclusive, the words ", located or having a principal place of business within the limits of any of the forty-eight states of the United States or the District of Columbia".

SECTION 2. Said section 4 of said chapter 283 is hereby further amended by striking out paragraph (*d*), as most recently amended by section 1 of chapter 268 of the acts of 1965, and inserting in place thereof the following paragraph: —

(*d*) In any shares or common stock or preferred stock, provided that (1) any such common stock is registered on a national securities exchange, as provided in the Securities Exchange Act of 1934, as amended; and (2) any such preferred stock, or the common stock of the corporation issuing or having issued such preferred stock, is so registered.

SECTION 3. Said section 4 of said chapter 283 is hereby further amended by inserting after paragraph (*d*) the following two paragraphs: —

(*e*) In securities traded on the "over-the-counter" market.

(*f*) The authority granted in paragraphs (*a*) to (*e*), inclusive, shall be subject to the following limitations: —

(i) The corporation shall not purchase the stock or obligations of any one issuer or obligor, except direct obligations of the United States and those insured by the federal housing administrator, if such purchase at the time thereof would cause more than five per cent of the corporation's assets to be invested in such stock or obligations.

(ii) The corporation shall have no power to borrow money.

(iii) The corporation shall not purchase any shares or obligations traded on the "over-the-counter" market if such purchase at the time thereof would cause more than ten per cent of the corporation's assets to be invested in such shares or obligations.

(iv) All investments authorized under this section shall be made in the exercise of the judgment and care under the circumstances then prevailing, which men of prudence, discretion and intelligence exercise in the management of their own affairs, not in regard to speculation, but in regard to the permanent disposition of their funds, considering the probable income as well as the probable safety of their capital.

(v) The corporation shall not invest in securities of corporations, associations or trusts which are not organized pursuant to the laws of the United States or any state, territory, possession or political subdivision of the United States without the approval of the commissioner of banks.

Approved May 25, 1972.

Chap. 339. AN ACT PROVIDING FOR A ONE HUNDRED DOLLAR DEDUCTIBLE IN MOTOR VEHICLE LIABILITY INSURANCE POLICIES OR BONDS ISSUED UNDER THE PERSONAL INJURY PROTECTION LAW.

Be it enacted, etc., as follows:

The first sentence of the sixth paragraph of section 34M of chapter 90 of the General Laws, as appearing in section 4 of chapter 670 of the acts of 1970, is hereby amended by inserting after the word "either", in line 9, the words: — one hundred dollars,. *Approved May 25, 1972.*

Chap. 340. AN ACT AUTHORIZING THE TRAFFIC DIRECTOR OF THE CITY OF CAMBRIDGE TO PROMULGATE RULES AND REGULATIONS RELATIVE TO THE PARKING OF VEHICLES IN RESIDENTIAL AREAS OF SAID CITY.

Be it enacted, etc., as follows:

Clause (*a*) of section 3 of chapter 455 of the acts of 1961, as amended by section 7 of chapter 786 of the acts of 1962, is hereby further amended by inserting after the first sentence the following sentence: — Any rule or regulation adopted under this clause, 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 chief of police, 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 May 25, 1972.

Chap. 341. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR EUGENE M. WILLIS, JR., INCUMBENT OF THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF WEST NEWBURY.

Be it enacted, etc., as follows:

SECTION 1. Eugene M. Willis, Jr., incumbent of the office of chief of police of the town of West Newbury, shall hold said office during good behavior until he reaches age sixty-five, unless incapacitated by physical or mental disability. Said incumbent shall not be removed from office, lowered in rank or suspended, except for cause after a hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of West Newbury at the biennial state election in the current year in the form of the following question, which shall be placed upon the official ballot to be used at said election: — "Shall an act passed by the General Court in the year nineteen hundred and seventy-two, entitled 'An Act providing tenure of office until age sixty-five for Eugene M. Willis, Jr., incumbent of the office of chief of police of the town of West Newbury', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take full effect, but not otherwise. *Approved May 25, 1972.*

Chap. 342. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL AND CONVEY CERTAIN LAND AT CUSHING HOSPITAL IN THE TOWN OF FRAMINGHAM TO SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized to sell and convey, by a deed approved as to form by the attorney general, to the town of Framingham for the purpose of enabling said town to build and maintain a middle school thereon, a certain parcel of land located on the Southwesterly side of Dudley Road and the Northwesterly side of Park Road and shown as parcel containing 18.713 ± Acres on a Plan entitled Subdivision of Part of Lots B & D as shown on Land Court Plan #10940C (Filed with Certificate of Title #84032 & 134062) in Framingham, Mass. Owned by: Commonwealth of Massachusetts, Scale: 1″ = 50′ April 25, 1972, Survey By: MacCarthy Engineering Service Inc. Natick & Marlborough, Mass. Joseph R. Sullivan, Registered Land Surveyor, said parcel being more particularly bounded and described according to said plan as follows:

Easterly by a curved line by the intersection of Dudley Road and Park Road, sixty-seven and 04/100 (67.04) feet;

Southeasterly by Park Road, One Thousand twenty and 23/100 (1020.23) feet;

Southeasterly and Easterly by a curved line by the intersection of Park Road and Stedman Road, One Hundred Fifteen and 74/100 (115.74) feet;

Westerly by land of the South Middlesex Regional Vocational Technical School District, Lot 3, Land Court #10940H, Certificate #134335, Five Hundred Five and 90/100 (505.90) feet;

Southerly by said South Middlesex Regional Vocational Technical School District Land, One Hundred Eighty and 21/100 (180.21) feet;

Westerly by land of the Commonwealth of Massachusetts, Certificate #84032, Lot B, Land Court #10940C Five Hundred Thirty-Three and 35/100 (533.35) feet;

Northerly by said Commonwealth of Massachusetts land Four Hundred Eighty-five and 15/100 (485.15) feet;

Northerly by said Commonwealth of Massachusetts land by a curved line Two Hundred ninety-nine and 82/100 (299.82) feet;

Northerly by said Commonwealth of Massachusetts land, One Hundred Forty-eight and 89/100 (148.89) feet;

Northwesterly, Northerly and Northeasterly by a curved line by the intersection of said Commonwealth of Massachusetts land and Dudley Road, Sixty-two and 55/100 (62.55) feet;

Northeasterly by Dudley Road, Four Hundred Eighty-two and 73/100 (482.73) feet;

Northeasterly by Dudley Road, Forty-Five and 85/100 (45.85) feet to the point of beginning.

Containing according to said plan 815,126 square feet or 18.713± Acres.

For title to said parcel reference is hereby made to Land Court Certificate No. 84032, a copy of which is filed in the Registry of Deeds for the South Registry District of Middlesex County in Registration Book 550, Page 82 for so much of said parcel as is a part of Lot B on the plan hereinabove mentioned and to Land Court Certificate No. 134062 filed with said Deeds in Registration Book 800, Page 112 for so much of said parcel as is a part of Lot D on said plan.

The aforementioned parcel of land shall not be conveyed by the commonwealth to said town without the consent of the United States of America having first been obtained and further such conveyance shall be subject to such conditions, restrictions and reservations as the United States of America may impose.

SECTION 2. Chapter five hundred and ninety-one of the acts of nineteen hundred and sixty-nine is hereby repealed.

Approved May 30, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, May 30, 1972

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 342 of the Acts of 1972, entitled "AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO SELL AND CONVEY CERTAIN LAND AT CUSHING HOSPITAL IN THE TOWN OF FRAMINGHAM TO SAID TOWN." and the enactment of which received my approval on May 30, 1972, 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 Commissioner of Mental Health may be authorized immediately to transfer the land described in the bill to the town of Framingham for the purpose of constructing a school facility.

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

OFFICE OF THE SECRETARY, BOSTON, May 31, 1972.

I, Gerald J. Morrissey, Deputy Secretary of the Commonwealth, hereby certify that the accompanying statement was filed in this office by His Excellency the Governor of the Commonwealth of Massachu-

setts at one o'clock and fifty-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 three hundred and forty-two of the acts of nineteen hundred and seventy-two.

GERALD J. MORRISSEY,
Deputy Secretary of the Commonwealth.

Chap. 343. AN ACT FURTHER REGULATING THE INVESTMENT OF FUNDS OF THE STATE EMPLOYEES' RETIREMENT SYSTEM AND THE TEACHERS' RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*d*) of subdivision (1) of section 23 of chapter 32 of the General Laws is hereby amended by striking out clause (*i*) and inserting in place thereof the following clause: —

(*i*) In securities, other than mortgages or collateral loans, which are legal for the investment of funds of savings banks under the laws of the commonwealth; provided that: —

(A) Not more than twenty per cent of the assets of any such system shall be invested in railroad obligations, nor shall more than two per cent of the said assets be invested in the obligations of any one operating railroad corporation, including its direct and assumed obligations and including also the obligations of lessor railroad corporations which derive seventy-five per cent or more of their income from leases of their railroads to said operating railroad corporation.

(B) Not more than thirty-five per cent of the assets of any such system shall be invested in the bonds of telephone companies, nor shall more than three and one-half per cent of such assets be invested in the bonds of any one telephone company.

(C) Not more than fifty per cent of the assets of any such system shall be invested in the bonds of public service companies, nor shall more than four per cent of such assets be invested in the bonds of any one such corporation.

(D) Not more than fifteen per cent of the assets of any such system shall be invested in obligations made eligible for investment by savings banks under the provisions of section forty-nine and section fifty of chapter one hundred and sixty-eight, nor shall more than one per cent of such assets be invested in the obligations of any one obligor so made eligible for investment.

(E) Not more than twenty-five per cent of the assets of any such system shall be invested in bank stocks, bank holding company stocks and insurance companies stocks, nor shall more than two and one-half per cent of such assets be invested in the stock of any one bank or insurance company.

SECTION 2. Paragraph (*b*) of subdivision (2) of said section 23 of said chapter 32 is hereby amended by striking out clause (*i*) and inserting in place thereof the following clause: —

(*i*) In securities, other than mortgages or collateral loans, which are legal for the investment of funds of savings banks under the laws of the commonwealth; provided that: —

(A) Not more than twenty per cent of the assets of any such system shall be invested in railroad obligations, nor shall more than two per

cent of the said assets be invested in the obligations of any one operating railroad corporation, including its direct and assumed obligations and including also the obligations of lessor railroad corporations which derive seventy-five per cent or more of their income from leases of their railroads to said operating railroad corporation.

(B) Not more than thirty-five per cent of the assets of any such system shall be invested in the bonds of telephone companies, nor shall more than three and one-half per cent of such assets be invested in the bonds of any one telephone company.

(C) Not more than fifty per cent of the assets of any such system shall be invested in the bonds of public service companies, nor shall more than four per cent of such assets be invested in the bonds of any one such corporation.

(D) Not more than ten per cent of the assets of any such system shall be invested in obligations made eligible for investment by savings banks under the provisions of section fifty of chapter one hundred and sixty-eight, nor shall more than one per cent of such assets be invested in the obligations of any one obligor so made eligible for investment.

(E) Not more than twenty-five per cent of the assets of any such system shall be invested in bank stocks and insurance companies stocks, nor shall more than two and one-half per cent of such assets be invested in the stock of any one bank or insurance company.

Approved May 31, 1972.

Chap. 344. AN ACT AUTHORIZING AND REGULATING THE PROCEDURES FOR THE DONATION OF A KIDNEY FOR TRANSPLANTATION DURING A DONOR'S LIFETIME.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 113 of the General Laws, as amended by chapter 653 of the acts of 1971, is hereby further amended by inserting after the word "death", in line 4, the words: — or, in the case of a gift of a kidney intended for transplantation by such person at such time prior to his death as he may specify in accordance with the requirements of subsection (*b*) of section ten.

SECTION 2. Subsection (*b*) of section 10 of said chapter 113, as appearing in said chapter 653, is hereby amended by striking out the second and third sentences and inserting in place thereof the following two sentences: — Such gift shall become effective upon the death of the donor, or, in the case of a gift of a kidney intended for transplantation, at such time prior to his death as the donor may specify in a document signed by the donor and also by at least two of the physicians who are to participate in the transplantation operation and who shall have previously examined the donor in connection with his gift. In all cases other than those involving the gift of a kidney for transplantation, the document may be a card designed to be carried on the person which shall be signed by the donor in the presence of two competent witnesses who shall attest to and subscribe the document in said donor's presence.

Approved May 31, 1972.

Chap. 345. AN ACT FURTHER REGULATING THE INVESTMENT BY CO-OPERATIVE BANKS IN BANKING PREMISES.

Be it enacted, etc., as follows:

Section 30 of chapter 170 of the General Laws is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs: —

Any such corporation may invest its funds in and hold real estate suitable for the convenient transaction of its business. The aggregate amount invested in such real estate, owned by such corporation, including the cost of land and buildings, and of alterations, improvements and additions, shall not exceed, in the aggregate, its guaranty fund, surplus account and unallocated reserves or three and one half per cent of its total assets, whichever is the lesser. All such investments, except those in alterations, improvements or additions to any one parcel involving an expense not exceeding thirty thousand dollars or one tenth of one per cent of the deposits of such corporation made in any period of twelve consecutive months, shall be subject to the approval of the commissioner.

Any such corporation may expend sums not exceeding, in the aggregate, its guaranty fund, surplus account and unallocated reserves or one per cent of its total assets, whichever is the lesser, for alterations, improvements, and additions to any premises leased by it for the convenient transaction of its business. All such investments, except those in alterations, improvements or additions to any one parcel involving an expense not exceeding fifteen thousand dollars or one tenth of one per cent of the deposits of such corporation made in any period of twelve consecutive months shall be subject to the approval of the commissioner. Notwithstanding the provisions of this section, a bank may exceed the limits provided for herein with the approval of the commissioner when the amount so expended is for the construction of disaster facilities in said real estate. *Approved May 31, 1972.*

Chap. 346. 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 nineteen hundred and seventy-one, 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

0115–0000 } For administrative and legislative aids to the senators; provided, that
0118–0000 } the sum of eighty thousand dollars is hereby transferred from item number 0118–0000 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one to this item; prior appropriation continued **$50,000**

House of Representatives.

0123–0000 For the salary of the chaplain of the house of representatives **$175**

0127–0000 For clerical and other expenses of the members of the house of representatives, including not more than one permanent position **100,000**

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.

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 **$60,442**

Other Expenses.

0161–1000 For telephone and telegraph service, prior appropriation continued **$60,000**

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 **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 **150,000**

Judiciary.

Superior Court.

0302–0301 For the compensation of justices of district courts while sitting in the superior court, prior appropriation continued . . **$62,000**

Probate and Insolvency Courts.

For the salaries of judges of probate, registers of probate, assistant registers and clerical assistance to registers of the several counties:

0305–6011 Barnstable, including not more than eleven permanent positions **$185**

0305–6051 Essex, including not more than thirty permanent positions . **472**

0305–6091 Item 0305–6091 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 word "fifty-nine" and inserting in place thereof the word: — sixty **5,500**

0305–6101 Nantucket, including not more than three permanent positions **13,386**

Item

0305-6121 Item 0305-6121 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 word "sixteen" and inserting in place thereof the word: — seventeen **$7,516**

Pensions for Certain Retired Justices.

0307-0001 For pensions of retired judges or their widows . . **$120,000**

Executive.

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 **$21,000**

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.

Other Military.

0431-9005 For the acquisition of a site and the erection and equipping of an armory in Reading, as authorized by chapter seven hundred and seventeen of the acts of nineteen hundred and sixty-two, to be in addition to any federal funds made available for this purpose . . **$263,655**

Secretariat.

0450-1400 Item 0450-1400 of section two of chapter one thousand and two of the acts of nineteen hundred and seventy-one is hereby amended by striking out the following: —

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%

and inserting in place thereof the following: —

General Fund	16.0%
MDC Water District Fund . .	20.0%
MDC Sewerage District Fund .	15.0%
MDC Parks District Fund . .	14.0%
State Recreation Areas Fund .	6.0%

Item

Marine Fisheries Fund	3.0%
Inland Fisheries and Game Fund	2.0%
Public Access Fund	1.0%
Agricultural Purposes Fund	1.0%
Highway Fund	22.0%

Executive Office for Administration and Finance.

Central Services Division.

0451-3300 Item 0451-3300 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 word "eighty" and inserting in place thereof the word: — ninety-two **$11,000**

Group Insurance Commission.

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, provided further, 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 . . . **$3,402,000**

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 . . **$450,000**

Secretary of the Commonwealth.

0514-0000 For the administration of the bureau of corporate organization and registration, including not more than thirteen permanent positions **$8,322**

0521-0000 For preparing, printing and distributing ballots and other miscellaneous expenses for primary and other elections, including no more than eleven permanent positions, prior appropriation continued **8,300**

0522-0000 Item number 0522-0000 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one is hereby amended by striking out said item number and inserting in place thereof the following item number: — 0511-1510.

Treasurer and Receiver-General.

0610-0000 For the office of the treasurer and receiver-general, including not more than ninety-eight permanent positions . . . **$11,170**

Highway Fund	30.0%
General Fund	70.0%

State Board of Retirement.

Item

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; 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; prior appropriation continued **$4,830,000**

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 **1,510,000**

Highway Fund 22.0%
General Fund 78.0%

0612-4000 For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired . **750**

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 **1,300**

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 **80,000**

Highway Fund 60.0%
MDC Parks District Fund . . 39.0%
General Fund 1.0%

0612-8000 For retirement of certain veterans formerly in the service of the metropolitan water system **42,000**

MDC Water District Fund . . 100.0%

0612-9000 For annuities for widows of certain former members of the uniformed branch of the state police (1963, 526) . . . **16,000**

Highway Fund 66.0%
General Fund 34.0%

Department of Natural Resources.

Division of Forests and Parks.

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 **$5,000**

Division of Conservation Services.

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 **$14,614**

State Recreation Areas Fund . 100.0%

Division of Marine Fisheries.

Item

1040–0012 For repairs to research vessel $19,000
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:

1040–1383 Commercial Fisheries Extension Service . . . $15,000
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.

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 $21,625
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 48,536
Inland Fisheries and Game Fund . 100.0%

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 $31,500

Department of Corporations and Taxation.

1201–1000 For the expenses of the department except as provided in other items contained in this section; provided, that the comptroller shall transfer to the General Fund the sum of one hundred and twenty-nine thousand dollars from the receipts of the cigarette tax in accordance with the provisions of paragraph (B) of section twenty-eight of chapter sixty-four C of the General Laws; 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 $2,118
Highway Fund 2.5%
General Fund 97.5%

1201–1301 Item 1201–1301 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by striking out the word "seventy-five" and inserting in place thereof the word "ninety-five".

Department of Civil Service and Registration.

Division of Registration.

For the services of the following agencies in the division:

1421–1000 Board of registration of architects, including not more than five permanent positions $5,608
1421–1100 Board of registration of professional engineers and land surveyors 6,000

Department of Labor and Industries.

Division of Industrial Accidents.

Item

1650-3000 For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years **$325,000**

Highway Fund 35.0%

General Fund 65.0%

Department of Youth Services.

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; 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 **$2,500**

Department of Correction.

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

1812-0000 Correctional institution at Walpole, including not more than three hundred and twenty-four permanent positions . . **$135,000**

1814-0000 Correctional institution at Concord, including not more than two hundred and eighty-four permanent positions . . . **102,000**

1816-0000 Correctional institution at Framingham, including not more than one hundred and thirty-three permanent positions . . **102,075**

1818-0000 Correctional institution at Norfolk, including not more than two hundred and eighty-three permanent positions . . **257,500**

8072-84 Item 8072-84 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one is hereby amended by inserting over the item the following heading: — *Correctional Institution at Norfolk.*

Parole Board.

1880-0000 Item 1880-0000 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 word "ninety-five" and inserting in place thereof the word: — ninety-seven.

Department of Public Welfare.

1900-1041 For the payment of certain debt service charges, including charges for prior fiscal years, in connection with the operation of the former Northern Worcester County Welfare District, as authorized by section eighty of chapter six hundred and fifty-eight of the acts of nineteen hundred and sixty-seven; provided, that notwithstanding any provisions of the law to the contrary the department of public welfare may continue to occupy the premises of the said district; and, provided further, that these premises may be acquired by eminent domain under chapter seventy-nine of the General Laws and that the amount of said debt service charges shall constitute the amount of the damages payable on account of said acquisition . **$7,858**

Item

1903-2060 For a program of residential summer camperships for children eight to fifteen years of age; provided, that all residential camps approved shall be accredited by the New England Camping Association of the American Camping Association or have such standards as are acceptable to the Department of Public Welfare; 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; appropriation expires June thirtieth, nineteen hundred and seventy-three $1,000,000

Department of Public Health.

Bureau of Administration.

2010-0700 For the administration of the medical assistance unit . . $30,000

Bureau of Chronic Disease Control.

2012-0100 Item 2012-0100 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one is hereby amended by inserting after the word "diseases", in line 1, the words: —, including prior years' expenditures, and $85,000

Bureau of Health Services.

2013-1000 For the office of the bureau, including not more than sixty-nine permanent positions $140,000

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

2032-9007 For the installation of certain grounds lighting, appropriation expires June thirtieth, nineteen hundred and seventy-three . $10,000

2033-0000 Massachusetts hospital school, including not more than three hundred and twenty-two permanent positions 37,500

Metropolitan District Commission.

Metropolitan Water System.

2420-1100 Special fluoridation $25,000
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 492,712
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 85,509
MDC Water District Fund . . 100.0%

Metropolitan Sewerage District.

Item

2433-9002 For reimbursement by the metropolitan district commission to certain property owners in the town of Winthrop, as authorized by chapter one thousand and forty-one of the acts of nineteen hundred and seventy-one **$3,200**

MDC Sewerage District Fund . 100.0%

2439-8000 For the payment of interest on certain bonded debt of the commonwealth; provided, that any deficit existing in this item at the close of this fiscal year shall be charged to the Metropolitan Sewerage District Fund **234,750**

MDC Sewerage District Fund . 100.0%

Metropolitan Parks District.

2444-5511 For the purpose of initiating a sailing program in Pleasure Bay, South Boston, including the purchase of docking facilities, sailing boats, and other related equipment; appropriation expires June thirtieth, nineteen hundred and seventy-three **$40,000**

MDC Parks District Fund . . 100.0%

2444-9027 Item 2444-9027 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by inserting after the word "river", the words ", including dock facilities, sail boats, safety boats and other related equipment" **15,000**

MDC Parks District Fund . . 100.0%

Department of Community Affairs.

Division of Community Development.

2522-9001 } From the unexpended balance remaining in item 2522-9001 of sec-
2522-9002 } tion two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one, the sum of seven hundred sixty-seven thousand eight hundred and sixty-seven dollars is hereby transferred and made available for the purposes of item 2522-9002 of section two of said chapter.

Department of Mental Health.

Region One.

5181-9009 For certain emergency repairs of underground oil storage tanks, appropriation expires June thirtieth, nineteen hundred and seventy-three **$50,000**

Region Two.

8071-79 Item 8071-79 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by striking out the item.

Region Six.

8072-96 Item 8072-96 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one is hereby amended by striking out, in line three, the item number "8066-07" and inserting in place thereof item number "8066-47" and by striking out, in line five, the word "five" and inserting in place thereof the word: — ten.

Department of Public Works.

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:

8030-7201 For the expenses of snow and ice control, including the removal of sand, and including the cost of sand, salt and chemicals . **$1,750,000**

Highway Fund 100.0%

Division of Waterways.

Item

6032-2011 For a claim for reimbursement for expenditure in the amount of ninety-six thousand five hundred and twenty dollars made for certain repairs and improvements to the refrigeration system at the state fish pier in Gloucester **$96,520**

Registry of Motor Vehicles.

6111-0002 Item 6111-0002 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by striking out, in line 3, the word "thirty-one" and inserting in place thereof the words: — two hundred and twenty-nine.

6111-0029 Item 6111-0029 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by striking out the wording and inserting in place thereof the following: — For the acquisition of land, or land with buildings thereon, by purchase or by eminent domain under chapter seventy-nine of the General Laws; provided, that no payment shall be made for the acquisition of said 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 this item; and for the preparation of plans and the construction of a registry building in Beverly, including the cost of furnishings and equipment.

Highway Fund 100.0%

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 **$1,148,889**

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 **534,649**

Highway Fund 100.0%

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 **$2,200,000**

Board of Higher Education.

Board of Trustees of State Colleges.

For the administration, maintenance of and for certain improvements a state colleges and the boarding halls attached thereto and the Massachusetts maritime academy with the approval of the board of trustees

8069-40 Item 8069-40 of section two of chapter four hundred and seventy-six of the acts of nineteen hundred and sixty-eight is hereby amended by inserting after the word "property", in line 3, the words: — , including certain renovations to the existing boiler plant.

7110-1011 } From the unexpended balance remaining in item 7110-1011 of section
7110-0000 } two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one, the sum of one hundred and seventy-one thousand dollars is hereby transferred and made available for the purposes of item 7110-0000 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one.

Item

8071–49 Item 8071–49 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 "thereon", in line 1, the words: — adjacent to Rockwood field.

Lowell Technological Institute of Massachusetts.

7210–9001 Item 7210–9001 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 all after the word "roof" and inserting in place thereof the words: — and certain other roofs, appropriation expires June thirtieth, nineteen hundred and seventy-three.

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-six permanent positions $278,650

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 . . . 6,350

University of Massachusetts.

7410–0000 Item 7410–0000 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by striking out the wording and inserting in place thereof the following: —

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 the words: — ; provided, that the amount reserved under document number RO 34179 in the amount of ninety-one thousand six hundred and fifty dollars on June thirtieth, nineteen hundred and seventy-one, may be expended for payment to the town of Amherst for certain charges of prior years.

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:

7503–0000 Bristol community college, including not more than one hundred and fifty-one permanent positions $70,000

7506–0000 Holyoke community college, including not more than one hundred and ninety-four permanent positions 27,000

8072–69 Item 8072–69 of section two of chapter nine hundred and seventy-six of the acts of nineteen hundred and seventy-one is hereby amended by adding the words: — , to be in addition to amount appropriated in item 8071–88 of section two of chapter six hundred and thirty-three of the acts of nineteen hundred and seventy.

7512–0000 Quinsigamond community college, including not more than one hundred and seventy-six permanent positions . . . 14,634

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 $4,508,631

Item		
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	**$1,146,127**

Miscellaneous.

9990-0056	For the payment of a certain judgment entered in the Suffolk superior court, docket number 632074	**$83,500**
9990-0057	For the payment of a certain judgment entered in the Suffolk superior court, docket number 660615	**38,115**
9990-0101	For the payment of a certain claim, as authorized by chapter seventeen of the resolves of nineteen hundred and seventy-one .	**1,149**
9992-0010	Item 9992-0010 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by striking out the wording and inserting in place thereof the following: — For a reserve to meet the cost of certain salary adjustments, including cost-of-living increases and to meet the cost resulting from insufficient appropriations in the subsidiary accounts titled "01 Salaries, permanent positions" and "02 Salaries, other"; provided that funds made available in this item shall not be used for the payment of overtime service or excess quota positions; provided further, 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 and of said insufficiency of appropriations; 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 . .	**2,425,000**
9992-0011	Item 9992-0011 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by inserting after the word "power", in line 1, the words: — and to meet the cost resulting from insufficient appropriation in the subsidiary account titled "08 heat and other plant operation" .	**1,865,000**
9992-0012 9992-0010	From the unencumbered balance remaining in item 9992-0012 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one, the sum of five hundred thousand dollars is hereby transferred and made available for the purpose of item 9992-0010 of section two of said chapter one thousand and three.	

Deficiencies.

For deficiencies in certain appropriations for previous years, based upon schedules approved by the joint committee on ways and means

1512-9003	Tourism and Industrial Promotion Fund . . .	**$1,94**
9990-0013	General Fund	**149,49**
9990-0017	Highway Fund	**125,20**

SECTION 2A. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-three certain balance of appropriations which otherwise would revert on June the thirtieth nineteen hundred and seventy-two, the unexpended balances of the items shown below are hereby appropriated for the fiscal year ninetee hundred and seventy-three:

0451-3301	0454-3000	0471-9035
0451-3529	0471-9030	0471-9037
0451-3909	0471-9031	0481-9018
0451-3911	0471-9032	0481-9019
0451-3914	0471-9033	0526-0001

1040-0011	2444-9026	6032-4023
1040-0012	2444-9027	6032-4028
1040-1383	2448-0025	6032-5003
1201-1201	2449-7050	6032-5004
1201-1301	2449-7120	6032-7000
1720-1933	2449-7150	6032-7100
1720-3932	2449-7260	6033-1004
1730-4916	2449-7270	6033-1006
1730-5932	2449-7280	6033-1007
1901-1120	5121-1509	6033-1009
2034-9002	5181-9006	6033-1010
2111-9003	5191-9003	6033-1011
2112-9001	5294-9001	6033-1024
2112-9007	5381-9009	6033-1025
2426-9006	5391-9005	6033-1026
2426-9007	5391-9008	6034-0003
2429-7130	5491-9007	6111-0029
2430-9001	5491-9008	7010-0032
2432-9009	5591-9002	7117-9101
2432-9010	5591-9003	7310-9101
2434-9001	5591-9006	0431-9005
2434-9009	5592-9005	2423-3002
2434-9010	5661-9002	2425-9001
2442-9004	5691-9004	2425-9002
2442-9009	5792-9004	2425-9003
2442-9011	6030-7293	2426-9004
2442-9030	6032-2012	2426-9005
2442-9034	6032-2015	2432-9006
2444-9001	6032-2016	2434-9008
2444-9013	6032-2017	2439-7150
2444-9018	6032-3003	2439-7180
2444-9019	6032-4005	2442-9017
2444-9020	6032-4013	2442-9032
2444-9023	6032-4015	2449-7020
2444-9024	6032-4018	2449-7180
2444-9025	6032-4020	2449-7240

SECTION 2B. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-three certain balances of appropriations which otherwise would revert on June the thirtieth, nineteen hundred and seventy-two, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and seventy-three; provided, that unexpended balances in any other items of appropriation included by reference in the accounts listed below are not reappropriated.

2970-08	8065-77	8067-17
8063-28	8066-14	8067-20
8064-40	8066-17	8067-32
8065-23	8066-80	8067-41
8065-24	8066-81	8067-43
8065-36	8066-86	8067-49
8065-65	8066-92	8067-53
8065-66	8066-93	8067-61

8067–80	8068–38	8068–70
8068–07	8068–40	8070–28
8068–14	8068–47	8166–37
8068–25	8068–51	8261–17
8068–30	8068–53	8262–07
	8068–55	

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

Approved June 1, 1972.

Chap. 347. AN ACT PROVIDING FOR THE REINSTATEMENT OF JOHN J. SAWTELLE AS A MEMBER IN SERVICE OF THE STATE EMPLOYEES' RETIREMENT SYSTEM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to reinstate forthwith John J. Sawtelle, an employee of the general court, in the state employees' retirement system for purposes of retirement, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, John J. Sawtelle, an employee of the general court, is hereby reinstated as a member in service of the state employees' retirement system for the purpose of retirement and shall be allowed to establish credit for all of his service in the employ of the commonwealth; provided, that he pays into the annuity savings fund of said system such amount with interest as the state retirement board may determine as being equal to that which he would have paid into said fund had he been a member in service of said system during all of the years of his service in the employ of the commonwealth. Upon compliance with the aforesaid provision, said John J. Sawtelle may apply for retirement under the state employees' retirement system.

Approved June 1, 1972.

Chap. 348. AN ACT RELATIVE TO THE MEMBERSHIP OF THE TRUSTEES OF CLARK UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. Clause (*c*) of section 4 of chapter 133 of the acts of 1887, as appearing in section 1 of chapter 256 of the acts of 1962, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph:—

(1) One of the alumni members shall always be a person who holds a graduate degree from the University and each of the other alumni members shall be a person who holds any earned degree from the University. ,—and by striking out paragraph (4) and inserting in place thereof the following paragraph:—

(4) All persons who hold a degree conferred in regular course by Clark University, and all persons who have received an honorary degree from Clark University and no others, shall be entitled to vote

SECTION 2. Said section 4 of said chapter 133, as so appearing, is hereby further amended by striking out clauses (*d*) and (*e*) and inserting in place thereof the following two clauses:—

(*d*) Each term member shall be elected by a vote, in person or by proxy, of a majority of all then serving regular members at a meeting duly called for such purpose for such terms, not in excess of six years from the July first next following his election, as the corporation may determine. No term member other than one then serving as chairman of the board of trustees shall be eligible for re-election for a third term within one year after the expiration of his second term of office.

(*e*) In addition to regular members, one or more honorary trustees may be elected from among the then serving or former members of the corporation, at any meeting by vote, in person or by proxy, of a majority of all then serving regular members. Honorary trustees shall be invited to attend all meetings of the corporation, but shall have no vote.

Approved June 1, 1972.

Chap. 349. AN ACT RELATIVE TO EXPENSES OF COMMITTEES OF THE GENERAL COURT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide expenses for committees of the general court during the recess of the general court, both by order and rule, and to allow said committees to continue studies and incur such expenses after said recess, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 3 of the General Laws is hereby amended by striking out section 31, as appearing in the Tercentenary Edition, and inserting in place thereof the following section:—

Section 31. Except as otherwise provided in this chapter, no joint committee of the general court shall, unless authorized by order or rule of both branches, incur any expense to be paid by the commonwealth; and no committee of either branch shall, unless authorized by order or rule of the branch to which it belongs, incur such expense.

SECTION 2. Section 32 of said chapter 3, as so appearing, is hereby amended by striking out, in lines 3 to 5, inclusive, the words "; nor shall a committee appointed to act during the recess of the general court incur any such expense after the recess".

Approved June 1, 1972.

Chap. 350. AN ACT AUTHORIZING THE TOWN OF CANTON TO PAY A SUM OF MONEY TO MILDRED MORSE ALLEN.

Be it enacted, etc., as follows:

SECTION 1. The town of Canton is hereby authorized to appropriate and after such appropriation the treasurer of said town is

authorized to pay to Mildred Morse Allen the sum of six hundred and sixty-four dollars as reimbursement for the overpayment of a sewer assessment.

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

Approved June 1, 1972.

Chap. 351. AN ACT VALIDATING CERTAIN AMENDMENTS TO THE PERSONNEL BY-LAW IN THE TOWN OF ABINGTON.

Be it enacted, etc., as follows:

SECTION 1. The action taken at the annual town meeting of the town of Abington in the year nineteen hundred and seventy-one in amending the personnel by-law by adding sections twenty and twenty-one, relative to severance pay of fire department employees and including members of the police department in the educational incentive program, are hereby confirmed and validated. Any monies which are necessary for the implementation of the aforesaid sections may be appropriated and expended by said town. Any appropriations or expenditures already made relative to the addition of sections twenty and twenty-one to the personnel by-law are hereby validated and confirmed as though this act were in effect at the time of the posting of the warrant for said meeting.

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

Approved June 1, 1972.

Chap. 352. AN ACT RELATIVE TO CERTIFICATES OF LIMITED REGISTRATION WHICH MAY BE ISSUED TO CERTAIN PHYSICIANS.

Be it enacted, etc., as follows:

Chapter 234 of the acts of 1968 is hereby amended by inserting after the word "registration", in line 7, the words:—as set forth in section nine of chapter one hundred twelve of the General Laws.

Approved June 1, 1972.

Chap. 353. AN ACT PROVIDING FOR NOTICE BY AN EMPLOYER TO AN EMPLOYEE WHOSE EMPLOYMENT IS BEING TERMINATED OF HIS GROUP INSURANCE TERMINATION DATE.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting the following section:—

Section 178 O. An employer terminating employment of an employee insured under a group insurance policy shall, within ten business days, notify said employee of the date upon which his coverage under his group insurance policy shall terminate.

Approved June 1, 1972.

Chap. 354. AN ACT PROVIDING FOR THE ESTABLISHMENT OF AN EDUCATIONAL OPPORTUNITIES INFORMATION CENTER BY THE BOARD OF HIGHER EDUCATION.

Be it enacted, etc., as follows:

Section 1D of chapter 15 of the General Laws is hereby amended by adding the following four paragraphs:—

The board shall establish and operate an educational opportunities information center to provide information and assistance to prospective college and university students, and to public and private institutions of higher education on matters regarding student admissions, transfers, and enrollments.

Such public institutions shall cooperate with the center by furnishing such nonconfidential information as may assist the center in the performance of its duties. Similar cooperation may be requested of private educational institutions in the commonwealth.

An applicant for admission to an institution whose application is not accepted may send to the center appropriate nonconfidential information concerning his application. The center may, at its discretion and with permission of the applicant, direct the attention of the applicant to other institutions and direct the attention of other institutions to the applicant.

The center may conduct such studies and analyses of admission, transfers and enrollments as may be deemed appropriate.

Approved June 1, 1972.

Chap. 355. AN ACT RELATIVE TO THE SALARY OF A MEMBER OF THE PAROLE BOARD.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section forty-seven A of chapter seven hundred and sixty-six of the acts of nineteen hundred and sixty-nine, any person who was appointed as a member of the parole board between January first, nineteen hundred and sixty-nine, and January sixth, nineteen hundred and seventy-one, both dates inclusive, shall receive such salary as is provided by section four of chapter twenty-seven of the General Laws, said salary to be effective as of the date of his appointment. *Approved June 1, 1972.*

Chap. 356. AN ACT INCREASING THE AMOUNT OF MONEY WHICH CERTAIN CREDIT UNIONS MAY LOAN WHEN SECURED BY MORTGAGE.

Be it enacted, etc., as follows:

Paragraph 8 of subsection (*b*) of subdivision (B) of section 24 of chapter 171 of the General Laws is hereby amended by striking out the third paragraph, as appearing in section 6 of chapter 420 of the acts of 1971, and inserting in place thereof the following paragraph:—

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-five thousand dollars and the total liability of any one member as borrower on loans so secured shall not exceed seventy thousand dollars. *Approved June 1, 1972.*

Chap. 357. AN ACT FURTHER DEFINING THE MEMBERSHIP ON THE NORTHERN MIDDLESEX AREA COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. The provisions of section four of chapter forty B of the General Laws, shall not apply to the Northern Middlesex Area Commission, a planning district established under section three of said chapter forty B, hereinafter called the commission.

SECTION 2. The commission shall consist of one member of the planning board of each city and town voting to join said district and in the case of a town a member of the board of selectmen or in the case of a city a member of the city council. Each such member shall be elected annually by the planning board, selectmen or city council of which he is also a member. In towns, such elections shall take place when the respective boards first reorganize after regular town elections. In cities such elections shall be held in the month of January. The results of such elections shall be certified in writing to the commission by each planning board, selectmen or city council prior to qualification as a member of the commission. The planning board, selectmen and city council members duly elected and certified shall each be entitled to vote on all matters before the commission. The commissioner of community affairs or his designee shall be a member ex officio without the right to vote. Each member may be replaced prior to the expiration of his term by vote of two thirds of all the members of the planning board, selectmen, or city council electing such member, and certification of such vote to the commission in writing. In the event a planning board, selectmen, or city council should fail to elect or reelect a member in accordance with this act, the previously elected member shall remain a member so long as he is also a member of the board which last elected him. There shall be an alternate member of the commission from each city or town appointed annually when the planning board, selectmen or city council members are elected. Said alternate member shall be appointed by the city manager in a city having a city manager, and by the mayor in any other city with the approval of the city council, and in a town by the selectmen or if there is a town manager by the town manager. Such appointments shall be certified in writing to the commission by the appointing authority prior to qualification as a member of the commission. Said alternate may vote in the absence of any or both members from the city or town from which he has been appointed and otherwise assume the rights and duties of such absent member or members, provided that in no instance shall he cast more than one vote at a commission meeting. Such alternates may be replaced at any time at the discretion of the appointing authority.

SECTION 3. The commission shall not conduct its official business

unless and until a majority of the member municipalities are each represented by at least one member or alternate.

SECTION 4. Upon the effective date of this act each board of selectmen and city council shall proceed to elect members to serve until the beginning of the next regular term of office as defined in this act. Planning board members who were previously elected to the commission under section four of chapter forty B of the General Laws shall continue to serve until the beginning of such next regular term unless replaced in the manner provided in section two of this act. Alternate designees previously appointed under said section shall continue until the beginning of the next regular term, provided however that such alternates may be removed by the appointing authority designated in this act.

SECTION 5. Chapter five hundred and twenty-three of the acts of nineteen hundred and seventy-one is hereby repealed, and all acts and votes of the commission taken between July fifteenth, nineteen hundred and seventy-one, and the effective date of this act are hereby ratified and validated insofar as such acts and votes were authorized at a commission meeting at which a majority of the member municipalities were represented by commission members or alternate designees elected or appointed in accordance with section four of chapter forty B of the General Laws.

Approved June 1, 1972.

Chap. 358. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO MAINTAIN THE TRAFFIC LIGHT SIGNALS AT THE INTERSECTION OF STATE HIGHWAY ROUTE 38 AND STATE HIGHWAY ROUTE 113 IN THE TOWN OF DRACUT.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to take over the care and maintenance of the traffic light signals at the intersection of state highway route 38 and state highway route 113 in the town of Dracut.

Approved June 1, 1972.

Chap. 359. AN ACT CLARIFYING THE PROCEDURE FOR OBJECTING TO AN AIR POLLUTION ORDER OF THE COMMISSIONER OF PUBLIC HEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 142B of chapter 111 of the General Laws is hereby amended by striking out the fifth paragraph, as appearing in section 1 of chapter 676 of the acts of 1960, and inserting in place thereof the following paragraph:—

The department shall have power to order any person, corporation, or political subdivision having control of an air contamination source, other than an employee, to stop or abate violation of any of the rules and regulations adopted pursuant to this section or of any of the rules and regulations adopted under the provisions of section one hundred and forty-two A and standards adopted under section one

hundred and forty-two D. Said order shall inform the alleged violator in writing of his right to request, within ten days, a hearing under the provisions of chapter thirty A, but if no such request is made within ten days, said person, corporation, or political subdivision shall be deemed to have consented to the order. If said person, corporation, or political subdivision requests a hearing, the commissioner or his designee shall within a reasonable time hold a hearing under the provisions of said chapter thirty A. The commissioner may reissue such order as is warranted and all orders, permits, or other determinations of the commissioner, except those consented thereto, shall be subject to judicial review as provided in chapter thirty A. Any person, corporation, or political subdivision violating any order of the department shall be punished by a fine of not less than fifty nor more than one hundred dollars for the first offense and not less than two hundred nor more than five hundred dollars for each succeeding offense. For the purpose of this paragraph each subsequent day or part thereof of violation of such an order, whether such violation be continuous or intermittent, shall be construed as a separate and succeeding offense. The superior court sitting in equity, on petition of the department or any person authorized by the department shall have jurisdiction to enforce any such order and to restrain violations of any rules or regulations adopted pursuant to this section until such rules and regulations have been complied with.

SECTION 2. The second paragraph of section 142E of said chapter 111, as appearing in chapter 838 of the acts of 1970, is hereby amended by inserting after the word "made", in line 7, the words:— within ten days. *Approved June 1, 1972.*

Chap. 360. AN ACT AUTHORIZING THE APPOINTMENT AS SPECIAL POLICE OFFICERS OF EMPLOYEES OF THE DIVISION OF EMPLOYMENT SECURITY.

Be it enacted, etc., as follows:

Chapter 147 of the General Laws is hereby amended by inserting after section 10I the following section:—

Section 10J. The commissioner may, at the request of the director of the division of employment security, appoint as special police officers employees of said division. Such special police officers shall serve for one year, subject to removal by the commissioner, and they shall have the same power to make arrests as the state police for any violation of section forty-seven of chapter one hundred and fifty-one A and shall have the power to serve warrants and other criminal processes. They shall report to the commissioner as to their official acts at such times and in such manner as he may require. They shall serve without pay, except their regular compensation as employees of said division, and they shall receive no fees for service or return of any criminal process. *Approved June 1, 1972.*

Chap. 361. AN ACT FURTHER REGULATING THE ADOPTION OF REGIONAL PLANS BY DISTRICT PLANNING COMMISSIONS.

Be it enacted, etc., as follows:

Section 5 of chapter 40B of the General Laws is hereby amended by striking out the first three sentences, as appearing in chapter 374 of the acts of 1955, and inserting in place thereof the following eight sentences:—A planning commission established hereunder shall make careful studies of the resources, problems, possibilities and needs of its district and, on the basis of such studies, shall prepare a comprehensive plan of development or a schematic study plan of such district or of such part or parts thereof as the commission may deem necessary and in such plans shall make such recommendations for the physical, social, governmental or economic improvement of the district as in their opinion will be in the best interest of the inhabitants of the district. Such plans and recommendations shall concern, among other things, the general use of the district, including land use, prinicipal highways and expressways, bridges, airports, public utilities, public facilities, parks, recreational areas, public institutions and such other matters as in the opinion of said commission will be beneficial to the district and will promote with the greatest efficiency and economy the coordinated development of the district and the general welfare and prosperity of its people. Before the adoption of any such regional plan or a portion thereof, the district planning commission shall hold at least one public hearing thereon, notice of the time, place and subject of which shall be given. Written notice of such hearing shall be given to each planning board, board of selectmen, and city council. Notice of the time, place and subject of the hearing shall be published at least once in a newspaper having substantial circulation in the region at least ten days before such hearing. Adoption of such plan or portion thereof shall be by a majority vote of the representatives of the district planning commission. Such plan may be amended from time to time in the same manner as hereinbefore provided. A copy of the plan adopted by the commission or any amendments thereto signed by the chairman shall be filed with the town clerk of each member municipality not more than thirty days after commission action. Such plan or portion of a plan shall be a public record. *Approved June 1, 1972.*

Chap. 362. AN ACT AUTHORIZING THE TOWN OF PLYMOUTH TO CONVEY CERTAIN PARK LAND AND OTHER LAND TO THE NEW BEDFORD GAS AND EDISON LIGHT COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The town of Plymouth is hereby authorized to convey to the New Bedford Gas and Edison Light Company certain land in said town held for park purposes, located on the northerly side of Summer street in said town, bounded and described as follows:—

A parcel of land containing approximately 64,600 square feet lying between the northwesterly street line of Summer Street as laid out by the Plymouth County Commissioners under Decree No 1093 and the

southeasterly street line of Old Summer Street (not discontinued) and shown as Part of Parcel 7 on sheet 2 of 2 sheets of a plan entitled, "Decree No. 1093, Plan of part of Summer Street in the Town of Plymouth as laid out by the County Commissioners under petition of the Selectmen filed December 27, 1949, Scale: 40 feet to an inch. Lewis M. Perkin County Engineer.

SECTION 2. Said town may also convey to the New Bedford Gas and Edison Light Company that portion of Old Summer street located north of the existing Summer street and abandoned by vote of said town when it voted approval of article seventy-one of the adjourned town meeting held on April fifth, nineteen hundred and seventy-one.

Approved June 1, 1972.

Chap. 363. AN ACT AUTHORIZING THE TOWN OF WELLFLEET TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY TO IRVING BRONSDON, CERTAIN OVERTIME COMPENSATION.

Be it enacted, etc., as follows:

The town of Wellfleet is hereby authorized to appropriate and, after such appropriation, the treasurer of said town is hereby authorized to pay Irving Bronsdon the sum of one thousand fifty-two dollars and forty-six cents due for overtime work performed by him from September sixth, nineteen hundred and sixty-nine, through January second, nineteen hundred and seventy-one, while in the course of his duty as an employee at the Wellfleet elementary school, said sum being due him under the provisions of the Fair Labor Standards Amendment of 1966 (Public Law 89–601).

Approved June 1, 1972.

Chap. 364. AN ACT AUTHORIZING THE TOWN OF EASTHAM TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY TO JOHN FOWLER, CERTAIN OVERTIME COMPENSATION.

Be it enacted, etc., as follows:

The town of Eastham is hereby authorized to appropriate and, after such appropriation, the treasurer of said town is hereby authorized to pay John Fowler the sum of one hundred and sixty-two dollars and fifty cents due for overtime work performed by him in the years nineteen hundred and seventy and nineteen hundred and seventy-one while in the course of his duty as an employee at the Eastham elementary school, said sum being due him under the provisions of the Fair Labor Standards Amendment of 1966 (Public Law 89–601).

Approved June 1, 1972.

Chap. 365. AN ACT FURTHER REGULATING THE SALE OF COMMERCIAL FEED.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 94 of the General Laws is hereby amended by striking out the definition of "Commercial feeding stuff", as appearing in the Tercentenary Edition.

SECTION 2. Sections two hundred and twenty-five to two hundred and thirty-five, inclusive, of said chapter ninety-four are hereby repealed.

SECTION 3. Chapter 128 of the General Laws is hereby amended by inserting after section 50 the following twelve sections:—

Section 51. The following words as used in sections fifty-two to sixty-four inclusive, unless a different meaning is required by the context, or is specifically described, shall have the following meanings:—

"Brand name", any word, name, symbol or device, or any combination thereof, identifying the commercial feed of a distributor or registrant and distinguishing it from that of others.

"Commercial feed", all materials except unmixed seed, whole or processed, when not adulterated within the meaning of section fifty-four which are distributed for use as feed or for mixture in feed; provided, that the commissioner by regulation may exempt from this definition, or from specific provisions of this act, commodities such as hay, straw, stover, silage, cobs, husks, hulls, and individual chemical compounds or substances when such commodities, compounds or substances are not inter-mixed with other materials, and are not adulterated within the meaning of said section fifty-four.

"Contract feeder", a person who is an independent contractor, feeds commercial feed to animals pursuant to a contract whereby such commercial feed is supplied, furnished, or otherwise provided to such person and whereby such person's remuneration is determined all or in part by feed consumption, mortality, profits, or amount, or quality of product.

"Customer-formula feed", commercial feed which consists of a mixture of the commercial feeds, or feed ingredients, each batch of which is manufactured according to the specific instructions of the final purchaser.

"Drug", any article intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in animals other than man, and articles other than feed intended to affect the structure or any function of the animal body.

"Mineral feed", a commercial feed intended to supply primarily mineral elements or inorganic nutrients.

"Official sample", a sample of feed taken by the commissioner or his agent in accordance with the provisions of section fifty-eight D.

"Pet food", any commercial feed prepared and distributed for consumption by pets.

"Product name", the name of the commercial feed which identifies it as to kind, class, or specific use.

Section 52. Each commercial feed shall be registered before being distributed in the commonwealth; provided, however, that customer-formula feeds are exempt from registration. The application for registration shall be submitted on forms furnished by the commissioner or his deputy and if the commissioner so requests, shall also be accompanied by a label or other printed matter describing the product. Upon approval by the commissioner or his deputy a copy of the registration shall be furnished to the applicant. All registrations shall expire on December thirty-one of each year. The application shall include the information required by section fifty-three.

A distributor shall not be required to register any brand of commercial feed which is already registered under the provisions of this section by another person.

Changes in the guarantee of either chemical or ingredient composition of a registered commercial feed may be permitted provided there is satisfactory evidence that such changes would not result in a lowering of the feeding value of the product for the purpose for which designed, and provided the commissioner or his deputy is notified of the change.

The commissioner or his deputy is empowered to refuse registration of any application not in compliance with the provisions of sections fifty-two to sixty, inclusive, and to cancel any registration subsequently found not to be in compliance with any provision thereof; provided, however, that no registration shall be refused or cancelled until the registrant shall have been given opportunity to be heard before the commissioner or his duly authorized assistant and to amend his application in order to comply with the law. The registration fee shall be twenty-five dollars.

Section 53. All commercial feed distributed in the commonwealth except customer-formula feeds shall be accompanied by a legible label bearing the following information: (1) net weight; (2) name or brand under which the commercial feed is sold; (3) guaranteed analysis of the commercial feed, listing the minimum percentage of crude protein, minimum percentage of crude fat, and maximum percentage of crude fiber. For mineral feeds formulated entirely or mainly from mineral ingredients the list shall include the following if added: Minimum and maximum percentage of calcium (Ca) and minimum and maximum percentages of salt (NaCl). Other substances or elements, determined by laboratory methods, may be guaranteed by permission of the commissioner or his deputy. When any items are guaranteed, they shall be subject to inspection and analysis in accordance with the methods and regulations that may be prescribed by the commissioner. Products sold solely as mineral or vitamin supplements and guaranteed as specified in this section need not show guarantees for protein, fat and fiber. In all cases the substances or elements must be determined by laboratory methods; (4) common or usual name of each ingredient used in the manufacture of the commercial feed, except, the commissioner or his deputy may, by regulation, permit the use of a collective term for a group of ingredients all of which perform the similar function, or he may exempt such commercial feeds or any group thereof from this requirement of an ingredient statement if he finds that such statement is not required in the interest of consumers and providing that a statement of the ingredients to be used is on file with the commissioner or his deputy; (5) name and principal address of the manufacturer or the person responsible for distributing the commercial feed; (6) adequate directions for the use of all commercial feeds containing drugs and for such other feeds as the commissioner may require by regulation as necessary for their safe and effective use; (7) such precautionary statements as the commissioner by regulation determines are necessary for the safe and effective use of the commercial feed.

When a commercial feed is distributed in the commonwealth in bags or other containers, the label shall be placed on or affixed to the container; when a commercial feed is distributed in bulk, the label shall accompany delivery and be furnished to the purchaser at time of delivery.

A customer-formula feed shall be labeled by invoice. The invoice, which is to accompany delivery and be supplied to the purchaser at the time of delivery, shall bear the following information: (1) name and address of the mixer; (2) name and address of the purchaser; (3) date of sale; and (4) kind or type of feed shall be affixed with a tag bearing the information required on the invoice except date of sale.

If a customer-formula feed contains a non-nutritive substance which is intended for use in the diagnosis, cure, mitigation, treatment or prevention of disease or which is intended to affect the structure or any function of the animal body, the commissioner or his deputy shall require the label to show the name and amount present, directions for use or warnings against misuse of the feed.

Section 54. A commercial feed shall be deemed to be adulterated: if (1) it bears or contains any poisonous or deleterious substance which may render it injurious to health; but in case the substance is not an added substance, such commercial feed shall not be considered adulterated under this subsection if the quantity of such substance in such commercial feed does not ordinarily render it injurious to health; (2) it bears or contains any added poisonous, added deleterious or added non-nutritive substance which is unsafe within the meaning of section four hundred and six of the Federal Food, Drug and Cosmetic Act, other than one which is (*i*) a pesticide chemical in or on a raw agricultural commodity; or (*ii*) a food additive; (3) it is, or it bears or contains any food additive which is unsafe within the meaning of section four hundred and nine of the Federal Food, Drug and Cosmetic Act; (4) it is a raw agricultural commodity and it bears or contains a pesticide chemical which is unsafe within the meaning of section four hundred and eight (*a*) of the Federal Food, Drug and Cosmetic Act; provided, that where a pesticide chemical has been used in or on a raw agricultural commodity in conformity with an exemption granted or a tolerance prescribed under section four hundred and eight of the Federal Food, Drug and Cosmetic Act and such raw agricultural commodity has been subjected to processing such as canning, cooking, freezing, dehydrating, or milling, the residue of such pesticide chemical remaining in or on such processed feed shall not be deemed unsafe if such residue in or on the raw agricultural commodity has been removed to the extent possible in good manufacturing practice and the concentration of such residue in the processed feed is not greater than the tolerance prescribed for the raw agricultural commodity unless the feeding of such processed feed will result or is likely to result in a pesticide residue in the edible product of the animal, which is unsafe within the meaning of section four hundred and eight (*a*) of the Federal Food, Drug and Cosmetic Act; (5) it bears or contains any color additive which is unsafe, within the meaning of section seven hundred and six of the Federal Food, Drug and Cosmetic Act; (6) any

valuable constituent has been in whole or in part omitted or abstracted therefrom or any less valuable substance substituted therefor; (7) its composition or quality falls below or differs from that which it is purported or is represented to possess by its labeling; (8) it contains a drug and the methods used in or the facilities or controls used for its manufacture, processing, or packaging do not conform to current good manufacturing practice regulations promulgated by the commissioner to assure the drug meets the requirements of section fifty-two to sixty-four, inclusive, as to safety and has the identity and strength and meets the quality and purity characteristics which it purports or is represented to possess. In promulgating such regulations, the commissioner or his deputy may adopt the current good manufacturing practice regulations for medicated feeds established under authority of the Federal Food, Drug and Cosmetic Act, unless he determines that they are not appropriate to the conditions which exist in the commonwealth; (9) it contains viable weed seed in amounts exceeding the limits which the commissioner or his deputy shall establish by rule or regulation.

Section 55. No person shall distribute feed if (*a*) its labeling is false or misleading in any particular manner;

(*b*) it is distributed under the name of another feed;

(*c*) it is not labeled as required in section fifty-three and in regulations promulgated by the commissioner;

(*d*) it purports to be or is represented as a commercial feed, or if it purports to contain or is represented as containing a commercial feed ingredient which does not conform to the definition, if any, prescribed by regulation of the commissioner or his deputy. In the absence of a prescribed definition by the commissioner, conformity to the commonly accepted definitions as those issued by the Association of American Feed Control Officials shall apply;

(*e*) any word, statement, or other information required by or under authority of sections fifty-one through sixty to appear on the label or labeling is not prominently placed thereon with such conspicuousness, as compared with other words, statements, designs, or devices, in the labeling, and in such terms as to render it likely to be read and understood by the ordinary individual under customary conditions of purchase and use.

Section 56. No person shall (*a*) manufacture or distribute any commercial feed that is adulterated or misbranded;

(*b*) adulterate or misbrand any commercial feed;

(*c*) distribute agricultural commodities which are adulterated within the meaning of section fifty-four;

(*d*) remove or dispose of a commercial feed in violation of an order under section sixty;

(*e*) fail or refuse to register in accordance with section fifty-two;

(*f*) fail to pay registration fees and file reports as required by section fifty-two.

Section 57. The commissioner and his duly authorized assistants shall have authority to enforce sections fifty-two to sixty, inclusive, and to prosecute all violations thereof. Before any prosecutions by the commissioner or any of his duly authorized assistants, the parties

concerned shall be given an opportunity to be heard before the said commissioner or a person designated by him for such purpose. The parties concerned shall be given reasonable notice of hearing specifying the day, hour and place thereof and accompanied by a description of the alleged violation.

Section 58. The commissioner either in person or his assistants shall have free access at all reasonable hours to each building or other place in which commercial feeds are manufactured, processed, packed or held for distribution, or to enter any vehicle being used to transport or hold such feeds and to inspect at reasonable times and within reasonable limits and in a reasonable manner such factory, warehouse, establishment or vehicle and all pertinent equipment, finished and unfinished materials, containers, and labeling therein. The inspection may include the verification of only such records, and production and control procedures as may be necessary to determine compliance with section fifty-four.

If the officer or employee making such inspection of a factory, warehouse, or other establishment has obtained a sample in the course of the inspection, upon completion of the inspection and prior to leaving the premises he shall give to the owner, operator, or agent in charge a receipt describing the samples obtained.

If the owner of any building, factory, warehouse, or establishment, or his agent, refuses to admit the inspector or his agent, the commissioner or his deputy is authorized to obtain from the court a warrant directing such owner or his agent to submit the premises described in such warrant to inspection.

The results of all analyses of official samples shall be forwarded by the commissioner or his deputy to the person named on the label and to the purchaser. When the inspection and analysis of an official sample indicates a commercial feed has been adulterated or misbranded and upon request within thirty days following receipt of the analysis the commissioner or his deputy shall furnish to the registrant a portion of the sample concerned.

The commissioner or his deputy in determining for administrative purposes whether a commercial feed is deficient in any component, shall be guided by the official sample as defined in section fifty-one and obtained and analyzed as provided in this section.

Section 59. Samples for analysis as stipulated in section fifty-eight 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 analysis according to methods approved by the Association of Official Analytical Chemists or other approved methods.

Section 60. When the commissioner or his deputy has reasonable cause to believe any lot of commercial feed is being distributed in violation of any of the provisions of sections fifty-two to fifty-eight, inclusive, or of any of the prescribed regulations promulgated thereunder, he, or his deputy may order, in writing, that it be withheld from sale. The commissioner or his deputy may release the lot of commercial feed, or customer-formula feed so withdrawn when said provisions and regulations have been complied with. If compliance

is not obtained within thirty days, the commissioner or his deputy may begin, or upon request of the distributor shall begin, proceedings for condemnation.

Any lot of commercial feed not in compliance with said provisions and regulations shall be subject to seizure on complaint of the commissioner or his deputy to a court of competent jurisdiction in the area in which said commercial feed is located. In the event the court finds the said commercial feed to be in violation of sections fifty-two to fifty-eight, inclusive, and orders the condemnation of said commercial feed, it shall be disposed of in any manner consistent with the quality of the commercial feed and the laws of the commonwealth.

Section 61. Whoever sells, offers or exposes for sale any commercial feed or mixture thereof without complying with the requirements of sections fifty-two to sixty, inclusive, applicable thereto, or in violation of any rule or regulation promulgated thereunder, or whoever falsely marks, or labels any such feed or mixture, or impedes, or obstructs, or hinders the commissioner or any of his duly authorized agents in the discharge of the authority or duties conferred or imposed by any provisions of said section, shall be punished by a fine of not less than twenty-five dollars or more than one hundred dollars for the first violation, or not less than one hundred dollars or more than five hundred dollars for a subsequent violation. In all prosecutions involving the composition of a lot of commercial feed, a certified copy of the official analysis signed by the commissioner or his agent shall be accepted as prima facie evidence of the composition.

Section 62. The commissioner or his deputy may publish annually, in such forms as he may deem proper, information concerning the sales of commercial feeds; together with such data on their production, composition and use as he may consider advisable, and a report of the results of the analyses of official samples of commercial feeds sold within the commonwealth as compared with the analyses guaranteed in the registration and on the label; but any information relating to the general business of any applicant or licensee shall be treated by the commissioner as confidential. *Approved June 1, 1972.*

Chap. 366. AN ACT PROVIDING THAT INSURANCE COMPANIES ISSUING MOTOR VEHICLE LIABILITY INSURANCE SHALL PRORATE EQUALLY ALL PREMIUM CHARGES IN ACCORDANCE WITH ACTUAL CALENDAR DAYS OF COVERAGE.

Be it enacted, etc., as follows:

The first paragraph of section 113B of chapter 175 of the General Laws is hereby amended by inserting after the first sentence the following sentence:—In fixing and establishing premium charges in accordance with the provisions of this section, the commissioner shall require that all premium charges shall be based on the actual number of days in a calendar year during which there was coverage on policies which are in existence for less than a full calendar year, except in cases where such a policy is cancelled at the request of the insured.

Approved June 1, 1972.

Chap. 367. AN ACT PROVIDING FOR THE USE OF CERTIFIED MAIL AS AN ALTERNATIVE METHOD OF SUMMONING JURORS.

Be it enacted, etc., as follows:

Chapter 234 of the General Laws is hereby amended by inserting after section 24 the following two sections:—

Section 24A. In addition to the manner of summoning jurors as provided in section twenty-four, jurors may be summoned in the following manner:—at least twenty days prior to the time when jurors are required to attend unless the court otherwise orders when issuing venires for additional jurors under section twelve, a clerk of court may send a juror a summons with the endorsement thereon of his having been drawn by certified mail to the home address of said juror. Said summons shall state the name and home address of the juror, and the date, time, and place of the sitting of the court at which he is required to attend. A facsimile of the signature of the chief justice or clerk of court imprinted upon the juror summons shall have the same validity as a written signature. After such summons has been received by a juror as hereinbefore provided, no person shall, except as otherwise provided by law, question any juror so summoned for the purpose of obtaining information as to his background in connection with his jury duty.

Section 24B. The commissioner of probation shall prepare a juror information form which may be enclosed together with a self-addressed return envelope with a juror summons described in section twenty-four A. The person summoned as a juror shall, not later than two days after receipt thereof, sign, complete and return said form to the sender. *Approved June 1, 1972.*

Chap. 368. AN ACT DESIGNATING THE BRIDGE OVER THE WESTFIELD RIVER CONNECTING THE TOWNS OF WEST SPRINGFIELD AND AGAWAM AS THE VIETNAM VETERANS MEMORIAL BRIDGE.

Be it enacted, etc., as follows:

The bridge being constructed over the Westfield river connecting the towns of Agawam and West Springfield shall, upon completion, be known and designated as the Vietnam Veterans Memorial bridge in memory of all veterans who have served in the Vietnam campaign. A suitable marker bearing such designation shall be attached thereto by the department of public works. *Approved June 1, 1972.*

Chap. 369. AN ACT PROHIBITING DISCRIMINATION IN ADMISSION OF BLIND STUDENTS TO STATE COLLEGES AND UNIVERSITIES.

Be it enacted, etc., as follows:

The first paragraph of section 2 of chapter 151C of the General Laws is hereby amended by inserting after clause (*d*), inserted by section 1 of chapter 175 of the acts of 1972, the following clause:—

(*e*) To exclude from admission any student because said student is blind or requires the use of a seeing-eye dog.

Approved June 1, 1972.

Chap. 370. AN ACT ELIMINATING THE RESIDENCY REQUIREMENT FOR CERTAIN FIREFIGHTERS.

Be it enacted, etc., as follows:

Chapter 48 of the General Laws is hereby amended by striking out section 58E, inserted by chapter 272 of the acts of 1966, and inserting in place thereof the following section:—

Section 58E. In any city or town which accepts this section, applicants for positions in and members of the regular fire department of said 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. *Approved June 1, 1972.*

Chap. 371. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SEVENTY FOR DONALD E. WHITEHOUSE, INCUMBENT OF THE OFFICE OF PURCHASING AGENT OF THE CITY OF EVERETT.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of Donald E. Whitehouse, incumbent of the office of purchasing agent of the city of Everett shall be unlimited during good behavior until he reaches age seventy unless incapacitated by physical or mental disability from performing the duties thereof, but he may be removed 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 the acceptance to the voters of the city of Everett at the biennial state election to be held 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 at said election:—"Shall an act passed by the General Court in the year nineteen hundred and seventy-two, entitled 'An Act providing tenure of office until age seventy for Donald E. Whitehouse, incumbent of the office of purchasing agent of the city of Everett' be accepted?" If a majority of the votes in answer to said question are in the affirmative, this act shall thereupon take full effect but not otherwise. *Approved June 1, 1972.*

Chap. 372. AN ACT FURTHER REGULATING THE REGISTRATION OF CANADIAN PHYSICIANS.

Be it enacted, etc., as follows:

The last paragraph of section 2 of chapter 112 of the General Laws, as appearing in chapter 662 of the acts of 1971, is hereby amended by inserting after the word "Massachusetts", in line 25, the words:— , or a physician who is a graduate of a Canadian medical school and is licensed by the Medical Council of Canada and by a provincial licensing authority. *Approved June 1, 1972.*

Chap. 373. AN ACT AUTHORIZING CITIES AND TOWNS TO ESTABLISH AUTHORITIES FOR THE PURPOSE OF PROVIDING FOR THE FINANCING OF LIQUID WASTE DISPOSAL FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Clause ($p\frac{1}{2}$) of section 1 of chapter 40D of the General Laws, inserted by section 1 of chapter 1017 of the acts of 1971, is hereby amended by adding the following two sentences:— "Liquid waste disposal facilities", facilities for the disposal of waste water from industrial establishments, including any surface or ground water that may be present therein. "Waste disposal facilities", includes solid waste disposal facilities and liquid waste disposal facilities.

SECTION 2. Said chapter 40D is hereby further amended by striking out section 21, added by section 2 of said chapter 1017, and inserting in place thereof the following section:—

Section 21. (*a*) A municipality acting by and through an authority may finance 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 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 waste disposal facilities under this chapter but shall not be empowered to so finance said 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 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 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 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 waste disposal facilities. A vote taken thereafter to so consolidate may include said function of financing 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 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 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, as the case may require, 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, in the case of solid waste disposal facilities, with plans of the department of public works for the construction of such facilities.

(*g*) All cities, towns and other public agencies and private parties are authorized from time to time to contract with operators of 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 waste disposal facilities established or to be established hereunder.

(*h*) The establishment and operation of 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 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.

(*i*) A municipality acting by and through an authority in connection with a project for waste disposal facilities financed under this chapter may apply for, accept and use any federal or state grant or loan for such project. *Approved June 5, 1972.*

Chap. 374. AN ACT FURTHER REGULATING INSURANCE COVERAGE UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (4) of section 1 of chapter 152 of the General Laws is hereby amended by striking out the third paragraph, as most recently amended by chapter 306 of the acts of 1960, and inserting in place thereof the following paragraph:—

The provisions of this chapter shall remain elective as to employers of seasonal or casual or part-time domestic servants. For the purpose of this paragraph, a part-time domestic servant is one who works in the employ of the employer less than sixteen hours per week.

SECTION 2. Section 54A of said chapter 152, as amended by chapter 275 of the acts of 1957, is hereby further amended by striking out the second sentence.

SECTION 3. The provisions of section one of chapter one hundred and fifty-two of the General Laws, as amended by section one of this act, and the provisions of section fifty-four A of said chapter one hundred and fifty-two, as amended by section two of this act, shall apply to insurance contracts entered into on and after the effective date of this act. *Approved June 5, 1972.*

Chap. 375. AN ACT FURTHER REGULATING WRITTEN AGREEMENTS BETWEEN AN EMPLOYEE ORGANIZATION AND A MUNICIPAL EMPLOYER TO SUBMIT CONTROVERSIES TO ARBITRATION.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is immediately to validate and make enforceable agreements between employee organizations and municipal employers to submit controversies to arbitration, 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 178K of chapter 149 of the General Laws, as amended by chapter 445 of the acts of 1970, is hereby further amended by adding the following sentence: — Disputes submitted to arbitration as authorized in this section either to the board of conciliation and arbitration or to such other arbitration tribunals as may be agreed to by the municipal employer and employee organization shall be governed by the provisions of chapter one hundred and fifty C as they apply to the interpretation or application of the terms of an agreement arising after such agreement is entered into by the parties.

Approved June 6, 1972.

Chap. 376. AN ACT AUTHORIZING A CHEMIST OF THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE A CERTIFICATE WHICH SHALL BE PRIMA FACIE EVIDENCE OF RESULTS OF ANALYSIS BY HIM OF THE PERCENTAGE OF ALCOHOL IN BLOOD.

Be it enacted, etc., as follows:

Paragraph (*e*) of subdivision 1 of section 24 of chapter 90 of the General Laws, as most recently amended by chapter 773 of the acts of 1967, is hereby further amended by adding the following sentence: — A certificate by a chemist of the department of public safety of the result of an analysis made by him of the percentage of alcohol in blood furnished him in accordance with the provisions of this paragraph by a police officer of any department, signed and sworn to by such chemist, shall be prima facie evidence of the percentage of alcohol in such blood.

Approved June 6, 1972.

Chap. 377. AN ACT FURTHER REGULATING THE AGE LIMIT OF CERTAIN CONTESTANTS IN LICENSED BOXING MATCHES.

Be it enacted, etc., as follows:

Section 39 of chapter 147 of the General Laws, as most recently amended by chapter 114 of the acts of 1950, is hereby further amended by striking out the first sentence and inserting in place thereof the following two sentences: — Except as hereinafter provided no contestant who is under eighteen or who has reached his thirty-fifth birthday shall be permitted to engage in any boxing or sparring match or exhibition, except that said age requirement shall not apply to a boxing champion of the world who is still active as a professional boxer, or to a former boxing champion of the world who has not been inactive as a professional boxer for a period of more than two years from the date of his last boxing contest, and except that an amateur boxer shall be allowed to compete as such at the age of sixteen. At the discretion of the commission a professional boxer who has reached his thirty-fifth birthday may be permitted to engage in a boxing match if he passes a physical examination by a physician selected by the commissioners.

Approved June 6, 1972.

Chap. 378. AN ACT RELATIVE TO THE REGISTRATION OF SECURITIES OF BANKS IN THE NAME OF NOMINEES.

Be it enacted, etc., as follows:

The second sentence of section 54A of chapter 167 of the General Laws, as appearing in chapter 125 of the acts of 1970, is hereby amended by inserting after the word "of", in line 5, the words: — any of its own officers, employees, or agents acting as a partner, officer, employee, or agent of.

Approved June 6, 1972.

Chap. 379. AN ACT AUTHORIZING THE DISTRICT PLANNING COMMISSIONS TO ESTABLISH EXECUTIVE COMMITTEES FOR CERTAIN PURPOSES.

Be it enacted, etc., as follows:

Chapter 40B of the General Laws is hereby amended by inserting after section 4 the following section: —

Section 4A. Upon a two-thirds vote of all of the members of the district planning commission there may be established an executive committee consisting of the chairman, vice chairman, if one is elected annually by the commission, the clerk, the treasurer, and the assistant treasurer, if one is elected annually by the commission, ex officio, and at least one but no more than seven members elected annually from the commission membership so that the total membership of said committee shall be uneven in number. Actions taken by said executive committee shall be in the name of and on behalf of the commission. Such actions shall be authorized by a two-thirds vote of the commission's total membership and shall include the following: — employment of technical staff members, and other professional and clerical assistants; retention of consultants; disbursement of commission funds based upon a warrant approved by a majority of said executive committee; the borrowing of funds in anticipation of receipt of revenue; applications for federal, state, and local aid; the preparation of reviews and comments on proposals of a regional or inter-community nature, including those referred to the district planning commission under the provisions of Section 204 of the Demonstration Cities and Metropolitan Development Act of 1966, Title IV of the Inter-Governmental Cooperation Act of 1968, and Section 102 of the National Environmental Policy Act of 1969; proposed zoning changes near municipal boundaries of member cities and towns; requests for planning related advice; and the establishment of various technical advisory committees. Said executive committee shall report its actions to the membership of the commission quarterly, at which time its authority to so act shall be reconfirmed by a two-thirds vote of all representatives annually. The authority granted to the executive committee may be periodically increased by a two-thirds vote of the commission membership or may be terminated by a majority vote of the commission following thirty days' notice to said executive committee. *Approved June 6, 1972.*

Chap. 380. 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 striking out section 23C, inserted by chapter 346 of the acts of 1971, and inserting in place thereof 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 sergeant 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 lieutenant or higher, shall have equal preference with veterans in being placed upon the eligible list for said promotion. *Approved June 6, 1972.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, June 8, 1972

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 380 of the Acts of 1972, entitled "AN ACT PROVIDING THAT CERTAIN POLICE OFFICERS AND FIRE FIGHTERS SHALL HAVE EQUAL PREFERENCE WITH VETERANS IN THEIR PLACEMENT ON ELIGIBLE LISTS FOR PROMOTION." and the enactment of which received the Lieutenant Governor, Acting Governor's approval on June 6, 1972, 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 immediately be applied to existing Civil Service lists.

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

OFFICE OF THE SECRETARY, BOSTON, June 8, 1972.

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 fifty-five minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter three hundred and eighty of the acts of nineteen hundred and seventy-two.

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

Chap. 381. AN ACT AUTHORIZING THE ISSUANCE OF CREDIT CARDS BY SAVINGS BANKS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 168 of the General Laws is hereby amended by inserting after section 37A, under the captain CREDIT CARDS, the following section: —

Section 37B. Such corporation may issue and honor credit cards in the manner prescribed in this section, subject to the conditions, limitations and requirements herein stated.

Such corporation may issue credit cards for the purpose of making loans to one or more persons. Such loans shall be made by such means

as the board of investment shall determine, including but not limited to means of paying to or for the account of any party the amount of any sales slip, voucher or other evidence of any transaction in which goods or services were sold or cash advanced to said party in reliance on a credit card issued by such corporation. 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.

Such corporation may advance cash to any person holding a credit card issued by said corporation or by any other person who, directly or indirectly, has agreed to pay to or for the account of such corporation the amount of cash advanced by it in reliance on credit cards issued by said other person.

Such credit cards, loans, advances, and documents used in connection therewith shall be in such form and upon such terms and conditions as the board of investment shall determine, including but not limited to terms and conditions as to revocation, rates of interest and other charges, maturity dates and security, if any.

Such corporation may, subject to the requirements of section fifty-one B of chapter one hundred and sixty-seven and to the authorization or approval of the board of trustees, become a stockholder or member of, or otherwise affiliated with, any other organization which in the opinion of said board will enable such corporation to exercise fully the powers granted by this section. Notwithstanding the limitations contained in section sixty-eight, such corporation may make payments pursuant to obligations arising by reason of such membership or affiliation.

SECTION 2. Section 41 of said chapter 168 is hereby amended by inserting after the word "thirty-seven", in line 3 as appearing in section 1 of chapter 432 of the acts of 1955, the words: — , thirty-seven B.

SECTION 3. Paragraph 3 of said section 41 of said chapter 168 is hereby amended by inserting after the word "thirty-seven", in line 4 as so appearing, the words: — , section thirty-seven B.

Approved June 7, 1972.

Chap. 382. AN ACT FURTHER REGULATING THE INFORMATION REQUIRED ON APPLICATIONS FOR CIVIL SERVICE EXAMINATIONS RELATIVE TO DISPOSITIONS OF CERTAIN MISDEMEANORS.

Be it enacted, etc., as follows:

Section 13 of chapter 31 of the General Laws is hereby amended by striking out the second sentence, as amended by chapter 796 of the acts of 1971, 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 or dispositions for the fol-

lowing 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 June 8, 1972.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, June 8, 1972

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 382 of the Acts of 1972, entitled "AN ACT FURTHER REGULATING THE INFORMATION REQUIRED ON APPLICATIONS FOR CIVIL SERVICE EXAMINATIONS RELATIVE TO DISPOSITIONS OF CERTAIN MISDEMEANORS." and the enactment of which received my approval on June 8, 1972, 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 immediately apply to all applications filed under its provisions.

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

OFFICE OF THE SECRETARY, BOSTON, June 8, 1972.

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 fifty-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 three hundred and eighty-two of the acts of nineteen hundred and seventy-two.

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

Chap. 383. AN ACT FURTHER REGULATING HORSE, DOG AND HARNESS RACING AT STATE AND COUNTY FAIRS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate forthwith horse, dog and harness racing at state and county fairs, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

The fourth paragraph of section 3 of chapter 128A of the General Laws, as appearing in section 3 of chapter 374 of the acts of 1934, is hereby amended by inserting after the word "year", in line 11, the words: — ; provided, however, that any state or county fair, owning its own race track premises in fee, may be issued a dog, horse or harness

horse racing license or licenses, for an aggregate of not more than ten days in any calendar year, if such racing under such license or licenses is conducted by such state or county fair itself, and not through or by a third party. *Approved June 8, 1972.*

Chap. 384. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO APPROPRIATE AND PAY MONEY TO CERTAIN MEMBERS OF ITS FIRE DEPARTMENT AS AN EDUCATIONAL ALLOWANCE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, 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 a sum not to exceed three thousand three hundred and sixty dollars to certain members of the fire department of said town as an educational allowance due such members and arrived at through collective bargaining during the year nineteen hundred and seventy-one.

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

Approved June 8, 1972.

Chap. 385. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO CONVEY CERTAIN PARK LAND TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to convey to the commonwealth, without consideration, a certain parcel of land now owned and held by said city under the control of the parks department, bounded and described as follows: —

Beginning at a point at the southwest corner of land herein described and said point being a point of curve on the easterly side of Blunt Park Road, N. 12° 20′ 00″ W., a distance of approximately two hundred thirty feet (230′ ±) northwesterly of the northerly street line of Roosevelt Avenue;

Thence; northwesterly along a curve to the left whose radius is two hundred and forty feet (240.00′) and whose central angle is 35° 00′ 00″, an arc distance of one hundred forty-six and sixty one-hundredths feet (146.61′) to a point of tangency,

Thence; continuing along said easterly side of Blunt Park Road, N. 47° 20′ 00″, an arc distance of one hundred and sixty-five feet (165.0′), to a point,

Thence; through park land, N. 42° 40′ 00″ E., a distance of two hundred seventy-five feet (275.00′), to a point,

Thence; through park land, S. 47° 20′ 00″ E., a distance of three hundred and seventy feet (370.00′) to a point,

Thence; through park land, S. 42° 40′ 00″ W., a distance of one hundred and sixty feet (160.00′) to a point,

Thence; through park land, S. 65° 42′ 00″ W., a distance of one hundred seventy-two and twelve hundredths feet (172.12′), to the point of beginning.

Said parcel containing 101,252 square feet or 3.2 acres.

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

Approved June 8, 1972.

Chap. 386. AN ACT AUTHORIZING THE CITY OF PITTSFIELD TO BORROW MONEY FOR THE CONSTRUCTION OF AN OFF-STREET PARKING STRUCTURE AND PROVIDING FOR THE LEASING THEREOF.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of acquiring land and constructing and equipping thereon a public off-street parking structure, including facilities appurtenant thereto, the city of Pittsfield may, with the approval of the emergency finance board established by chapter forty-nine of the acts of nineteen hundred and thirty-three, borrow at one time or from time to time such sums as may be necessary, not exceeding, in the aggregate, six million dollars and may issue bonds or notes therefor, which shall bear on their face the words, City of Pittsfield Parking Loan, Act of 1972. Each authorized issue shall constitute a separate loan and each such loan shall be paid in not more than twenty years from its date. Indebtedness incurred under this act shall be in excess of the statutory limit and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitation contained in the first paragraph of section seven thereof.

SECTION 2. The mayor of said city, with the approval of the city council, may enter into a lease for the operation and maintenance of the off-street parking structure referred to in section one of this act. Such lease shall be for a period not exceeding thirty years; shall provide that the lessee shall assume and pay all costs, expenses and other charges for the operation and maintenance of said structure; and shall contain schedules of maximum rates, if any, to be charged by the lessee for the use by the public of said structure, and provided that such rates, if any, may be revised from time to time by the lessee, with the approval of the mayor and city council.

Such lease may provide that, upon its expiration, it may be renegotiated and renewed for an additional period not exceeding thirty years for the same uses and purposes as in the original term; may provide for the conveyance of said structure to the lessee upon the expiration of said lease, at a price which shall be not less than the fair value thereof at the time of such sale; and may contain such further terms and conditions, not inconsistent with the provisions of this act or the use of said structure as a public parking facility, as may be agreed upon.

SECTION 3. The mayor of said city, with the approval of the city council, may lease for a period not exceeding ninety-nine years the whole or any part of the airspace above the structure referred to in section one of this act without the necessity of advertisements for proposals for the lease of such airspace, notwithstanding the provisions of section twenty-two E of chapter forty of the General Laws. Such lease may include such parts of said garage or the site thereof as may be necessary for structural supports, utilities and means of ingress and egress to and from the building to be erected in such airspace. The lessee of such airspace shall bear all costs of such structural support, utilities and means of ingress and egress. Such lease shall provide that the off-street parking structure located below the said airspace will be made available to the general public for parking purposes.

SECTION 4. The lessee under any lease entered into pursuant to section two or section three of this act shall be taxed in the same manner and to the same extent as if said lessee or his assigns were the owner of

the property leased and the value of the land shall be included in any such assessment upon the lessee of airspace.

SECTION 5. This act shall take effect upon its passage.

Approved June 8, 1972.

Chap. 387. AN ACT RELATIVE TO THE ELIGIBLE LIST FOR MOTOR VEHICLE INVESTIGATOR IN THE REGISTRY OF MOTOR VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate appointments of motor vehicle investigators in the registry of motor vehicles, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the eligible list for Motor Vehicle Investigator, Registry of Motor Vehicles which would expire on June eighth, nineteen hundred and seventy-two shall expire on October eighth, nineteen hundred and seventy-two.

Approved June 8, 1972.

Chap. 388. AN ACT PLACING THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE TOWN OF FAIRHAVEN UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

SECTION 1. The office of the chief of the fire department of the town of Fairhaven shall, upon the effective date of this act become subject to the civil service law and rules and the tenure of office of any incumbent thereof shall be unlimited, subject, however, to said law.

SECTION 2. The incumbent of said office on the effective date of this act may continue in said office until such time as a permanent appointment to said office is made in accordance with civil service law and rules and after an open competitive examination.

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

Approved June 8, 1972.

Chap. 389. AN ACT REDUCING THE LEVEL OF EDUCATIONAL ACHIEVEMENT AT WHICH THE DIRECTOR OF CIVIL SERVICE MAY RELY ON UNASSEMBLED EXAMINATIONS FOR QUALIFICATIONS OF APPLICANTS.

Be it enacted, etc., as follows:

The first paragraph of section 6B of chapter 31 of the General Laws, as appearing in section 2 of chapter 298 of the acts of 1969, is hereby amended by striking out, in line 2, the word "doctorate" and inserting in place thereof the words: — master's degree.

Approved June 8, 1972.

Chap. 390. AN ACT TO ALTER, REVISE AND RELOCATE THE BOUNDARY LINE BETWEEN THE TOWN OF DALTON AND THE CITY OF PITTSFIELD IN THE COUNTY OF BERKSHIRE.

Be it enacted, etc., as follows:

The boundary line between the town of Dalton and the city of Pittsfield is hereby altered, revised and relocated so that the whole of Division road shall be in the town of Dalton and the whole of Hubbard Avenue shall be in the city of Pittsfield. Beginning at a stone bound having a latitude of 42 degrees 24 minutes 49.66 seconds and a longitude of 73 degrees 12 minutes 08.30 seconds as shown in the Town Line Atlas dated 1913 of the Commonwealth of Massachusetts Harbor and Land Commission Atlas of the Boundaries of the Cities of North Adams and Pittsfield and the Towns of Adams, Cheshire, Clarksburg, Dalton, etc., which bound is the present corner marker for the boundary of the towns of Dalton and Washington and the City of Pittsfield; thence proceeding in a northerly direction to a stone marker near the intersection of Williams Street and Division Road having MGS Coordinates X = 141654.60 and Y = 525603.18, which shall be called Dalton-Pittsfield 1; thence north 12 degrees 58 minutes east a distance of eight thousand three hundred and eighteen feet (8318) to a stone marker which is buried beneath the pavement at the intersection of Division Road and South Street, at the south west corner of the intersection, having MGS Coordinates X = 143521.70 and Y = 533708.67, which shall be called Dalton-Pittsfield 2; thence north 17 degrees 04 minutes east a distance of fifty one feet (51) to an iron bar near the north east corner of South Street and Hubbard Avenue having MGS Coordinates X = 143536.53 and Y = 533756.95, which shall be called Dalton-Pittsfield 3; thence north 12 degrees 22 minutes east a distance of three thousand six hundred and seventy six feet (3676) to a stone bound (to be set), which is the P.I. of the curve between stations 33 + 88.75 and 39 + 55.67 of the Hubbard Avenue base line, having MGS Coordinates X = 144323.61 and Y = 537347.79, which shall be called Dalton-Pittsfield 4; thence northerly to a stone bound having a latitude of 42 degrees 29 minutes 07.63 seconds and a longitude of 73 degrees 10 minutes 57.48 seconds as shown in the Town Line Atlas dated 1913 as identified above, which bound is the present corner marker for the boundary of the towns of Dalton and Lanesborough and the City of Pittsfield.

Approved June 8, 1972.

Chap. 391. AN ACT REQUIRING CERTAIN AUXILIARY LIGHTING AND EXIT SIGNS IN CERTAIN DWELLINGS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 143 of the General Laws is hereby amended by inserting after section 21C the following section: —

Section 21D. The owner, lessee or mortgagee in possession of any multiple dwelling of ten or more units shall equip such dwelling with an auxiliary emergency lighting system independent of the conventional lighting system, and lighted signs indicating both a primary and secondary means of egress by a diagram or symbol so as to assure recognition by all persons, regardless of their English-speaking ability.

The commissioner shall make and promulgate, and from time to time may alter, amend and repeal, rules and regulations relative to the standards, installation and maintenance of emergency lighting systems and exit signs required by this section. Such regulations shall include but not be limited to specifications with respect to the degree of illumination and the location of emergency lighting systems, and the degree of illumination and the location of, and the symbolism in, exit signs.

SECTION 2. The provisions of section twenty-one D of chapter one hundred and forty-three of the General Laws, inserted by section one of this act, shall take effect on July first, nineteen hundred and seventy-three. *Approved June 8, 1972.*

Chap. 392. AN ACT IMPOSING PENALTIES FOR MAKING DEPOSITS IN PAYROLL ACCOUNTS TO EVADE ATTACHMENT BY TRUSTEE PROCESS.

Be it enacted, etc., as follows:

Chapter 246 of the General Laws is hereby amended by striking out section 20, as amended by chapter 378 of the acts of 1971, 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 account designated as a payroll account shall not be subject to attachment hereunder. Any defendant who deposits moneys in such payroll account with intent to evade attachment by trustee process shall be punished by a fine of not less than one hundred nor more than one thousand dollars or by imprisonment in the house of correction for not more than three months, or both. If such a deposit or deposits are made by a corporation, the president and the treasurer and any other officer or agent causing such deposit or deposits to have been made shall be subject to prosecution as defendants under this section, and each of such persons shall be jointly and severally civilly liable to the plaintiff for any loss suffered by the making of such deposit or deposits. *Approved June 8, 1972.*

Chap. 393. AN ACT REGULATING THE SOLICITATION OF CONTRIBUTIONS BY PERSONS ON BEHALF OF OR USING THE NAME OF POLICE OR FIRE FIGHTING ORGANIZATIONS.

Be it enacted, etc., as follows:

Section 20 of chapter 68 of the General Laws, as appearing in section 1 of chapter 718 of the acts of 1964, is hereby amended by striking out subsection (11) and inserting in place thereof the following subsection: —

(11) volunteer fire companies or persons soliciting on behalf of a state, municipal or regional police or fire organization who display a written authorization signed by the commissioner, chief, or person in charge of such organization, which authorization shall state on its face

the period for which it is valid or persons soliciting on behalf of any other organization which uses the word "police" or "fire" as part of its title, or which in any way connotes affiliation with a police or fire organization, who shall have secured such written authorization signed by the commissioner, captain, or chief of the police or fire organization having jurisdiction in the political subdivision in which they solicit.

Approved June 8, 1972.

Chap. 394. AN ACT AUTHORIZING THE TOWN OF DEDHAM TO APPOINT A CERTAIN PERSON AS A PERMANENT INTERMITTENT MEMBER OF THE POLICE DEPARTMENT.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any law or rule to the contrary regulating the maximum age of police officers, John O. Gilbert may be appointed as a permanent intermittent police officer in the town of Dedham, provided he passes a qualifying examination.

SECTION 2. This act shall take effect upon its acceptance by the board of selectmen of the town of Dedham. *Approved June 8, 1972.*

Chap. 395. AN ACT PROVIDING FOR UNIFORM HOURS DURING WHICH POLLING PLACES SHALL BE OPEN DURING STATE ELECTIONS.

Be it enacted, etc., as follows:

SECTION 1. Section 64 of chapter 54 of the General Laws is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

In cities, and in towns at the election of state officers, the polls may be opened as early as fifteen minutes before six o'clock in the forenoon, and shall be opened as early as ten o'clock in the forenoon and shall be kept open at least ten hours.

SECTION 2. Said section 64 of said chapter 54 is hereby further amended by striking out the last paragraph. *Approved June 8, 1972.*

Chap. 396. AN ACT PROVIDING FOR MANDATORY BASIC ORIENTATION AND ANNUAL IN-SERVICE TRAINING FOR PROBATION OFFICERS.

Be it enacted, etc., as follows:

SECTION 1. Section 85 of chapter 276 of the General Laws is hereby amended by inserting before the first sentence the following two sentences: — Each person who receives an appointment as a probation officer shall, within six months of the date of his appointment, attend a basic orientation training course conducted by the commissioner of probation pursuant to section ninety-nine. All probation officers shall attend at least every three years an in-service training course pursuant to this section.

SECTION 2. The first paragraph of section 99 of said chapter 276, as appearing in section 20 of chapter 731 of the acts of 1956, is hereby amended by striking out the sixth sentence and inserting in place thereof the following sentence: — He shall develop and conduct basic orientation and in-service training programs for probation officers, such programs to be held at such times and for such periods as he shall determine.

Approved June 8, 1972.

Chap. 397. AN ACT FURTHER REGULATING LICENSEES CONDUCTING THE RACING OF HORSES AND DOGS AT RACING MEETINGS LICENSED BY THE STATE RACING COMMISSION.

Be it enacted, etc., as follows:

Chapter 128A of the General Laws is hereby amended by inserting after section 11A, inserted by chapter 835 of the acts of 1963, the following section: —

Section 11B. No person who has been granted a license to conduct a horse or dog racing meeting, or an officer, director, or any employee of a corporation, association, trust or partnership holding such a license, or having any substantial financial interest in such corporation, association, trust or partnership shall race or cause to be raced any horse or dog in which he or any member of his immediate family has any ownership or interest, either as owner, part-owner, lessee or agent at any meeting where horse or dog racing is conducted under such license. As used in this section "substantial interest" shall mean an ownership or interest, direct or indirect, of ten per cent or more in said corporation, association, trust or partnership. "Immediate family" shall mean the husband or wife of any person, officer, director or employee of such corporation, association, trust or partnership and their children, their parents, their brothers and sisters.

Violation of this section shall be sufficient cause for suspension or revocation of any such license granted by the commission.

Approved June 8, 1972.

Chap. 398. AN ACT ENSURING THE PRIVACY OF COURT RECORDS OF COMMITMENTS TO MENTAL INSTITUTIONS EXCEPT IN THE DISCRETION OF THE COURT.

Be it enacted, etc., as follows:

Chapter 123 of the General Laws is hereby amended by inserting after section 36 the following section: —

Section 36A. All reports of examinations made to a court pursuant to sections one to eighteen, inclusive, section forty-seven and section forty-eight shall be private except in the discretion of the court. All petitions for commitment, notices, orders of commitment and other commitment papers used in proceedings under sections one to eighteen and section thirty-five shall be private except in the discretion of the court. Each court shall keep a private docket of the cases of persons coming before it believed to be mentally ill, including proceedings under section thirty-five; provided that nothing in this section shall prevent public inspection of any complaints or indictments in a criminal case,

or prevent any notation in the ordinary docket of criminal cases concerning commitment proceedings under sections one to eighteen against a defendant in a criminal case. Notwithstanding the provisions of this paragraph, any person who is the subject of an examination or a commitment proceeding, or his counsel, may inspect all reports and papers filed with the court in a pending proceeding, and the prosecutor in a criminal case may inspect all reports and papers concerning commitment proceedings that are filed with the court in a pending case.

Approved June 8, 1972.

Chap. 399. AN ACT RELATIVE TO THE ENFORCEMENT OF LABOR AND MATERIAL BONDS FOR BUILDINGS.

Be it enacted, etc., as follows:

Section 29A of chapter 149 of the General Laws, inserted by chapter 185 of the acts of 1949, is hereby amended by inserting after the word "provisions", in line 9, the words: — and need not prove that he relied upon the bond in furnishing labor or material.

Approved June 8, 1972.

Chap. 400 AN ACT FURTHER REGULATING THE NOMINATION AND ELECTION OF CANDIDATES FOR THE OFFICE OF GOVERNOR AND LIEUTENANT GOVERNOR.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 53 of the General Laws is hereby amended by inserting after the first sentence the following sentence:— In the case of the offices of governor and lieutenant governor, only nomination papers containing the names and addresses of candidates for both offices shall be valid.

SECTION 2. The second paragraph of section 8 of said chapter 53 is hereby amended by striking out the third sentence, as amended by section 1 of chapter 869 of the acts of 1970, and inserting in place thereof the following two sentences:—Except in the case of nomination papers of candidates for offices to be filled by all the voters of the commonwealth, or of candidates for town offices, no nomination papers shall contain the name of more than one candidate. Such nomination papers for candidates for governor and lieutenant governor shall contain provision for the names and addresses of members of a committee of five registered voters who shall fill any vacancy caused by death, withdrawal, ineligibility or disqualification of either candidate.

SECTION 3. Section 14 of said chapter 53 is hereby amended by inserting after the first sentence the following sentence:—In the event of the death, withdrawal, ineligibility or disqualification of a candidate for governor or lieutenant governor who has been nominated by election nomination papers, except disqualification for insufficient signatures, the vacancy shall be filled by majority vote of the committee of five members whose names were placed upon said papers for the purpose before the signatures of voters were obtained thereon.

SECTION 4. Chapter 54 of the General Laws is hereby amended by striking out section 41A, inserted by section 4 of chapter 869 of the acts of 1970, and inserting in place thereof the following section:—

Section 41A. Names of candidates for the offices of governor and lieutenant governor shall be placed upon the official ballot for use at state elections in groups, according to the party or political principles which they represent. On the right of each such group shall appear a square in which the voter may designate by a cross (X) his choice. The placing of such a cross in the square shall constitute a vote for the candidate for governor and a vote for the candidate for lieutenant governor so designated. The order of the various groups on the ballot shall be determined as follows:—The group in which appears the name of a candidate for governor who is an elected incumbent shall be placed first, except as provided in section thirty-three. Next in order shall appear the groups of candidates of political parties, arranged alphabetically in accordance with the surnames of the candidates for governor, and all other groups of candidates for such offices shall follow, in like order.

SECTION 5. Section 42 of said chapter 54 is hereby amended by striking out the first paragraph, as most recently amended by section 5 of said chapter 869, and inserting in place thereof the following paragraph:—

Except as provided in section forty-one A, under the designation of the office, the names of the candidates for re-election to any office to be filled at a state election of which they are the elected incumbents shall, except in places where voting machines are used, as provided by section thirty-three, be placed first on the ballot in alphabetical order according to their surnames; next and in like order the names of candidates of political parties, as defined in chapter fifty, and the names of all other candidates shall follow in like order.

SECTION 6. The first paragraph of section 43A of said chapter 54, as most recently amended by section 7 of said chapter 869, is hereby further amended by striking out, in line 5, the words ", governor, lieutenant governor".

SECTION 7. The third paragraph of said section 43A of said chapter 54, as amended by section 8 of said chapter 869, is hereby further amended by striking out, in lines 10 to 12, inclusive, the words ", and next shall follow candidates for governor who were not nominated by a party, then candidates for lieutenant governor who were not nominated by a party",—and by striking out, in lines 16 to 18, inclusive, the words ", followed by candidates for governor who were not nominated by a party, and then by candidates for lieutenant governor who were not nominated by a party".

SECTION 8. Section seventy-seven A of said chapter fifty-four, inserted by section nine of said chapter eight hundred and sixty-nine, is hereby repealed.

SECTION 9. Section 78 of said chapter 54, as most recently amended by section 2 of chapter 424 of the acts of 1970, is hereby further amended by adding the following sentence:—In order to vote for governor and lieutenant governor, the voter shall mark a cross (X) in the square at the right of the names of the group of

candidates for said offices for whom he desires to vote, or by inserting the name and residence of any person for either office in the blank space provided therefor and marking a cross (X) at the right; provided, however, that no such inserted name may be that of a candidate whose name is printed upon the ballot as a candidate for the office. *Approved June 8, 1972.*

Chap. 401. AN ACT REPEALING THE REQUIREMENT THAT CITY AND TOWN CLERKS FORWARD COPIES OF CERTAIN RECORDS TO CLERKS OUTSIDE OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

The first sentence of section 12 of chapter 46 of the General Laws, as appearing in chapter 439 of the acts of 1945, is hereby amended by striking out, in line 6, the words "or in any other state".

Approved June 8, 1972.

Chap. 402. AN ACT PROVIDING FOR CERTAIN STANDARDS TO BE PRESCRIBED BY THE COMMUNITY ANTENNA TELEVISION COMMISSION, AND IMPOSING A PENALTY FOR UNAUTHORIZED ATTACHMENTS TO COMMUNITY ANTENNA TELEVISION SYSTEMS.

Be it enacted, etc., as follows:

SECTION 1. Section 8 of chapter 166A of the General Laws, as appearing in section 1 of chapter 1103 of the acts of 1971, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—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 and the commission.

SECTION 2. Said chapter 166A is hereby further amended by adding the following section:—

Section 21. Any unauthorized person who attaches a wire, cable or any other device to any wire, cable or any other part of the transmitting units of a duly licensed community antenna television system shall be punished by a fine of not more than one thousand 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 and one-half years or by both such fine and imprisonment.

Approved June 8, 1972.

Chap. 403. AN ACT REQUIRING INSURERS TO GIVE AN ANNUAL PHYSICAL EXAMINATION TO INJURED EMPLOYEES DURING THEIR HOSPITALIZATION.

Be it enacted, etc., as follows:

Section 30 of chapter 152 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 1 of chap-

ter 233 of the acts of 1946, and inserting in place thereof the following sentence:—The insurer shall furnish to an injured employee adequate and reasonable medical and hospital services, and medicines if needed, together with the expenses necessarily incidental to such services, and in the case of an injured employee, a physical examination shall be given at least once a year while the employee is a resident in a hospital. *Approved June 8, 1972.*

Chap. 404. AN ACT PROVIDING FOR THE SEALING OF CERTAIN DELINQUENCY RECORDS IN THE OFFICE OF THE COMMISSIONER OF PROBATION.

Be it enacted, etc., as follows:

Chapter 276 of the General Laws is hereby amended by inserting after section 100A, inserted by section 1 of chapter 686 of the acts of 1971, the following section: —

Section 100B. Any person having a record of entries of a delinquency court appearance in the commonwealth on file in the office of the commissioner of probation may, on a form furnished by the commissioner, signed under the penalties of perjury, request that the commissioner seal such file. The commissioner shall comply with such request provided (1) that any court appearance or disposition including court supervision, probation, commitment or parole, the records for which are to be sealed, terminated not less than three years prior to said request; (2) that said person has not been adjudicated delinquent or found guilty of any criminal offense within the commonwealth in the three years preceding such request, except motor vehicle offenses in which the penalty does not exceed a fine of fifty dollars nor been imprisoned under sentence or committed as a delinquent within the commonwealth within the preceding three years; and (3) said form includes a statement by the petitioner that he has not been adjudicated delinquent or found guilty 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 under sentence or committed as a delinquent in any state or county within the preceding three years.

When records of delinquency appearances and delinquency dispositions are sealed by the commissioner in his files, the commissioner shall notify forthwith the clerk and the probation officer of the courts in which the adjudications or dispositions have occurred, or other entries have been made, and the department of youth services of such sealing, and said clerks, probation officers, and department of youth services likewise shall seal records of the same proceedings in their files.

Such sealed records of a person shall not operate to disqualify a person in any future examination, appointment or application for public service under the government 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 of commissioners, except in imposing sentence for subsequent offenses in delinquency or criminal proceedings.

Notwithstanding any other provision to the contrary, the commissioner shall report such sealed delinquency record to inquiring police and court agencies only as "sealed delinquency record over three years old" and to other authorized persons who may inquire as "no record". The information contained in said sealed delinquency record shall be made available to a judge or probation officer who affirms that such person, whose record has been sealed, has been adjudicated a delinquent or has pleaded guilty or has been found guilty of and is awaiting sentence for a crime committed subsequent to sealing of such record. Said information shall be used only for the purpose of consideration in imposing sentence. *Approved June 8, 1972.*

Chap. 405. AN ACT INCREASING THE TOTAL VALUE OF AN ESTATE CONSISTING ENTIRELY OF PERSONAL PROPERTY THAT QUALIFIES FOR INFORMAL ADMINISTRATION.

Be it enacted, etc., as follows:

The first paragraph of section 16 of chapter 195 of the General Laws, as appearing in section 12A of chapter 888 of the acts of 1970, is hereby amended by striking out, in line 3, the word "one" and inserting in place thereof the word:—two. *Approved June 8, 1972.*

Chap. 406. AN ACT PROVIDING ONLY ONE ELIGIBLE LIST SHALL BE MAINTAINED OR ESTABLISHED FOR ANY ONE POSITION SUBJECT TO THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 12 of chapter 31 of the General Laws is hereby amended by striking out the last sentence, as appearing in chapter 571 of the acts of 1955, and inserting in place thereof the following two sentences:—Not more than one eligible list shall be established or maintained for any one position. Eligibility of applicants for placement on, and their standing on the eligible list shall be determined on the basis of the last examination taken for such position.

SECTION 2. The provisions of this act shall apply only to civil service lists established after its effective date.

Approved June 8, 1972.

Chap. 407. AN ACT AUTHORIZING THE CITY OF PEABODY TO GRANT A CERTAIN ANNUITY TO ELIZABETH MURPHY, WIDOW OF DANIEL F. MURPHY.

Be it enacted, etc., as follows:

Notwithstanding any general or special law to the contrary, and for the purpose of promoting the public good, the city of Peabody may grant to Elizabeth Murphy, widow of Daniel F. Murphy, a former employee of the public works department of said city, an annuity of twelve hundred dollars notwithstanding that said Daniel F. Murphy elected to retire under option (*a*) of subdivision (2) of section twelve of chapter thirty-two of the General Laws.

Approved June 8, 1972.

Chap. 408. AN ACT REQUIRING THAT COPIES OF CERTAIN AGREEMENTS BETWEEN MOTOR VEHICLE MANUFACTURERS, DISTRIBUTORS AND DEALERS BE FILED WITH THE ATTORNEY GENERAL AND WITH SAID DEALERS PRIOR TO THEIR EFFECTIVE DATES.

Be it enacted, etc., as follows:

Section 8 of chapter 93B of the General Laws, as appearing in section 1 of chapter 814 of the acts of 1970, is hereby amended by adding the following paragraph:—

Before any new selling agreement or any amendment thereto between said parties shall become effective, the manufacturer, distributor, wholesaler, distributor branch or division, factory branch or division, wholesale branch or division, or officer, agent or other representative thereof shall, ninety days prior to the effective date thereof, forward a copy of such agreement or amendment to the attorney general and to the dealer. *Approved June 8, 1972.*

Chap. 409. AN ACT PROVIDING FOR THE INSTALLATION OF A SIGN IN THE TOWN OF FLORIDA TO COMMEMORATE THE ONE HUNDREDTH ANNIVERSARY OF THE COMPLETION OF THE HOOSAC TUNNEL.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to install and maintain a suitable sign at a point on state highway route 2 in the town of Florida to commemorate the one hundredth anniversary of the completion of the Hoosac Tunnel. Said sign shall be erected in accordance with the standards of said department.

Approved June 8, 1972.

Chap. 410. AN ACT AUTHORIZING ONE MEMBER OF THE CONSERVATION COMMISSION, THE SEWER COMMISSION AND OF THE PERSONNEL BOARD OF THE TOWN OF PLYMOUTH TO BE DESIGNATED AS A TOWN MEETING MEMBER AT LARGE OF SUCH TOWN.

Be it enacted, etc., as follows:

Section 4 of chapter 283 of the acts of 1952 is hereby amended by inserting after the word "selectmen", in line 13, the words:—, conservation commission, sewer commission, personnel board.

Approved June 8, 1972.

Chap. 411. AN ACT AUTHORIZING THE CITY OF ATTLEBORO TO PAY RETROACTIVE OVERTIME PAY TO CERTAIN SCHOOL DEPARTMENT EMPLOYEES.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law, the city of Attleboro may appropriate, and after such appropriation the city treasurer shall pay to those persons employed as school custodians, the sums

of money plus interest listed opposite their names in the claim filed by the secretary of labor and being file No. 71–1257–J in the United States district court for the district of Massachusetts.

Approved June 8, 1972.

Chap. 412. AN ACT REGULATING THE IMPOSITION OF LATE CHARGES IN MORTGAGE TRANSACTIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 183 of the General Laws is hereby amended by adding after section 58, added by section 1 of chapter 684 of the acts of 1971, the following section:—

Section 59. No mortgagee, assignee or holder of a mortgage note secured by a first lien on a dwelling house of four or less separate households occupied or to be occupied in whole or in part by the mortgagor shall require the mortgagor to pay a penalty or late charge for any payment made within fifteen days from the date such payment is due. In no event, in assessing a penalty because of the delinquency in making all or any part of a periodic payment under a mortgage note, shall the penalty or late charge exceed three per cent of the amount of principal and interest overdue, and in calculating such penalty or late charge, any amount of such periodic payment representing estimated tax payments required by the terms of the mortgage note or deed shall not be included.

SECTION 2. The provisions of this section shall apply to contracts entered into on and after the effective date of this act.

Approved June 8, 1972.

Chap. 413. AN ACT AUTHORIZING AN INCREASE IN THE NUMBER OF VOTING PRECINCTS IN THE TOWN OF FALMOUTH.

Be it enacted, etc., as follows:

The first paragraph of section 1 of chapter 349 of the acts of 1935 is hereby amended by striking out, in lines 5 and 6, the words "nor more than five". *Approved June 8, 1972.*

Chap. 414. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN EMPLOYEES CERTAIN BACK WAGES.

Be it enacted, etc., as follows:

The city of New Bedford is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, the sum of three hundred and eighty-four dollars to Gerard Gagon and the sum of four hundred ten dollars and fifty cents to Frank Lawrence for salary allowances due them during the period of January first, nineteen hundred and sixty-seven to December thirty-first, nineteen hundred and seventy, as custodians in the library department of said city and not paid to them because of a clerical error. *Approved June 8, 1972.*

Chap. 415. AN ACT PROVIDING THAT LICENSES TO CARRY OR POSSESS FIREARMS MAY BE ISSUED FOR PERIODS OF FIVE YEARS, AND INCREASING THE FEE FOR THE ISSUANCE OF SUCH LICENSES.

Be it enacted, etc., as follows:

Chapter 140 of the General Laws is hereby amended by striking out section 131 and inserting in place thereof the following section: —

Section 131. The chief of police or the board or officer having control of the police in a city or town, or the commissioner of public safety, or persons authorized by them, respectively, after an investigation, may, upon the application of any person, including a minor eighteen years of age or older who has the written consent of his parent or guardian, residing or having a place of business within their respective jurisdiction, except an alien, a person who has been convicted of a felony or of the unlawful use, possession or sale of narcotic or harmful drugs or a minor under the age of eighteen, issue a license to such applicant to carry firearms in the commonwealth or to possess and carry therein a machine gun, if it appears that he is a suitable person to be so licensed, and that he has good reason to fear injury to his person or property, or for any other proper purpose, including the carrying of firearms for use in target practice only; provided, however, that no minor shall be issued a license to possess and carry a machine gun. A license issued to carry a firearm shall be for a period of five years, expiring on the anniversary of the applicant's date of birth occurring not less than four (4) years but not more than five (5) years from the date of issue. Any renewal thereof shall expire on the anniversary of the applicant's date of birth occurring not less than four (4) years but not more than five (5) years after the effective date of such license.

Any license issued to an applicant born on February twenty-ninth, for the purposes of this section, shall expire on March first. All such licenses shall be revocable for cause at the will of the authority issuing the same, who shall forthwith send written notice of such revocation to the commissioner of public safety. Licenses shall be issued on forms furnished by said commissioner and shall contain blank spaces for such information as the commissioner deems necessary for proper identification of the licensee. The authority to whom such application is made shall cause one copy of said applicant's fingerprints to be forwarded to said commissioner, who shall within a reasonable time advise in writing of the criminal record, if any, of the applicant. The taking of fingerprints shall not be required in issuing the renewal of a license, if the fingerprints of the applicant are on file with the commissioner. The fee for such license shall be ten dollars, and shall be payable in a manner prescribed by the authority empowered to issue such license and shall not be prorated or refunded in case of revocation. Whoever, knowingly, issues a license in violation of this section shall be punished by imprisonment for not less than six months nor more than two years in a jail or house of correction. Notwithstanding the provisions of this section, no license shall be required for the possession or carrying of a firearm known as a detonator and commonly used on motor vehicles as a signalling and marking device, when carried or possessed for such signalling and

marking purposes. Any person refused a license under this section may obtain judicial review of such refusal by filing, within ten days of such refusal, a petition for review thereof in the district court having jurisdiction in the city or town wherein the applicant filed for said license, and a justice of said court, after having heard all of the facts, may direct that a license be issued the applicant, if he is satisfied that there was no reasonable ground for refusing such license and that the applicant was not prohibited by law from holding the same.

Approved June 8, 1972.

Chap. 416. AN ACT AUTHORIZING THE DIVISION OF FISHERIES AND GAME TO LEASE CERTAIN LAND IN THE TOWN OF PAXTON TO SAID TOWN.

Be it enacted, etc., as follows:

The division of fisheries and game, in the name and on behalf of the commonwealth, subject to the approval of the commissioner of administration, is hereby authorized to lease to the town of Paxton for a period of twenty-five years, with the right of renewal, a certain parcel of land owned by the commonwealth in said town, on the southerly side of Marshall street, bounded and described as follows: —

Beginning at a Worcester county highway bound on the southerly side line of Marshall Street; said Worcester county highway bound being S 05 Degrees, 40′ 22″ W and 40.00 feet from station 4+08.28 of the 1940 county layout; thence southeasterly by a curve to the right having a radius of 2360.00 feet along the southerly side line of Marshall street for a length of 249.06 feet to a Worcester county highway bound; thence southerly 78 degrees, 16′ 50″ E along the southerly side line of Marshall street for a distance of 119.26 feet to an iron pipe; thence south 15 degrees 03′ 36″ W along land now or formerly of the commonwealth of Massachusetts for a distance of 548.75 feet to an iron pipe; thence N 30 degrees 13′ 05″ W along land now or formerly of the commonwealth of Massachusetts and along the northeasterly side line of the New England Power Engineering and Service Corp. right of way for a distance of 700.00 feet to an iron pipe on the southerly side line of Marshall street; thence S 84 degrees 19′ 38″ E along the southerly side line of Marshall Street for a distance of 132.68 feet to the Worcester county highway bound at the point of beginning.

The above described parcel contains 3.30 acres, more or less.

Said lease shall be approved as to form by the attorney general.

Approved June 8, 1972.

Chap. 417. AN ACT REQUIRING THE WEIGHING OF FARM PRODUCE RECEIVED BY FACILITIES OF THE DEPARTMENT OF MENTAL HEALTH.

Be it enacted, etc., as follows:

Chapter 19 of the General Laws is hereby amended by inserting after section 14D, inserted by section 2 of chapter 888 of the acts of 1970, the following section: —

Section 14E. In any state facility under the control of the department which receives farm produce, the quantity of the farm produce which is customarily sold by weight shall be weighed instead of estimated, and the actual weight of the produce shall be entered into the records of the institution. This procedure shall be followed in the storeroom and in the canning room for both deliveries from the farm and removals by kitchen personnel. *Approved June 8, 1972.*

Chap. 418. AN ACT INCREASING THE FUNDS AVAILABLE FOR INVESTMENT BY SAVINGS BANKS.

Be it enacted, etc., as follows:

Section 66 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences:—Any borrowing made under the authority of clause (*b*) shall be for periods aggregating not more than ten years and six months, subject, however, to renewal for any unpaid balance after such period with the written approval of the commissioner. Such borrowing shall be from an institution regulated by state or federal authorities. *Approved June 8, 1972.*

Chap. 419. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF NATIONAL HUNTING AND FISHING DAY.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15V, inserted by chapter 15 of the acts of 1972, the following section:—

Section 15W. The governor shall annually issue a proclamation setting apart the fourth Saturday of September as National Hunting and Fishing Day, and recommending that said day be observed by the people in an appropriate manner. *Approved June 8, 1972.*

Chap. 420. AN ACT EXTENDING THE OPERATION OF THE UNFAIR CLAIMS SETTLEMENT PRACTICES ACT TO SELF-INSURERS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 193 O of chapter 175 of the General Laws, as appearing in section 1 of chapter 1077 of the acts of 1971, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—No insurance company or self-insurer doing business in the commonwealth shall engage in unfair claim settlement practices.

SECTION 2. The second paragraph of said section 193 O of said chapter 175, as so appearing, is hereby amended by inserting after the word "company", in lines 3 and 4 and in line 7, in each instance, the words:—or self-insurer. *Approved June 8, 1972.*

Chap. 421. AN ACT PROVIDING THAT THE COMMISSIONER OF SAVINGS BANK LIFE INSURANCE SHALL NOT BE A SALARIED OFFICER OF ANY SAVINGS AND INSURANCE BANK.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 26 of the General Laws, as amended by section 1 of chapter 260 of the acts of 1947, is hereby amended by striking out the second sentence and inserting in place thereof the following two sentences: — The commissioner of savings bank life insurance shall be designated by the governor. He shall be one of the board of trustees of the corporation who shall not be a salaried officer of any savings and insurance bank.

SECTION 2. Said chapter 26 is hereby further amended by striking out section 10, as most recently amended by section 2 of chapter 260 of the acts of 1946, and inserting in place thereof the following section: —

Section 10. The governor shall annually appoint a trustee of the General Insurance Guaranty Fund for seven years from July first in the year of his appointment. Such trustee shall serve without compensation and shall be selected from persons who are trustees of savings banks or of savings and insurance banks; provided, however, (1) that at all times the trustees of the said Fund shall include two, but no more than two persons each of whom, in addition to being a trustee of a savings and insurance bank, is also a salaried officer of such bank engaged in full-time service to the bank and (2) that at no time shall the trustees of said Fund include any person who is an officer, employee, or agent of any life insurer other than a savings and insurance bank. The trustees shall elect from their own number a vice-president and a treasurer. The vice-president shall act as the commissioner of savings bank life insurance and the president of the board of trustees in the absence or disability of the president. The trustees shall also elect a clerk, who need not be a trustee. Each such officer shall hold office for one year and until his successor is appointed.

Subject to the approval of the governor, the trustees shall appoint, and may remove, a deputy commissioner of savings bank life insurance, an insurance actuary to be called the state actuary, and a physician to be called the state medical director. The said deputy commissioner shall be the executive officer of the trustees and as such officer shall administer the work of the division in accordance with their instructions from time to time. Under the administration, direction, and control of the trustees, the state actuary shall exercise the powers and perform the duties assigned to him by section fifteen of chapter one hundred and seventy-eight, and the state medical director shall exercise the powers and perform the duties assigned to him by section sixteen of said chapter one hundred and seventy-eight. The trustees shall also appoint from time to time, and may remove, such assistants to the said officers and such clerks, other employees, and consultants as the business of the division shall require.

No such officer or assistant to such officer shall acquire tenure in his office or position by virtue of any provision of law; nor shall any such officer, assistant to such officer, clerk, or other employee be subject to

chapter thirty-one, except, however, that any such clerk or other employee who shall have performed the duties of his position for at least one year may be discharged from such position only in the manner provided by sections forty-three and forty-five of chapter thirty-one.

The trustees shall determine the classification, specifications, and salary range of every such office and position, the title thereof except as provided above in this section, and the terms of employment of any consultant; provided, however, that no such salary shall be fixed at less than the minimum salary nor more than the maximum salary in the general salary schedule appearing for the time being in chapter thirty; and provided further, that a copy of every such determination shall be filed by the trustees with the governor, the commissioner of administration, the comptroller, and the joint committee on ways and means and that notice of every personnel action taken by the trustees shall be filed with the said commissioner and the comptroller.

SECTION 3. Sections eleven and twelve of said chapter twenty-six are hereby repealed.

SECTION 4. The first sentence of section 15 of chapter 178 of the General Laws, as appearing in section 4 of chapter 330 of the acts of 1935, is hereby amended by striking out, in line 1, the word "eleven" and inserting in place thereof the word: — ten.

SECTION 5. Section 16 of said chapter 178, as amended by section 4 of chapter 260 of the acts of 1947, is hereby further amended by striking out, in line 2, the word "twelve" and inserting in place thereof the word: — ten.

SECTION 6. Said chapter 178 is hereby further amended by striking out section 17, as most recently amended by section 1 of chapter 391 of the acts of 1939, and inserting in place thereof the following section: —

Section 17. In each fiscal year, on or before the tenth day of each month, the savings and insurance banks shall pay to the trustees of the General Insurance Guaranty Fund, to be applied by the said trustees to the maintenance of the division of savings bank life insurance, a sum equal to one twelfth of the total expenditures authorized for each year in the annual budget and any supplement or supplements thereto which the said trustees shall have adopted for the said division, including an amount equal to the cost to the commonwealth for pensions or retirement allowance paid during the preceding month to retired employees of said division or their survivors as certified by the state board of retirement; provided, that the division shall reimburse the board each month for the amount so certified. Such sum shall be apportioned by the said trustees among the savings and insurance banks in proportion to their premium income, or on such other basis as the trustees shall deem equitable and proper, and the said banks shall be assessed therefor in accordance with such apportionment; provided, however, that during the ten-year period next following receipt by a savings and insurance bank of a license to issue insurance policies and annuity contracts the trustees may waive, in whole or in part, the assessment for said expenditures for said bank. The said trustees shall withdraw from interest income of the General Insurance Guaranty Fund any sums so apportioned to any

bank which are exempt from assessment hereunder, and shall apply such sums to the maintenance of the said division in accordance with the said budget. Any sums paid hereunder and remaining unexpended at the end of any fiscal year shall be deducted from the sums otherwise required to be paid hereunder during the next fiscal year.

SECTION 7. Any officer or employee in the division of savings bank insurance who holds an office or position classified under chapter thirty-one of the General Laws, or who is subject to the provisions of section nine A of chapter thirty of the General Laws shall continue to serve in his office or position without impairment of his civil service, retirement, seniority or other rights and his term of office shall not be deemed to have been interrupted within the meaning of said chapter thirty-one or said section nine A notwithstanding any change in his title or duties made as a result of this act; provided that no such officer or employee shall be lowered in rank or compensation.

SECTION 8. This act shall take effect on July first, nineteen hundred and seventy-three; provided, however, that proviso (1) of section ten of chapter twenty-six of the General Laws, inserted by section two of this act, shall take effect on July first, nineteen hundred and seventy-six. *Approved June 8, 1972.*

Chap. 422. AN ACT PROVIDING FOR AN ANNUAL DEER HUNT FOR PARAPLEGICS.

Be it enacted, etc., as follows:

Section 5 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 paragraph the following paragraph:—

The director shall establish rules and regulations providing for an annual two-day deer hunt for paraplegics and no fee shall be charged for a special hunting license issued to a paraplegic under the provisions of this section. The director shall determine the dates and area for said hunt; provided, however, that no paraplegic deer hunt shall be authorized in any area where hunting is prohibited by any special or general law. *Approved June 8, 1972.*

Chap. 423. AN ACT PROVIDING FOR A SEPARATE CLASSIFICATION OF RATES FOR THE PROPERTY DAMAGE TO MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 113B of chapter 175 of the General Laws is hereby amended by inserting after the third paragraph, as appearing in chapter 670 of the acts of 1970, the following paragraph:—

In fixing and establishing classifications of risks for property damage coverage to motor vehicles, the commissioner shall provide for appropriate reductions in the premium charges covering such vehicles which he finds are less damageable than others due to safety features incorporated into such vehicles. *Approved June 8, 1972.*

Chap. 424. AN ACT DESIGNATING THE SKATING RINK IN THE CITY OF FALL RIVER UPON ITS COMPLETION AS THE ARTHUR R. DRISCOLL MEMORIAL SKATING RINK.

Be it enacted, etc., as follows:

The skating rink being erected in the city of Fall River shall, upon its completion, be known and designated as the Arthur R. Driscoll Memorial Skating Rink, in memory of Arthur R. Driscoll, a former sergeant-at-arms of the general court. A suitable marker bearing said designation shall be erected thereat by the department of natural resources. *Approved June 8, 1972.*

Chap. 425. AN ACT REQUIRING THE STATE AUDITOR TO AUDIT ACCOUNTS OF BOOKSTORES DOING BUSINESS ON THE PROPERTY OF A STATE COLLEGE.

Be it enacted, etc., as follows:

Section 10 of chapter 73 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 15 of chapter 642 of the acts of 1963, and inserting in place thereof the following sentence: — All accounts of the state colleges under the direction of the trustees including the accounts of all property or funds received, held or disbursed under any provision of section fourteen and all accounts of any person doing business as a bookstore on property of a state college shall be audited annually by the state auditor.

Approved June 13, 1972.

Chap. 426. AN ACT PROVIDING THAT MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF NANTUCKET BE EXEMPTED FROM CIVIL SERVICE LAW AND RULES AND FURTHER REGULATING THE APPOINTMENT OF MEMBERS OF THE POLICE DEPARTMENT OF THE TOWN OF NANTUCKET.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any contrary provision of law, appointments to the police department of the town of Nantucket shall not be subject to the civil service law and rules, and any person so appointed who serves in such position for a period of two consecutive years may hold such position until he reaches age sixty-five unless sooner incapacitated by physical or mental disability from performing the duties of police officer or unless removed by the selectmen in accordance with the provisions of chapter thirty-one of the General Laws and the rules made thereunder, relative to removal from the classified civil service.

SECTION 2. The provisions of section one of this act shall not impair the civil service status of any member of the police department of the town of Nantucket holding civil service status on the effective date of this act.

SECTION 3. This act shall be submitted for acceptance to the voters of said town at its next annual town meeting in the form of the following question, which shall be placed on the official ballot to be used for the

election of town officers at said meeting: — "Shall an act passed by the General Court in the year nineteen hundred and seventy-two, entitled 'An Act providing that members of the police department of the town of Nantucket be exempted from civil service law and rules and further regulating the appointment of members of the police department of the town of Nantucket', 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 13, 1972.*

Chap. 427. AN ACT INCLUDING IN THE TERM "MISBRANDED" UNDER THE FOOD AND DRUG LAW THOSE DRUGS SO DESIGNATED BY THE UNITED STATES FOOD AND DRUG ADMINISTRATION.

Be it enacted, etc., as follows:

The paragraph designated "In the case of a drug" in section 187 of chapter 94 of the General Laws, as appearing in section 2 of chapter 598 of the acts of 1948, is hereby amended by striking out clause First and inserting in place thereof the following clause: —

First, if it is so designated by the United States Food and Drug Administration, or if it is an imitation of or offered for sale under the name of another article. The department of public health shall maintain lists of drugs so designated as misbranded which shall be made available to physicians and pharmacists. *Approved June 13, 1972.*

Chap. 428. AN ACT PROHIBITING UNLAWFUL DISCRIMINATION BY EMPLOYERS FOR THE FAILURE OF EMPLOYEES OR PROSPECTIVE EMPLOYEES TO FURNISH INFORMATION OF CERTAIN ARRESTS.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by striking out subsection 9, inserted by chapter 314 of the acts of 1969, and inserting in place thereof the following subsection: —

9. For an employer, himself or through his agent: (A) to refuse to hire or employ, or to bar or discharge from employment, any person by reason of his or her failure to furnish information regarding his or her first arrest for any misdemeanor or felony wherein no conviction resulted, wherein his or her case has been dismissed for want of prosecution, wherein a finding or verdict of not guilty has resulted, wherein his or her case has been continued without a finding for a certain period of time and then dismissed, or wherein the arrests were 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 five years or more prior to the date of such refusal, barring from employment or discharge; (B) to refuse to hire or employ, or to bar or discharge from employment, any person by reason of his failure to furnish information regarding his conviction of any misdemeanor where such conviction occurred more than five years prior to the date of such refusal, barring from employment or discharge, unless such person was punished by imprisonment, or unless such individual has been convicted of any offense within five years of such

date. An application form for employment which contains an inquiry as to the police record of the applicant shall include a statement that no applicant shall be required to furnish any information of his or her first arrest for any misdemeanor or felony which did not result in a conviction, 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 the case being continued without a finding for a certain period of time and then dismissed, 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 five years or more prior to the filing of said application; and that no applicant shall be required to furnish any information concerning any conviction of a misdemeanor which occurred more than five years prior to the date of such application for employment unless the applicant was sentenced to imprisonment upon conviction of such misdemeanor, or such individual has been convicted of any offense within five years of such date.

Nothing herein contained shall be construed to bar the application of section thirty-four of chapter ninety-four C relative to the expungement of records. *Approved June 15, 1972.*

Chap. 429. AN ACT PROHIBITING THE SALE OF POWER LAWNMOWERS WITHOUT CERTAIN SAFETY DEVICES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 147 of the General Laws is hereby amended by adding the following section: —

Section 56. Every motor-driven implement or machine used for the purpose of cutting grass sold, offered for sale, or held with intent to sell in the commonwealth shall be equipped with a safety device designed and attached by the manufacturer in accordance with the specifications and requirements established by the commissioner of public safety for the purpose of protecting the operator thereof and any other person from objects which may be ejected or propelled from the blade area of such implement or machine. Said commissioner may promulgate such rules and regulations as may be necessary to enforce the provisions of this section. Whoever violates any provisions of this section or of any rule or regulation promulgated hereunder shall be punished by a fine of not more than five hundred dollars for each offense.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-six. *Approved June 15, 1972.*

Chap. 430. AN ACT MAKING APPROPRIATIONS FOR THE DEPARTMENT OF PUBLIC WELFARE FOR THE FISCAL YEAR ENDING JUNE THE THIRTIETH, NINETEEN HUNDRED AND SEVENTY-TWO TO PROVIDE FOR SUPPLEMENTING CERTAIN EXISTING APPROPRIATIONS.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act for the department of public welfare, the sums.

set forth in section two of this act are hereby appropriated from the General Fund, subject to the provisions of law regulating the disbursement of public funds and the conditions pertaining to appropriations in chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one 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 Public Welfare.

Item	
1902–5000 1903–2000	From the unexpended balance remaining in item 1902–5000 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one, as amended, the sum of three million fifty thousand dollars is hereby transferred to and made available for the purpose of item 1903–2000 of section two of said chapter seven hundred and nineteen, as amended.
1906–2000 1907–2000 1905–2000	From the unexpended balance remaining in item 1906–2000 of section two of chapter seven hundred and nineteen of the acts of nineteen hundred and seventy-one, as amended, the sum of one million eight hundred and eighty-six thousand dollars is hereby transferred to and made available for the purpose of the following items of section two of said chapter seven hundred and nineteen, as amended, and in the amounts shown: to item 1907–2000 the sum of one million six hundred and thirty-six thousand dollars; to item 1905–2000 the sum of two hundred and fifty thousand dollars.

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

Approved June 19, 1972.

Chap. 431. AN ACT AUTHORIZING THE CITY OF LEOMINSTER TO INSTALL STREET SIGNS ON PRIVATE WAYS OPEN TO PUBLIC USE.

Be it enacted, etc., as follows:

SECTION 1. The city of Leominster is hereby authorized to appropriate funds to install street signs on such private ways which are opened to public use as may be designated by the city council of said city.

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

Approved June 19, 1972.

Chap. 432. AN ACT CHANGING THE NAME OF THE PORTIA LAW SCHOOL TO THE NEW ENGLAND SCHOOL OF LAW, AND ESTABLISHING ITS MEMBERSHIP.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to change forthwith the name of the Portia Law School to the New England School of 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. The name of the Portia Law School, a corporation incorporated by chapter two hundred and nineteen of the Special Acts of nineteen hundred and nineteen, is hereby changed to the New England School of Law.

SECTION 2. Chapter 219 of the Special Acts of 1919 is hereby amended by striking out section 1A, inserted by chapter 670 of the acts of 1968, and inserting in place thereof the following section: —

Section 1A. The corporation shall consist of eleven members, Joseph S. Ayoub, Charles E. Barry, Joseph G. Bradley, Ann G. Chaffee, Bradbury Gilbert, Anna E. Hirsch, James R. Lawton, A. Leavitt Taylor, Jerome P. Troy, Harold M. Udell and the president of the Law School Alumni Association of said corporation who shall serve as a member by virtue of his office during the term of said office. Any vacancy in the membership of said corporation except the president of the Law School Alumni Association shall be filled by vote of the law school alumni of said corporation for a term of five years at an election to be held for that purpose on the first Monday in November next succeeding any such vacancy.

SECTION 3. The term of office of the members of the Portia Law School or their successors in office prior to the effective date of this act shall terminate on said date.

SECTION 4. Any action taken by the Portia Law School under the name of the New England School of Law prior to the effective date of this act is hereby confirmed and validated. *Approved June 19, 1972.*

Chap. 433. AN ACT RELATIVE TO THE MEMBERSHIP OF TRUSTEES OF AMHERST COLLEGE.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to permit forthwith Trustees of Amherst College to establish by by-law the term of office or tenure of members to be elected by its board of trustees, 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 members of Trustees of Amherst College are hereby authorized to establish by by-law from time to time the tenure or term of office of members to be thereafter elected by the board of trustees, and to determine what officers of Trustees of Amherst College shall be members ex officio or shall be eligible for election as members by the board of trustees; provided, that the number of members, including members ex officio and the six members elected by the alumni of Trustees of Amherst College, shall not be greater than eighteen.

SECTION 2. All special acts or parts of special acts relating to Trustees of Amherst College which are inconsistent with the provisions of this act are hereby repealed. *Approved June 19, 1972.*

Chap. 434. AN ACT PERMITTING THE VACATING OF A FINAL JUDGMENT WITHIN ONE YEAR IN CASES WHERE THE EXECUTION HAS BEEN SATISFIED IN WHOLE OR IN PART.

Be it enacted, etc., as follows:

Chapter 250 of the General Laws is hereby amended by striking out section 15, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 15. If a final judgment has been entered either party, or any one or more of several plaintiffs or defendants, within one year thereafter may file in the court in which such judgment was rendered a petition to vacate same. In the supreme judicial or the superior court, such petition shall be filed in the county where the judgment was entered. *Approved June 19, 1972.*

Chap. 435. AN ACT INCREASING THE TIME IN WHICH REAL PROPERTY OWNED BY THE CENTRAL BERKSHIRE COUNTY DEVELOPMENT CORPORATION MAY BE EXEMPT FROM TAXATION BY THE CITY OR TOWN IN WHICH IT IS LOCATED.

Be it enacted, etc., as follows:

Section 6 of chapter 712 of the acts of 1963, is hereby amended by striking out, in line 7, the word "ten" and inserting in place thereof the word: — twenty. *Approved June 19, 1972.*

Chap. 436. AN ACT PROVIDING THAT EMPLOYEES OF THE MASSACHUSETTS STATE COLLEGE BUILDING AUTHORITY AND OF THE LOWELL TECHNOLOGICAL INSTITUTE BUILDING AUTHORITY SHALL BE MEMBERS OF THE STATE EMPLOYEES' 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 1012 of the acts of 1971, is hereby further amended by adding the following sentence: — "Employee", as applied to persons whose regular compensation is paid by the Massachusetts State College Building Authority or by the Lowell Technological Institute Building Authority, shall mean any person who is engaged in duties which require that his time be devoted to the service of the authority in each year during the ordinary working hours of regular and permanent employees.

SECTION 2. The paragraph defining "Political sub-division" in said section 1 of said chapter 32, as most recently amended by section 3 of said chapter 1012, is hereby further amended by inserting after the word "Authority", in line 6, the words: — , the Massachusetts State College Building Authority, the Lowell Technological Institute Building Authority.

SECTION 3. The fourth sentence of the first paragraph of section 2 of said chapter 32, is hereby amended by inserting after the word "commission", in line 2, as appearing in section 6 of chapter 597 of the acts of 1967, the words: — or of the Massachusetts State College Building Authority or of the Lowell Technological Institute Building Authority.

SECTION 4. Any person who is an employee of the Massachusetts State College Building Authority or the Lowell Technological Institute Building Authority on the effective date of this act shall, if otherwise eligible, become a member in service of the state employees' retirement system and shall, upon paying into the annuity savings fund of such system an amount equal to five per cent of the total salary received by him during such period, plus regular interest to the date of payment,

be allowed credit for all his service with each respective authority prior to said effective date.

SECTION 5. The Massachusetts State College Building Authority and the Lowell Technological Institute Building Authority shall annually reimburse the state board of retirement for its pro rata share of any retirement allowance paid by said board during the preceding calendar year which is based in whole or in part on service with each respective authority. *Approved June 19, 1972.*

Chap. 437. AN ACT AUTHORIZING TRUST COMPANIES TO TAKE SECOND MORTGAGES AS COLLATERAL SECURITY FOR LOANS.

Be it enacted, etc., as follows:

Chapter 172 of the General Laws is hereby amended by inserting after section 48 the following section: —

Section 48A. A trust company may take second mortgages on real estate as collateral security for a loan, but in no event shall said second mortgage be taken as the primary security; provided, however, that a second mortgage of residential property shall only be taken as collateral security for a commercial or business loan. *Approved June 19, 1972.*

Chap. 438. AN ACT INCREASING THE MAXIMUM MEMBERSHIP OF THE TRUSTEES OF NOBLE HOSPITAL.

Be it enacted, etc., as follows:

Section 3 of chapter 260 of the acts of 1893, as amended by section 2 of chapter 288 of the acts of 1968, is hereby further amended by striking out, in line 2, the word "eleven" and inserting in place thereof the word: — fifteen. *Approved June 19, 1972.*

Chap. 439. AN ACT AUTHORIZING THE CITY OF TAUNTON TO GRANT RETROACTIVE PAY RAISES TO CERTAIN EMPLOYEES OF THE MUNICIPAL LIGHTING PLANT OF SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, the city of Taunton is hereby authorized to grant a pay raise to John M. McRae for the period from June thirteenth, nineteen hundred and seventy-one, through December thirty-first, nineteen hundred and seventy-one, in an amount not to exceed six hundred dollars, and to Leo J. Bousquet for the period from May twenty-third, nineteen hundred and seventy-one, through December thirty-first, nineteen hundred and seventy-one, in an amount not to exceed seven hundred dollars, both being employees of the municipal lighting plant of said city. *Approved June 19, 1972.*

Chap. 440. 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 is hereby amended by striking out the words "one hun-

dred", inserted by section 1 of chapter 801 of the acts of 1971, and inserting in place thereof the words: — two hundred.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-three, and shall apply only to actions for death resulting from injuries sustained or accidents occurring on or after said date.

Approved June 19, 1972.

Chap. 441. AN ACT AUTHORIZING THE COUNTY PERSONNEL BOARD TO PERMIT THE RECRUITMENT OF CERTAIN STAFF MEMBERS OF COUNTY AGRICULTURAL SCHOOLS 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 (4A), inserted by chapter 1091 of the acts of 1971, the following paragraph: —

(4B) Said board may permit the recruitment of all professional vocational and technical personnel, including teachers, administrators and supervisory staff of the Bristol county agricultural school, the Essex agricultural and technical institute and the Norfolk county agricultural school, at a rate above the minimum but within the grade at which the 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.

Approved June 19, 1972.

Chap. 442. AN ACT INCREASING THE BURIAL ALLOWANCE OF WARDS UNDER CONSERVATORSHIP OR GUARDIANSHIP.

Be it enacted, etc., as follows:

Chapter 201 of the General Laws is hereby amended by striking out section 48A, as most recently amended by section 30 of chapter 493 of the acts of 1961, and inserting in place thereof the following section: —

Section 48A. Upon application therefor by a conservator or by a guardian of a mentally ill person or a spendthrift, whose ward is a resident of the commonwealth, the probate court, after such notice as it deems necessary, and a hearing, may authorize such conservator or guardian to deposit for the purpose hereinafter stated, in a savings bank, or in the savings department of a trust company, within the commonwealth, or on paid-up shares and accounts of and in a co-operative bank, a sum not exceeding seven hundred and fifty dollars, or may authorize said conservator or guardian to purchase a share account of a federal savings and loan association or a savings and loan association located within the commonwealth, in a sum not exceeding seven hundred and fifty dollars, to be expended solely for, or towards the expense of, the burial of his ward. Such deposit or purchase shall be made in the name of the judge of probate for the time being, and shall be subject to the order of the judge and of his successors in office. The person making such deposit or purchase shall file in the probate court a memorandum thereof and the deposit book or share account book, and the

amount so deposited or purchased shall, for the purpose of the accounting by said guardian or conservator, be allowed as payment. Upon the death of such ward, the probate court may, upon application and after like notice and hearing, order the payment of such deposit or purchase, together with any accrued interest thereon, hereinafter referred to as such deposit or purchase, to the executor of the will of such ward or to the administrator of the estate, to be expended by him only for the purpose hereinbefore stated, and, in case no executor or administrator is appointed, said court may order payment from such deposit or purchase together with any accrued interest thereon to any undertaker or other person, of any charge for such burial or sum expended therefor which it finds to be proper, but not exceeding the amount of such deposit or purchase together with any accrued interest thereon, or may apportion such deposit or purchase together with any accrued interest thereon between several claimants for such charges or expenses but in no event to exceed the total amount of such charges, or expenses; provided that any balance remaining after the payment of such charges or expenses shall become general assets of the estate. The provisions of chapter two hundred A shall not be applicable to funds deposited under this section. *Approved June 19, 1972.*

Chap. 443. AN ACT PROVIDING FOR TWO ADDITIONAL COURT OFFICERS IN THE DISTRICT COURT OF EAST NORFOLK.

Be it enacted, etc., as follows:

SECTION 1. Clause (5) of the first paragraph of section 62 of chapter 218 of the General Laws, as appearing in chapter 211 of the acts of 1972, is hereby amended by inserting before the line reading "district court of Lowell, and" the following line: —

district court of east Norfolk,.

SECTION 2. Clause (7) of said section 62 of said chapter 218, as so appearing, is hereby amended by striking out the line reading "district court of east Norfolk,". *Approved June 19, 1972.*

Chap. 444. AN ACT DESIGNATING THE BRIDGE ON STATE HIGHWAY ROUTE 2 OVER STATE HIGHWAY ROUTE 68 IN THE CITY OF GARDNER AS THE GARDNER POST, NO. 129 AMERICAN LEGION BRIDGE.

Be it enacted, etc., as follows:

The bridge on state highway route 2 over state highway route 68 in the city of Gardner shall be known and designated as the Gardner Post, No. 129 American Legion bridge. A suitable marker bearing such designation shall be attached thereto by the department of public works. *Approved June 19, 1972.*

Chap. 445. AN ACT RELATIVE TO HUNTING CERTAIN BIRDS OF PREY.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by inserting after section 75 the following section: —

Section 75A. A person, unless he holds a special permit or license issued by the director, shall not hunt or have in his possession a bird of prey. No person shall take, molest, disturb, destroy or have in his possession the nest or eggs of any such bird. For the purposes of this section, the term "bird of prey" shall mean and include any of the following birds: — eagle, osprey, hawk, owl, kite, falcon or vulture.

SECTION 2. Section 90 of said chapter 131 is hereby amended by inserting after the tenth paragraph the following paragraph: —

Whoever violates any provision of section seventy-five A shall be punished by a fine of not less than one hundred nor more than five hundred dollars or by imprisonment for not more than six months or both; and such person, subject to the provisions of section thirty-four, shall not be issued a license or permit or certificate under authority of any provision of this chapter during the period of three years from the date of being found guilty or penalized as aforesaid.

Approved June 19, 1972.

Chap. 446. AN ACT CHANGING THE NAME OF THE FIRST DISTRICT COURT OF NORTHERN WORCESTER TO THE DISTRICT COURT OF GARDNER-ATHOL.

Be it enacted, etc., as follows:

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

The district court of Gardner-Athol held at Gardner and Athol; Athol, Gardner, Petersham, Phillipston, Royalston, Templeton, Hubbardston, and Westminster.

SECTION 2. The second sentence of the first paragraph of section 10 of said chapter 218, as appearing in chapter 18 of the acts of 1971, is hereby amended by striking out, in line 12, the words "first district court of northern Worcester" and inserting in place thereof the words: — district court of Gardner-Athol.

SECTION 3. The first paragraph of section 77A of said chapter 218, as appearing in section 14 of chapter 810 of the acts of 1963, is hereby amended by striking out, in line 50, the words "first district court of northern Worcester" and inserting in place thereof the words: — district court of Gardner-Athol.

SECTION 4. *Class I* of paragraph (1) of section 79 of said chapter 218, as appearing in section 1 of chapter 668 of the acts of 1971, is hereby amended by striking out, in line 39, the words "first district court of northern Worcester" and inserting in place thereof the words: — district court of Gardner-Athol.

SECTION 5. Notwithstanding the provisions of section one of chapter two hundred and eighteen of the General Laws, as amended by section one of this act, nothing contained in said section shall be construed so as to affect the tenure, seniority, salary, retirement or other rights of any justice, special justice, clerk, assistant clerk, probation officer or other employee of the first district court of northern Worcester on the effective date of this act and they shall continue to serve in their respec-

tive capacities in the district court of Gardner-Athol without any interruption in their service.

SECTION 6. On and after the effective date of this act all of the records, official documents, sentences, orders and any and all matters pertaining to the first district court of northern Worcester shall continue to remain in full force and effect and shall officially apply and be subject to the jurisdiction of the district court of Gardner-Athol.

SECTION 7. This act shall take effect on July first, nineteen hundred and seventy-three. *Approved June 19, 1972.*

Chap. 447. AN ACT PROVIDING FOR THE ISSUANCE OF LICENSE RENEWAL CERTIFICATES ANNUALLY BY THE BOARD OF REGISTRATION OF CHIROPRACTORS.

Be it enacted, etc., as follows:

SECTION 1. Section 89 of chapter 112 of the General Laws is hereby amended by adding the following definition: —

"License renewal certificate", a certificate issued annually by the board to a registered chiropractor upon payment of the license fee as provided in section ninety-six, and upon presentation of satisfactory evidence to the board that said chiropractor has completed the prescribed educational requirements for renewal.

SECTION 2. Section 95 of said chapter 112, as appearing in section 2 of chapter 409 of the acts of 1966, is hereby amended by inserting after the word "license", in lines 13 and 15, in each instance, the words: — , license renewal certificate.

SECTION 3. Said chapter 112 is hereby further amended by striking out section 96, as amended by chapter 477 of the acts of 1968, and inserting in place thereof the following section: —

Section 96. Every registered chiropractor, upon commencing to practice, shall forthwith notify the board of his office address or addresses. Every registered chiropractor practicing as aforesaid shall annually, before April first, pay to the board a license fee, which license fee shall be set annually by the board but which shall not exceed ten dollars. The board shall thereupon issue to said registered chiropractor a license renewal certificate; provided, however, that said chiropractor shall furnish to the board satisfactory evidence that he has attended, in the twelve months preceding each renewal date, twelve hours of instruction in chiropractic related subjects as conducted by the Massachusetts Chiropractic Society or received instruction equivalent thereof as approved by the board. Satisfactory evidence of completion of post-graduate study of a type and character, at an educational session or institution, both as approved by the board, shall be considered said equivalent. The board may waive such educational requirements if it is satisfied that an applicant was prevented from meeting said educational requirements by reason of an unusual emergency, or that the applicant has undergone an extreme hardship, or for other good and sufficient reason deemed adequate by the board. Each registered chiropractor shall promptly notify the board of any change in his address or addresses, and from time to time shall furnish such other information to the board as it may require. The board may suspend the authority of any registered chiropractor to practice chiropractic for failure to

comply with any of the above requirements. The board shall publish annually complete lists of the names and office addresses of all chiropractors registered and practicing in the commonwealth arranged alphabetically by name and also by the towns where their various offices are situated. *Approved June 19, 1972.*

Chap. 448. AN ACT INCREASING THE NET SURPLUS WHICH THE LUNENBURG WATER DISTRICT OF LUNENBURG MAY ACCUMULATE BEFORE REDUCING THE WATER RATES.

Be it enacted, etc., as follows:

Section 10 of chapter 17 of the acts of 1939, as amended by section 1 of chapter 116 of the acts of 1959, is hereby further amended by striking out, in line 10, the word "five" and inserting in place thereof the word: — ten. *Approved June 19, 1972.*

Chap. 449. AN ACT DESIGNATING THE SKATING RINK IN THE CITY OF HAVERHILL AS THE VETERANS' MEMORIAL SKATING ARENA.

Be it enacted, etc., as follows:

The skating rink in the city of Haverhill shall be known and designated as the Veterans' Memorial Skating Arena, in memory of all veterans who have served in the military service of our country, and a suitable marker bearing such designation shall be erected thereat by the department of natural resources. *Approved June 19, 1972.*

Chap. 450. 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, an unpaid bill in the amount of one thousand and seventy-nine dollars and thirty cents for work, labor and materials furnished by Heywood Ford, Inc. to the police department of said city in the year nineteen hundred and seventy, which bill is legally unenforceable against said city for the reason that no funds appropriated for the payment of the same are now available.

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 work, labor and materials for which said bill was submitted were ordered by an official or an employee of said city and that such work, labor and materials were furnished 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 work, labor and materials which were not furnished to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

Approved June 19, 1972.

Chap. 451. AN ACT PROVIDING FOR CERTAIN CHANGES IN THE MOTOR VEHICLE INSURANCE RATING LAWS FOR PERSONS ENTITLED TO WAGES OR SALARY OR THEIR EQUIVALENT UNDER A WAGE CONTINUATION PLAN.

Be it enacted, etc., as follows:

Section 113B of chapter 175 of the General Laws, as most recently amended by sections 1 and 1A of chapter 977 of the acts of 1971, is hereby further amended by inserting after the first paragraph the following paragraph: —

In fixing and establishing premium charges and classifications of risks for coverages hereunder the commissioner shall make a separate classification for persons entitled to wages or salary or their equivalent under a wage continuation program. Any person seeking to be insured in such classification shall provide the insurer with evidence that he qualifies to be placed in such classification. Said wage continuation program shall provide for the payment to the employee of at least two weeks compensation for disability as a result of any such injury. If the insured finds that he is not entitled to any payment from his employer for lost wages because of such disability, he may at his option, notify the insurer in writing to that effect, and the insurer shall pay him for the loss of wages to which he may be entitled; provided, however, that the employee shall pay the additional premium which may be due as though he had not made the election to be insured under said separate classification. *Approved June 19, 1972.*

Chap. 452. AN ACT FURTHER REGULATING THE COMMENCEMENT OF CLAIMS WHICH MAY BE DETERMINED UNDER THE SMALL CLAIMS PROCEDURE IN THE DISTRICT COURTS.

Be it enacted, etc., as follows:

Section 21 of chapter 218 of the General Laws, as most recently amended by section 1 of chapter 271 of the acts of 1971, is hereby further amended by adding the following sentence: — An action may be commenced under this section if the initial amount of damages claimed is four hundred dollars or less, notwithstanding that the court may award double or treble damages in accordance with the provisions of any general or special law. *Approved June 19, 1972.*

Chap. 453. AN ACT PROHIBITING THE DISCLOSURE OF INFORMATION OBTAINED IN THE BUSINESS OF PREPARING INCOME TAX RETURNS.

Be it enacted, etc., as follows:

Chapter 62 of the General Laws is hereby amended by inserting after section 58 the following section: —

Section 58A. No person engaged in the business of preparing income tax returns shall disclose any information obtained in the conduct of such business, unless such disclosure is consented to in writing by the taxpayer in a separate document, or is expressly authorized by state or federal law, or is necessary to the preparation of the return, or is made pursuant to court order.

For the purposes of this section, a person is engaged in the business of preparing income tax returns if he advertises, or gives publicity to the effect that he prepares or assists others in the preparation of income tax returns, or if he prepares or assists others in the preparation of income tax returns for compensation.

Whoever violates the provisions of this section shall be punished by a fine of not more than five hundred dollars or by imprisonment in jail for not more than six months, or both. *Approved June 19, 1972.*

Chap. 454. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPSHIRE COUNTY TO BORROW MONEY TO EQUIP AND CONSTRUCT ADDITIONS TO THE COURT HOUSE AND HALL OF RECORDS FOR THE COURTS AND VARIOUS DEPARTMENTS OF THE COUNTY, AND FOR THE RENOVATION AND RE-EQUIPPING OF THE EXISTING COURT HOUSE AND HALL OF RECORDS.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of providing adequate and complete accommodations and facilities for the superior court, the district court, the probate court, the registry of deeds, the registry of probate, and various county departments, the county commissioners of Hampshire county are hereby authorized to renovate the present buildings, to construct additions to the present court house and Hall of Records, and to construct or renovate other buildings for said purposes and shall furnish and equip the same on land of said county now owned or to be acquired by the county, which land lies between Gothic street and King street and between King street and land now or formerly of the Penn Central Transportation Company in the city of Northampton.

Said additions or renovations shall contain court rooms and facilities for the superior court, the probate court, and the district court, and shall house the offices of the clerk of the superior court, the register of deeds, the register of probate, the clerk of the district court, the district attorney, the probation offices of said courts, the county extension service, the maintenance department, the county treasurer, the county commissioners, the law library, and offices for other present and future county agencies and departments.

SECTION 2. Said commissioners are hereby authorized to acquire by purchase or take by eminent domain under chapter seventy-nine of the General Laws, sufficient land for the renovation and construction of the said facilities, and for parking areas related thereto, on land as described aforesaid.

SECTION 3. For the purposes authorized in sections one and two, the treasurer of said county, with the approval of the county commissioners, may borrow from time to time upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, three million three hundred thousand dollars, and may issue bonds or notes of the county therefor which shall bear on their face the words, Hampshire County Court House Building Loan, Act of 1972. 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.

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

Approved June 20, 1972.

Chap. 455. AN ACT RELATIVE TO THE RETIREMENT RIGHTS OF CERTAIN MEMBERS OF THE JUDICIARY.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide for the retirement rights of certain members of the judiciary, 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 65A of chapter 32 of the General Laws, as amended by chapter 765 of the acts of 1968, is hereby amended by adding the following two sentences:—For the purposes of determining the number of years of service in such office or offices, credit shall be given for years of previous service as a special justice. Each year of such previous service shall be computed by dividing the number of days of actual sittings in such a capacity by three hundred, whether or not such sittings occurred in one calendar or fiscal year.

SECTION 2. Section sixty-five A of chapter thirty-two of the General Laws, as amended by section one of this act, shall take effect upon its passage and shall apply to the retirement rights of members of the judiciary who qualify thereunder as of June first, nineteen hundred and seventy-two and thereafter.

Approved June 20, 1972.

Chap. 456. AN ACT AUTHORIZING THE TOWN OF NORWOOD TO APPROPRIATE CERTAIN FUNDS FOR THE PURPOSE OF DEFRAYING IN PART THE EXPENSE OF THE HIGH SCHOOL BAND OF THE TOWN OF NORWOOD ON A EUROPEAN CONCERT TOUR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of any law to the contrary, the town of Norwood is hereby authorized to transfer from available funds, an amount not to exceed ten thousand dollars, and appropriate said amount for the purpose of defraying in part the expenses of the band of the Norwood high school on a European concert tour.

SECTION 2. Any action taken by the town of Norwood 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 June 20, 1972.

Chap. 457. 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-two 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	$1,643,698 08
2.	For contractual services	65,000 00
3.	For supplies and materials	280,000 00
4.	For current charges and obligations	153,580 51
5.	For equipment	74,240 00
8.	For debt and interest	8,000 00
10.	For unpaid bills of previous years	657 17
11.	For reserve fund	25,000 00
11A.	For reserve for salary increases	95,000 00
12.	For group insurance	70,691 20
	For total expenditures	$2,415,866 96

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

Approved June 20, 1972.

Chap. 458. AN ACT RELATIVE TO POLITICAL CONTRIBUTIONS MADE BY CORPORATIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate those questions submitted to the voters upon which certain corporations may influence or affect the vote, 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 7 of chapter 55 of the General Laws, as appearing in section 10 of chapter 537 of the acts of 1946, is hereby amended by

inserting after the first sentence the following sentence:—No question submitted to the voters concerning the taxation of the income, property or transactions of individuals shall be deemed materially to affect the property, business or assets of the corporation.

Approved June 20, 1972.

Chap. 459. 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-two 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	$1,072,364 91
2.	For contractual services	38,000 00
3.	For supplies and materials	198,000 00
4.	For current charges and obligations	99,962 00
5.	For equipment	14,893 50
8.	For debt and interest	15,000 00
10.	For unpaid bills of previous years	763 04
11.	For reserve fund	10,000 00
11A.	For reserve for salary increases	61,000 00
12.	For group insurance	30,037 00
	For total expenditures	$1,540,020 45

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

Approved June 20, 1972.

Chap. 460. AN ACT FURTHER REGULATING THE NUMBER OF JURORS REQUIRED TO RENDER JURY VERDICTS IN CIVIL ACTIONS.

Be it enacted, etc., as follows:

Chapter 234 of the General Laws is hereby amended by inserting after section 34 the following two sections:—

Section 34A. In any civil action the jury shall be instructed that the agreement of five sixths of its members shall be sufficient to render any special or general verdict.

Section 34B. In any civil action where twelve jurors or more are impaneled, if a juror dies, or becomes ill, or is otherwise unable to perform his duty for good cause, the trial shall proceed; provided,

however, that except by agreement of the parties, no such civil jury trial shall proceed with less than ten jurors remaining on the panel.

Nothing in this section shall impair the right of the court to fill vacancies in the manner provided in section twenty-six B.

Approved June 20, 1972.

Chap. 461. AN ACT MAKING CERTAIN CHANGES IN THE LAW REGULATING THE PAYMENT OF SUMS DUE TO CONTRACTORS AFTER COMPLETION OF CERTAIN PUBLIC WORKS AND PUBLIC BUILDING CONTRACTS.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 39G of chapter 30 of the General Laws, as appearing in chapter 499 of the acts of 1956, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—The contracting authority shall deduct and retain from payment of said final estimate a sum sufficient to satisfy any and all valid claims that have been duly filed against a contractor under the provisions of section thirty-nine F, and may also deduct and retain from such payment any other amounts to be deducted or retained in accordance with the terms of the contract.

SECTION 2. Said section 39G of said chapter 30 is hereby further amended by striking out the last paragraph, as appearing in chapter 597 of the acts of 1955, and inserting in place thereof the following paragraph:—

If a contracting authority or its duly authorized representative or agent delays or fails to prepare any final or semifinal estimate within the period of time provided by this section, interest on the amount due the contractor on any such final or semifinal estimate shall be computed and paid by the contracting authority at the rate of three percentage points above the rediscount rate then charged by the Federal Reserve Bank of Boston. Payment of interest shall begin on the sixty-sixth day after the contract has been satisfactorily completed or the project has been substantially completed and opened to public use, as the case may be, and shall be paid until the date such estimate has been prepared and submitted to the contractor for acceptance. The amount of such interest shall be included in the estimate when prepared. *Approved June 20, 1972.*

Chap. 462. AN ACT ESTABLISHING A SENATE ART COMMITTEE.

Be it enacted, etc., as follows:

Chapter 3 of the General Laws is hereby amended by adding after section 64, added by section 1 of chapter 1008 of the acts of 1971, the following section:—

Section 65. There is hereby established in the senate a senate art committee, hereinafter called the committee, to consist of the president and the minority leader thereof, and seven persons to be appointed by the president, of whom at least three shall be members

of The Doric Dames, Inc. Each member shall be appointed for a term coterminous with that of the president, and shall serve at his pleasure.

The committee shall consider and advise the senate relative to any matter germane to the upgrading and restoration of the quarters in the state house used by the members of the senate and its employees, with particular attention to the historical and artistic qualities of said quarters. The committee may file recommendations from time to time with the clerk of the senate, but shall file an annual report with the clerk before the first Wednesday in December of each year. *Approved June 20, 1972.*

Chap. 463. AN ACT FURTHER REGULATING THE RATES OF SPEED OF CERTAIN VEHICLES ON PUBLIC HIGHWAYS.

Be it enacted, etc., as follows:

Section 17 of chapter 90 of the General Laws is hereby amended by adding the following sentence:—No person shall operate any vehicle or combination of vehicles or combinations of vehicles and trailers having a gross vehicle weight of more than ten thousand pounds on a limited access state highway or any other divided highway at a rate of speed in excess of five miles per hour below the limits posted in accordance with the provisions of section eighteen. *Approved June 20, 1972.*

Chap. 464. AN ACT FURTHER REGULATING THE EMPLOYMENT, DISMISSAL OR SUSPENSION OF SUPERINTENDENTS OF PUBLIC SCHOOLS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 71 of the General Laws is hereby amended by striking out section 41, as appearing in section 1 of chapter 132 of the acts of 1956, and inserting in place thereof the following section:—

Section 41. Every school committee, in electing a teacher, who has served in its public schools for the three previous consecutive school years shall employ him to serve at its discretion; but any school committee may elect a teacher who has served in its schools for not less than one school year to serve at such discretion. A teacher not serving at discretion shall be notified in writing on or before April fifteenth whenever such person is not to be employed for the following school year. Unless said notice is given as herein provided, a teacher not serving at discretion shall be deemed to be appointed for the following school year.

A school committee may award a contract to a superintendent of schools for a period not exceeding six years. Nothing in this section shall be construed to prevent a school committee from voting to employ a superintendent of schools who has completed three or more years' service to serve at its discretion

SECTION 2. Section 42 of said chapter 71, as most recently amended by chapter 388 of the acts of 1970, is hereby further

amended by striking out the third sentence and inserting in place thereof the following sentence:—In every such town a teacher or superintendent employed at discretion under section forty-one or a superintendent employed under a contract, for the duration of his contract, shall not be dismissed, except for inefficiency, incapacity, conduct unbecoming a teacher or superintendent, insubordination or other good cause, nor unless at least thirty days, exclusive of customary vacation periods, prior to the meeting at which the vote is to be taken, he shall have been notified of such intended vote; nor unless, if he so requests, he shall have been furnished by the committee with a written charge or charges of the cause or causes for which his dismissal is proposed; nor unless, if he so requests, he has been given a hearing before the school committee which may be either public or private at the discretion of the school committee and at which he may be represented by counsel, present evidence and call witnesses to testify in his behalf and examine them; nor unless the charge or charges shall have been substantiated; nor unless, in the case of a teacher, the superintendent shall have given the committee his recommendations thereon.

SECTION 3. The first paragraph of section 42D of said chapter 71, as appearing in section 3 of chapter 185 of the acts of 1966, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—In every such town a teacher or superintendent employed at discretion under section forty-one or a superintendent employed under a contract, for the duration of his contract, shall not be suspended, under the provisions of this paragraph, except for unbecoming conduct or other good cause, nor unless at least seven days exclusive of customary vacation periods, prior to the meeting at which the vote is to be taken, he shall have been notified of such intended vote; nor unless, if he so requests, he shall have been furnished by the committee with a written charge or charges of the cause or causes for which the suspension is proposed; nor unless, if he so requests, he has been given a hearing before the school committee which may be either public or private at the discretion of the school committee and at which he may be represented by counsel, present evidence and call witnesses to testify in his behalf and to examine them and to cross-examine other witnesses; nor unless the charge or charges shall have been substantiated; nor unless, in the case of a teacher, the superintendent shall have given the committee his recommendations thereon.

SECTION 4. Section 43 of said chapter 71 is hereby amended by striking out the second sentence, as appearing in the Tercentenary Edition, and inserting in place thereof the following sentence:—The salary of a superintendent employed in any city, town, regional school district or superintendency union shall not be reduced without his consent unless at the same time a general salary revision reducing proportionately the salaries of all administrators, supervisory personnel and teachers has been made.

SECTION 5. Section 43A of said chapter 71, 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 or any

superintendent employed under a contract, for the duration of his contract, who has been dismissed by vote of a school committee under the provisions of section forty-two or section sixty-three may, within thirty days after the vote of dismissal appeal therefrom to the superior court in the county in which he was employed.

SECTION 6. Said chapter 71 is hereby further amended by striking out section 43B, inserted by chapter 240 of the acts of 1961, and inserting in place thereof the following section:—

Section 43B. Any teacher or superintendent of schools employed at discretion or any superintendent employed under a contract, for the duration of his contract, who has incurred expense in defending himself against an unwarranted removal or suspension shall be reimbursed for such expense from the same source from which his salary is paid; provided, however, that the amount of such reimbursement shall in no event exceed ten per cent of the amount of the usual compensation of such person for the period during which such removal or suspension was in effect; and provided, further, that such teacher or superintendent makes written application to the school committee for such reimbursement.

SECTION 7. Notwithstanding the provisions of section forty-one of chapter seventy-one of the General Laws, as amended by section one of this act, any superintendent of schools employed at the discretion of a school committee on September first, nineteen hundred and seventy-three, shall continue to serve at the discretion of such committee.

SECTION 8. This act shall take effect on April first, nineteen hundred and seventy-four. *Approved June 20, 1972.*

Chap. 465. AN ACT INCREASING THE RATE OF INTEREST PAYABLE ON OVERDUE CONTRIBUTIONS UNDER THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of subsection (*a*) of section 15 of chapter 151A of the General Laws, as appearing in section 1 of chapter 685 of the acts of 1941, is hereby amended by striking out, in line 3, the word "six" and inserting in place thereof the word:— eight.

SECTION 2. This act shall take effect with respect to contributions due on or after October thirty-first, nineteen hundred and seventy-two. *Approved June 20, 1972.*

Chap. 466. AN ACT PROVIDING FOR THE CHANGE OF THE TITLE OF THE MESSENGER OF THE JUSTICES OF THE SUPREME JUDICIAL COURT TO THE TITLE OF THE ADMINISTRATIVE ASSISTANT TO THE JUSTICES OF THE SUPREME JUDICIAL COURT.

Be it enacted, etc., as follows:

Section 76 of chapter 221 of the General Laws is hereby amended by striking out the first two sentences, as appearing in section 1 of

chapter 258 of the acts of 1939, and inserting in place thereof the following two sentences:—In addition to the amount of salary payable by Suffolk county, fixed under the provisions of sections forty-nine to fifty-six, inclusive, of chapter thirty-five, to the administrative assistant to the justices of the supreme judicial court in said county, there shall annually be paid by the commonwealth to such administrative assistant such sum as shall be determined by the justices of said court. The administrative assistant to the justices of the supreme judicial court in Suffolk county shall be appointed by the justices of said court and shall also act as clerical assistant of said justices.

Approved June 20, 1972.

Chap. 467. AN ACT REQUIRING PUBLICATION OF SCHOOL RULES OR REGULATIONS RELATIVE TO THE CONDUCT OF STUDENTS OR TEACHERS.

Be it enacted, etc., as follows:

Chapter 71 of the General Laws is hereby amended by inserting after section 37G the following section:—

Section 37H. The school committee of every city, town or district shall publish its rules or regulations pertaining to the conduct of teachers or students which have been adopted. Copies of the rules or regulations shall be provided to any person upon request and without cost by the principal or headmaster of every school within each city, town or district. Such rules or regulations shall not become effective until filed with the commissioner of education accompanied by a certification by the committee that copies of the rules or regulations are available as previously set forth. *Approved June 20, 1972.*

Chap. 468. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF ESSEX COUNTY TO BORROW MONEY TO ALTER, REPAIR, RENOVATE AND EQUIP THE ESSEX COUNTY SUPERIOR COURT HOUSE, THE REGISTRY AND PROBATE BUILDING AND THE COUNTY COMMISSIONERS BUILDING IN THE CITY OF SALEM.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to expend a sum not to exceed four hundred thousand dollars for such repairs, alterations, renovations and equipping of the Essex county superior court house, the registry and probate building and the county commissioners building, all located in the city of Salem, as they deem necessary and proper, including plans, specifications, architects' fees and expenses connected therewith. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of the total amount to be expended hereunder.

SECTION 2. For the 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, four hundred thousand dollars, and may issue bonds

or notes of the county therefor which shall bear on their face the words, Essex County Superior Court House, Registry and Probate Building and the County Commissioners Building Loan, Act of 1972. 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 June 20, 1972.

Chap. 469. AN ACT PROVIDING FOR THE ANNUAL OBSERVANCE OF CHILD NUTRITION WEEK.

Be it enacted, etc., as follows:

Chapter 6 of the General Laws is hereby amended by inserting after section 15W, inserted by chapter 419 of the acts of 1972, the following section:—

Section 15X. The governor shall annually issue a proclamation setting apart the last week of January as Child Nutrition Week, and recommending that said week be observed by the people in an appropriate manner.

Approved June 20, 1972.

Chap. 470. AN ACT RELATIVE TO THE EXEMPTION FROM TAXATION AND PAYMENT OF CERTAIN LICENSE FEES FOR MOBILE HOMES.

Be it enacted etc., as follows:

The first sentence of the first paragraph of section 32G of chapter 140 of the General Laws, as appearing in section 2 of chapter 464 of the acts of 1968, is hereby amended by adding after the word "park", in line 6, the words:—; provided, however, that in a city by vote of the city council and in a town by vote of the board of selectmen the amount of such additional license fee may be increased to an amount not exceeding twelve dollars per month.

Approved June 20, 1972.

Chap. 471. AN ACT PROVIDING THAT CERTAIN CITIES AND TOWNS SHALL JOIN A VETERANS' SERVICE DISTRICT OR APPOINT A FULL-TIME VETERANS' AGENT OR DIRECTOR OF VETERANS' SERVICES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, any city or town having a part-time veterans' agent or part-time director of veterans' services shall, at the end of the term of such agent or director, whether by resignation, retirement or otherwise, either join a veterans' service district in the manner provided by section ten of chapter one hundred and fifteen of the General

Laws, or appoint a full-time veterans' agent or director of veterans' services.

SECTION 2. The provisions of section one of this act shall not apply to any city or town so long as the incumbent of the office of part-time veterans' agent or part-time director of veterans' services in such city or town, on the effective date of this act, continues to hold such office by reappointment.

SECTION 3. The provisions of section one shall not apply to any town having a population of less than twelve thousand persons.

Approved June 20, 1972.

Chap. 472. AN ACT FURTHER REGULATING THE DATES FOR THE FILING OF POLITICAL EXPENSES.

Be it enacted, etc., as follows:

Section 16 of chapter 55 of the General Laws is hereby amended by striking out the second paragraph, as most recently amended by section 2 of chapter 241 of the acts of 1972, and inserting in place thereof the following paragraph:—

Such a statement shall be filed as follows:—

(*a*) By a candidate for nomination as aforesaid at a primary or caucus preceding a special state, city or town election and by any non-elected political committee authorized by such a candidate, within thirty days after such primary or caucus for the period ending on the date of such primary or caucus;

(*b*) By a candidate for nomination as aforesaid at any other primary or caucus and by any political committee within thirty days after the date of such primary;

(*c*) By a candidate or committee required to designate a depository by section seventeen, upon such designation for the period ending on the date of such designation;

(*d*) By a candidate for election as aforesaid and by every elected and non-elected political committee for the period starting with the date of the primary or caucus, if any, and ending with the date of election within thirty days after the date of the election; and

(*e*) By a committee organized under the provisions of section four to favor or oppose a question submitted to the voters, on the date of organization, and on the sixtieth day prior to the election, showing all receipts and expenditures and liabilities accrued until said date, and thereafter every fifth and twentieth day of the month, until all declared liabilities of such committee have been discharged, if the question appears on ballots at a state election. If the question appears on a ballot at a municipal election, said committee shall file its initial report with the city or town clerk upon organization, and no later than the thirtieth day following the election shall file a second, and final report. Both reports shall list all receipts, expenditures and liabilities incurred to the reporting date.

Approved June 20, 1972.

Chap. 473. AN ACT AUTHORIZING THE SALE OF STATE LOTTERY TICKETS OR SHARES BY CERTAIN DEALERS OR SELLERS OF MOTOR VEHICLE FUEL.

Be it enacted, etc., as follows:

Section 6C of chapter 271 of the General Laws, inserted by chapter 602 of the acts of 1968, is hereby amended by inserting after the word "therein", in line 6, the words:—; provided, however, that this section shall not prohibit such dealer or seller who is duly licensed to sell tickets or shares in the state lottery from selling the same.

Approved June 20, 1972.

Chap. 474. AN ACT FURTHER DEFINING THE STATUS OF STATE LOTTERY AGENTS.

Be it enacted, etc., as follows:

Section 27 of chapter 10 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 2 of chapter 813 of the acts of 1971, and inserting in place thereof the following sentence:—A person licensed as a state lottery sales agent shall not, while acting in that capacity, 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.

Approved June 20, 1972.

Chap. 475. AN ACT EXTENDING THE TIME WITHIN WHICH THE ELIGIBLE LIST FOR PROMOTIONS TO CERTAIN OFFICES IN THE FIRE DEPARTMENT OF THE CITY OF SPRINGFIELD SHALL BE EFFECTIVE.

Be it enacted, etc., as follows:

SECTION 1. Any eligible list for promotion to the office of chief, district chief or deputy chief in the fire department of the city of Springfield is hereby extended until sixty days after the final decision in the case of Angelo DiSanti versus the civil service commission, Mabel A. Campbell as she is director of civil service and the board of fire commissioners of the city of Springfield.

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

Approved June 23, 1972.

Chap. 476. AN ACT AUTHORIZING THE TOWN OF NORFOLK TO ACQUIRE, ADMINISTER AND MAINTAIN THE PROPERTY OF THE NORFOLK CEMETERY ASSOCIATION.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, the town of Norfolk is hereby authorized to take by eminent domain, or acquire by purchase, gift or otherwise, title to certain land with the assets and buildings thereon in said town used, or formerly used, as a private cemetery and owned by the Norfolk Cemetery

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

SECTION 2. In so far as authorized by a decree of a court of competent jurisdiction and in compliance with the terms and conditions of such decree, said town may receive from the corporation a conveyance and transfer of, and administer, all funds or other property held by the corporation in trust for the perpetual care of the lots in the cemetery and for other purposes, and also any property devised or bequeathed to the corporation under the will of any person living at the time of said 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 the corporation, or any burial lot therein, may, after the acquisition by said town, be paid by such bank or institution to the treasurer of said town; and upon such payment said treasurer shall use the same for the purpose of said trusts.

SECTION 3. All property and property rights acquired by said town under authority of this act shall be held and managed by said town in the same manner in which cities and towns are authorized by law to hold and manage property for cemetery purposes; provided, that all rights which any persons have acquired in the 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 the corporation 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 June 23, 1972.

Chap. 477. 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-two.

PLYMOUTH COUNTY.

Item		Total
1.	For interest on county debt	$96,895 00
2.	For reduction of county debt	312,500 00

Item		Subtotal	Total
3.	For county commissioners, salaries and expenses		$64,500 09
	1. Personal services	$57,544 29	
	2. Contractual services	2,250 00	
	3. Supplies and materials	2,200 00	
	4. Current charges and obligations	350 80	
	5. Equipment	2,155 00	
4.	For transportation and expenses of county and acting commissioners		1,000 00
5.	For clerk of courts, salary and expenses		199,650 50
	1. Personal services	170,249 91	
	2. Contractual services	9,025 00	
	3. Supplies and materials	7,500 00	
	4. Current charges and obligations	4,415 00	
	5. Equipment	8,460 59	
6.	For county treasurer, salaries and expenses		68,920 85
	1. Personal services	47,900 85	
	2. Contractual services	3,725 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	495 00	
	5. Equipment	13,800 00	
7.	For sheriff, salary and expenses		16,709 00
	1. Personal services	15,494 00	
	2. Contractual services	250 00	
	3. Supplies and materials	300 00	
	4. Current charges and obligations	665 00	
8.	For registry of deeds, salaries and expenses		360,197 77
	1. Personal services	301,947 77	
	2. Contractual services	26,500 00	
	3. Supplies and materials	14,250 00	
	4. Current charges and obligations	15,900 00	
	5. Equipment	1,600 00	
8a.	For registry of probate, salaries and expenses		33,083 87
	1. Personal services	5,377 67	
	2. Contractual services	9,170 00	
	3. Supplies and materials	9,700 00	
	4. Current charges and obligations	2,790 00	
	5. Equipment	6,046 20	
9.	For law library, salaries and expenses		18,513 17
	1. Personal services	5,813 17	
	3. Supplies and materials	200 00	
	4. Current charges and obligations	9,500 00	
	5. Equipment	3,000 00	
10.	For highways, including state highways, bridges and land damages		374,900 00
12.	For criminal costs in superior court		437,177 79
	1. Personal services	146,096 87	
	2. Contractual services	273,700 00	
	3. Supplies and materials	4,700 00	
	4. Current charges and obligations	3,595 00	
	5. Equipment	9,085 92	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		276,832 89
	1. Personal services	87,453 89	
	2. Contractual services	184,150 00	
	3. Supplies and materials	650 00	
	5. Equipment	4,579 00	

Item		Subtotal	Total
14.	For district courts, salaries and expenses		
	District Court of Brockton		$495,069 23
	1. Personal services	$411,970 23	
	2. Contractual services	22,823 00	
	3. Supplies and materials	11,000 00	
	4. Current charges and obligations	48,113 00	
	5. Equipment	1,163 00	
	Second District Court of Plymouth		317,029 64
	1. Personal services	288,685 38	
	2. Contractual services	14,360 00	
	3. Supplies and materials	7,900 00	
	4. Current charges and obligations	3,597 40	
	5. Equipment	2,486 86	
	Third District Court of Plymouth		165,577 01
	1. Personal services	148,726 01	
	2. Contractual services	7,700 00	
	3. Supplies and materials	6,475 00	
	4. Current charges and obligations	1,396 00	
	5. Equipment	1,280 00	
	Fourth District Court of Plymouth		166,858 12
	1. Personal services	137,867 62	
	2. Contractual services	13,850 00	
	3. Supplies and materials	4,000 00	
	4. Current charges and obligations	8,406 00	
	5. Equipment	2,734 50	
	District Court — Juvenile Division		121,064 24
	1. Personal services	110,644 94	
	2. Contractual services	6,260 00	
	3. Supplies and materials	1,200 00	
	4. Current charges and obligations	425 00	
	5. Equipment	2,534 30	
	District Court — Appellate Division		350 00
15.	For medical examiners and commitments of insane		106,535 00
16.	For jail and house of correction, maintenance and operation		964,014 22
	1. Personal services	601,713 72	
	2. Contractual services	160,000 00	
	3. Supplies and materials	140,000 00	
	4. Current charges and obligations	13,000 00	
	5. Equipment	45,300 50	
	6. All other	4,000 00	
17.	For training school		60,000 00
18.	For court houses and registry buildings, maintenance and operation		281,288 76
	1. Personal services	134,753 76	
	2. Contractual services	80,185 00	
	3. Supplies and materials	28,905 00	
	4. Current charges and obligations	12,800 00	
	5. Equipment	3,645 00	
	6. All other	21,000 00	
19.	For construction of county buildings and/or purchase of land		25,000 00

Item		Subtotal	Total
20.	For agricultural school or county aid to agriculture, maintenance and operation		$123,806 67
	1. Personal services	$107,778 77	
	2. Contractual services	10,000 00	
	3. Supplies and materials	2,900 00	
	4. Current charges and obligations	2,500 00	
	5. Equipment	627 90	
24.	For noncontributory pensions		55,000 00
25.	For contributory retirement system and supervisory expenses		188,320 00
26.	For miscellaneous and contingent expenses		22,192 77
27.	For unpaid bills of previous years		37,661 13
28.	For reserve fund		50,000 00
28a.	For reserve for salary increases		125,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		50,000 00
31.	For police radio system		25,295 00
32a.	For maintenance, forest fire apparatus		2,545 00
33.	For police training school and bureau of criminal investigation		58,649 60
38.	For county airplane		3,655 00
39.	For group insurance		66,043 01
	Total amount of appropriations		$5,771,835 33
	Less estimated amount available for reduction of county tax		1,334,156 27
	And the county commissioners of Plymouth County are hereby authorized to levy as the county tax of said county for the current year, in the manner provided by law, the sum of		$4,437,679 06

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

Approved June 23, 1972.

Chap. 478. AN ACT RELATIVE TO THE SALARY OF THE CLERK OF THE DISTRICT COURT OF SOUTHERN ESSEX AND TO THE SALARY OF THE DISTRICT COURT OF WESTERN HAMPDEN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section four of chapter six hundred and sixty-eight of the acts of nineteen hundred and seventy-one, any person appointed to the office of clerk of the district court of southern Essex or to the office of clerk of the district court of western Hampden between November eleventh, nineteen hundred and seventy-one and April twelfth, nineteen hundred and seventy-two, both

dates inclusive, shall receive such salary as is provided by section seventy-nine of chapter two hundred and eighteen of the General Laws, said salary to be effective as of the date of his appointment.

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

Approved June 23, 1972.

Chap. 479. 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-two 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.

NORFOLK COUNTY.

Item		
1.	For personal services	$1,405,597 83
2.	For contractual services	69,850 00
3.	For supplies and materials	315,050 00
4.	For current charges and obligations	118,912 31
5.	For equipment	11,556 95
8.	For debt and interest	20,000 00
10.	For unpaid bills of previous years	24,947 51
11.	For reserve fund	10,000 00
11A.	For reserve for salary increases	80,000 00
12.	For group insurance	42,500 00
	For total expenditures	$2,098,414 60

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

Approved June 23, 1972.

Chap. 480. AN ACT FURTHER REGULATING THE ESTABLISHMENT OF CONTRIBUTION RATES UNDER THE EMPLOYMENT SECURITY LAW WHEN BUSINESSES ARE TRANSFERRED.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to expedite the establishment of contribution rates under the employment security law when businesses are transferred, 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 subsection (*n*) of section 14 of chapter 151A of the General Laws, as most recently amended by chapter 508 of the acts of 1959, is hereby further amended by adding the following three sentences: — Written notice of such transfer shall be given

to the director immediately by all transferring employers and successors. Failure on the part of any successor to give such notice within ninety days of the date of transfer shall bar the taking over by such successor of the account of any transferring employer having a plus balance. Successors shall also be barred from taking over the account of any transferring employers having a plus balance if such transferring employers have not filed all reports and paid all contributions required under this chapter through the end of the quarter preceding the date of transfer.

SECTION 2. Said subsection (*n*) of said section 14 of said chapter 151A, is hereby further amended by striking out clause (4), as appearing in chapter 397 of the acts of 1953, and inserting in place thereof the following clause: —

(4) For the calendar year in which a transfer occurs which results in a total or partial transfer of a transferring employer's account, the contribution rates of the transferring employer and successor shall be determined as follows:

1. Any transferring employer or successor which had a contribution rate applicable to it for that calendar year shall continue with such contribution rate.

2. If any successor had no contribution rate applicable to it for that calendar year, and only one transferring employer is involved, the contribution rate of the successor shall be the same as that of the transferring employer.

3. If any successor had no contribution rate applicable to it for that calendar year, and two or more transferring employers are involved, the contribution rate of the successor shall be the highest rate applicable to any of the transferring employers.

Such rates shall apply from the date of transfer of business until the close of the current calendar year and shall thereafter be determined whenever required by subsection (*i*) of this section as follows: — for the purposes of subsection (*i*) of this section the director shall determine the experience of the successor employer's account and of the transferring employer's account by allocating to the successor employer's account for each pertinent period the proportion of the transferring employer's payroll which the director determines to be properly assignable to the business transferred. *Approved June 23, 1972.*

Chap. 481. AN ACT AUTHORIZING THE TOWN OF EASTHAMPTON TO USE CERTAIN PARK LAND IN SAID TOWN FOR THE CONSTRUCTION OF A SCHOOL.

Be it enacted, etc., as follows:

SECTION 1. The town of Easthampton is hereby authorized to use for the purpose of constructing a school thereon, certain park land in said town, bounded and described as follows: —

TRACT NUMBER ONE. Beginning at a point set in the Southerly line of the property of Beulah C. Tiffany, said point being situated S 74°-53'-58" E and 750.81 feet from the Easterly side of said Park Street, measured along the Southerly boundary of land of Beulah C. Tiffany, said point being also situated at the Northeasterly corner of land now or formerly of Claude and Germaine Lively, being the South-

westerly corner of the tract herein conveyed, as shown on a plan entitled "Plan of Land in Easthampton, Mass. Surveyed for Easthampton Park Commission" Almer Huntley, Jr. & Associates, Inc., dated December 29, 1970, revised March 19, 1971, to be recorded in the Hampshire Registry of Deeds; thence N 18°-24'-52" E along other land of Beulah C. Tiffany 355.74 feet to an iron pin set in the southerly line of land of Williston Academy; thence S 74°-46'-45" E along land of said Williston Academy 1,756.26 feet to a point set in a twin oak tree at land of the Town of Easthampton, being Nonotuck Park; thence S 16°-32'-51" W along land of said Town of Easthampton, being Nonotuck Park 360.53 feet to a point in the northerly line of land of the Town of Easthampton Park Commission; thence N 74°-50'-09" W along land of said Town of Easthampton Park Commission 1,014.19 feet to a concrete bound; thence N 74°-18'-14" W along land of said Town of Easthampton Park Commission 753.57 feet to the point set at the northeasterly corner of land now or formerly of said Claude and Germaine Lively, being the point of beginning, containing 14.556 acres more or less, all of said bearings and distances being as shown on the above mentioned plan.

Reserving to Beulah C. Tiffany, her heirs and assigns an easement over a strip of land 25 feet in width, running from the Easterly boundary of other land of Beulah C. Tiffany in an Easterly direction adjacent to the Southerly boundary of land of Williston Academy to the Westerly side of the above mentioned sanitary sewer easement of the Town of Easthampton. Said easement is for the purpose of the installation, maintenance and repair of a sanitary sewer line running from the Easterly boundary of other land of Beulah C. Tiffany in an Easterly direction to the Westerly boundary of said sanitary sewer easement of the Town of Easthampton and for the installation, maintenance and repair of a storm drain line running from said Easterly boundary of land of Beulah C. Tiffany in an Easterly direction to the White Brook.

For further reference see Book 1595, Page 99 in the Hampshire County Registry of Deeds.

TRACT NUMBER TWO. Beginning at a point at the Southwesterly corner of land of William Jr. & Alma B. Rush, said iron pin being on Park Street; thence S 57°-05'-24" E along land of said Rush a distance of 139.87 feet to an iron pin; thence continuing in the same direction a distance of 63.88 feet to an iron pin; thence S 56°-13'-29" E a distance of 123.96 feet to an iron pin; thence S 58°-45'-35" E a distance of 74.25' to an iron pin; thence S 62°-14'-52" E a distance of 252.71' to an iron pin; thence S 74°-15'-42" E a distance of 95.33 feet to an iron pin; thence N 18°-24'-52" E a distance of 482.86 feet to a point, said point being the Southwesterly corner of Tract Number One hereinbefore described, the last six courses being along land of Claude G. & Germaine H. Lively; thence S 74°-18'-14" E along Tract Number One hereinbefore described a distance of 753.57 feet to a drill hole in a concrete bound; thence S 74°-50'-09" E along Tract Number One hereinbefore described a distance of 1,014.19 feet to a point, said point being the Southeasterly corner of Tract Number One hereinbefore described; thence S 16°-32'-51" W along land of the Inhabitants of the Town of Easthampton a distance of 626.08 feet to a point on the northerly line of land of Richard F. & Anna S. Underwood; thence N 74°-59'-30" W a distance of 102.70 feet to a 28" oak; thence N 75°-13'-41" W a distance of 841.47 feet to

a drill hole in a concrete bound; thence N 74°-35'-37" W a distance of 334.98 feet to a copperweld marker found; thence N 74°-14'-11" W a distance of 552.11 feet to an iron pin at the Southeasterly corner of land of Claude G. & Germaine H. Lively, the last four courses being along land of said Richard F. & Anna S. Underwood; thence N 34°-54'-51" E a distance of 106.04 feet to an iron pin; thence N 74°-15'-42" W a distance of 85.70 feet to an iron pin; thence N 62°-14'-52" W a distance of 259.51 feet to an iron pin; thence N 58°-45'-35" W a distance of 76.88 feet to an iron pin; thence N 56°-13'-29" W a distance of 124.71 feet to an iron pin, the last five courses being along land of the aforesaid Lively; thence N 57°-09'-33" W along land of the aforesaid Lively and along land of Floyd J. & Dora L. Hicks a distance of 203.24 feet to an iron pin; said iron pin being at the Northwesterly corner of land of Hicks and said iron pin being along Park Street; thence N 32°-46'-48" E along Park Street a distance of 50.25 feet to the point of beginning.

The above described parcel contains 26.670 acres more or less.

The above described parcel is a portion of the Tract described in Book 1348, Page 136, Hampshire County Registry of Deeds.

For further reference see plan by Almer Huntley, Jr. & Assoc., Inc., Registered Land Surveyors & Civil Engineers, 238 Bridge Street, Northampton, Mass. entitled "Plan of Land in Easthampton, Mass. Prepared for the Town of Easthampton School Building Committee"; scale 1" = 100' and dated 2/28/72.

SECTION 1A. The vote of the town of Easthampton under Article sixty-two of the warrant for its annual town meeting in the current year is hereby validated and confirmed as though this act were in effect at the time of the posting of the warrant for said meeting.

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

Approved June 23, 1972.

Chap. 482. AN ACT PROVIDING FOR THE TEMPORARY REEMPLOYMENT OF FRANCIS J. WALLACE IN THE FIRE DEPARTMENT OF THE CITY OF BOSTON.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any other provision of law to the contrary, Francis J. Wallace of the city of Boston shall, if upon his written application within three months after the passage of this act the fire commissioner of said city in writing approves, be reemployed in his former position of electric equipment repairman in the fire alarm division of the fire department of said city for a period of two years from the commencement of such reemployment without deductions for retirement purposes; provided he files with the collector-treasurer of said city a written statement wherein he waives and renounces for himself, his heirs and his legal representatives, his right to receive his retirement allowance for the period of his reemployment.

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

Approved June 23, 1972.

Chap. 483. AN ACT PROVIDING FOR EMERGENCY STATE SUPPLEMENTARY UNEMPLOYMENT BENEFITS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide immediately for the financing of emergency state supplementary unemployment benefits in the event that extended unemployment benefits are terminated under 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. Paragraph (*e*) of subsection (1) of section 30A of chapter 151A of the General Laws is hereby amended by inserting after subparagraph (2) the following paragraph:—

To the full extent authorized by any provision of federal law, the application of subparagraph (1) shall be suspended, said suspension having such retroactive effect as may be permitted by federal law.

SECTION 2. Said chapter 151A is hereby further amended by inserting after section 30B, inserted by section 2 of chapter 756 of the acts of 1971, the following section:—

Section 30C. (*a*) An individual whose eligibility or continued eligibility for extended benefits under the provisions of section thirty A is terminated solely because of the provisions of subparagraph (1) of paragraph (*e*) of subsection (1) of said section thirty A, and whose eligibility or continued eligibility for emergency benefits is terminated under the provisions of the Emergency Unemployment Compensation Act of 1971 (P.L. 92–224) or any amendment thereof shall be eligible for emergency state supplementary benefits under the same terms and conditions as provided for in said section thirty A, except where the said terms and conditions are inconsistent with the purposes of this section.

(*b*) The total amount of emergency state supplementary benefits payable to an eligible individual with respect to his applicable benefit year shall not, when combined with any extended benefits paid or payable, exceed the total amount of extended benefits to which he otherwise would have been entitled under the provisions of said section thirty A.

SECTION 3. Notwithstanding any provisions of this act to the contrary, payments shall be made under section thirty C of chapter one hundred and fifty-one A of the General Laws, inserted by section two of this act, for weeks beginning after the last week for which extended benefits are payable under the provisions of section thirty A of said chapter, and after the last week for which benefits are payable under the Emergency Unemployment Compensation Act of 1971 (P.L. 92–224) and no payments shall be made under said section thirty C for any week which begins after March twenty-fourth, nineteen hundred and seventy-three; provided, that any reimbursable or wholly granted funds which may be made available by an act of Congress for benefits paid under said section thirty C shall be credited to the solvency account; and, provided further, that said section thirty C shall become inoperative for any period for which

further benefits are made available to the commonwealth by any subsequent act of Congress. The inoperative period shall be retroactive to the full extent permitted by such act of Congress.

Approved June 23, 1972.

Chap. 484. AN ACT PROVIDING FOR THE REINSTATEMENT OF GORDON S. BELL AS A MEMBER IN SERVICE OF THE ESSEX COUNTY RETIREMENT SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary, Gordon S. Bell, a former employee of the town of Manchester, is hereby reinstated as a member in service of the Essex county retirement system for the purpose of retirement; provided, that he repays to the town treasury monies paid to him by said town since he retired as an employee thereof; and provided further, that he repays into the annuity savings fund of said system the amount of his accumulated regular deductions withdrawn at the time of his retirement.

SECTION 2. Upon compliance with the provisions of section one of this act, said Gordon S. Bell shall be retired for superannuation upon his application, to be effective December thirty-first, nineteen hundred and sixty-nine. *Approved June 23, 1972.*

Chap. 485. AN ACT AUTHORIZING THE CONTINUED EMPLOYMENT OF HARRY F. LOFTON AS FIRST ASSISTANT CHIEF PROBATION OFFICER OF THE MUNICIPAL COURT OF THE ROXBURY DISTRICT.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section ninety-one of chapter thirty-two of the General Laws, the employment of Harry F. Lofton as the first assistant chief probation officer of the municipal court of the Roxbury district may be continued until September the fourteenth, nineteen hundred and seventy-three; provided, however, that there shall be deducted from his compensation for services rendered as aforesaid an amount equal to the retirement allowance or pension received by him. *Approved June 23, 1972.*

Chap. 486. AN ACT PROVIDING A FEE FOR TEMPORARY REGISTRATION AS QUALIFIED PHYSICIANS UNDER DESIGNATED CIRCUMSTANCES.

Be it enacted, etc., as follows:

Section 9B of chapter 112 of the General Laws, inserted by chapter 325 of the acts of 1970, is hereby amended by adding the following sentence:—The fee for such temporary registration shall be fifty dollars. *Approved June 23, 1972.*

Chap. 487. AN ACT INCREASING THE EXAMINATION AND REEXAMINATION FEES FOR REGISTRATION OF PHYSICAL THERAPISTS.

Be it enacted, etc., as follows:

SECTION 1. Section 23B of chapter 112 of the General Laws, as appearing in section 1 of chapter 585 of the acts of 1958, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:—He shall pay to the board at the time of filing his application a fee of fifty dollars.

SECTION 2. Said chapter 112 is hereby amended by striking out section 23E, as so appearing, and inserting in place thereof the following section:—

Section 23E. The board shall examine applicants for registration as physical therapists at such times and places as it may determine and shall conduct at least two such examinations in each calendar year. It shall employ three registered physical therapists to aid it in such examinations. The examination shall embrace the following subjects:—The applied sciences of anatomy, kinesiology, physiology, pathology, psychology, physics; physical therapy, applied to medicine, neurology, orthopedics, pediatrics, psychiatry and surgery; medical ethics and technical procedures in the practice of physical therapy. The type of examination shall be determined by the board. Any applicant who fails to pass such examination may take a second examination upon the payment of an additional application fee of twenty-five dollars, and must be so reexamined at the next scheduled examination. Upon failure of an applicant to pass a second examination the board may require him to complete additional courses of study as designated by the board, in which case he shall be required, before taking another examination, to present to the board satisfactory evidence of having completed the required additional courses and shall pay an additional fee of fifty dollars.

Approved June 23, 1972.

Chap. 488. AN ACT LOWERING THE PRIMA FACIE LEVEL OF PRESUMPTION OF OPERATING UNDER THE INFLUENCE OF INTOXICATING LIQUOR TO TEN ONE HUNDREDTHS OF THE PERCENTAGE, BY WEIGHT, OF ALCOHOL IN THE DEFENDANT'S BLOOD.

Be it enacted, etc., as follows:

SECTION 1. The fourth sentence of paragraph (*e*) of subdivision 1 of section 24 of chapter 90 of the General Laws, as appearing in chapter 773 of the acts of 1967, is hereby amended by striking out, in line 10 and in line 11, the word "fifteen" and inserting in place thereof, in each instance, the word:—ten.

SECTION 2. Paragraph (*f*) of said subdivision 1 of said section 24 of said chapter 90 is hereby amended by striking out the third sentence, as so appearing, and inserting in place thereof the following two sentences:—If the person arrested refuses to submit to such test or analysis, after having been informed that his license or permit to operate motor vehicles or right to operate motor vehicles in the

commonwealth shall be suspended for a period of ninety days for such refusal, no such test or analysis shall be made, but the police officer before whom such refusal was made shall immediately prepare a written report of such refusal. Such written report of refusal shall be endorsed by a third person who shall have witnessed such refusal.

Approved June 23, 1972.

Chap. 489. AN ACT INCREASING THE NUMBER OF SESSIONS OF THE PROBATE COURT FOR THE COUNTY OF BARNSTABLE.

Be it enacted, etc., as follows:

Section 62 of chapter 215 of the General Laws is hereby amended by striking out the paragraph contained in lines 4, 5 and 6, as appearing in the Tercentenary Edition, and inserting in place thereof the following paragraph:—

Barnstable, at Barnstable, on each Tuesday of each month except July and August, and the second Tuesdays of July and August.

Approved June 23, 1972.

Chap. 490. AN ACT RELATIVE TO THE APPOINTMENT OF FACT FINDERS BY THE BOARD OF CONCILIATION AND ARBITRATION.

Be it enacted, etc., as follows:

Subsection (*b*) of section 178J of chapter 149 of the General Laws, as appearing in section 2 of chapter 763 of the acts of 1965, is hereby amended by striking out the last sentence and inserting in place thereof the following three sentences:—No person shall be named to such panel or selected by the parties who has represented a municipal employer or employee organization within the city, town or district affected by the dispute within the preceding twelve months. If the parties fail to select the fact finder within five calendar days of receipt of the list, the board of conciliation and arbitration shall appoint the person who shall serve as fact finder. No person shall be eligible to be so appointed by the board as a fact finder who has represented a municipal employer or employee organization within the preceding twelve months. *Approved June 23, 1972.*

Chap. 491. AN ACT LIMITING THE TIME FOR THE TAKING ON EXECUTION OR THE SALE OF INTERESTS IN REAL ESTATE OF DECEASED PERSONS FOR PAYMENT OF EXPENSES OR CHARGES OF ADMINISTRATION OF ESTATES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 202 of the General Laws is hereby amended by inserting after section 20 the following section:—

Section 20A. No interest in the real estate of a deceased person conveyed absolutely or in mortgage for value and in good faith by an instrument duly recorded shall be liable to be taken on execution, or sold under any judicial proceeding for payment of expenses or charges of administration, after the expiration of six years from the time of such executor or administrator giving bond for the perfor-

mance of his trust, unless in pursuance of a license to sell real estate granted upon a petition filed in the registry of probate within said six years.

SECTION 2. Notwithstanding the provisions of section twenty A of chapter two hundred and two of the General Laws, inserted by section one of this act, in cases where an executor's or administrator's bond was given over five years before the effective date of this act, a petition for a license to sell real estate may be granted upon a petition filed in the registry of probate within one year after said effective date. *Approved June 23, 1972.*

Chap. 492. AN ACT RELATIVE TO THE COMPENSATION OF COURT STENOGRAPHERS.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of section 49 of chapter 35 of the General Laws is hereby amended by striking out, in lines 13 and 14, as appearing in section 3 of chapter 859 of the acts of 1969, the words "in the county of Suffolk".

SECTION 2. Chapter 221 of the General Laws is hereby amended by striking out section 91, as amended by section 2 of chapter 469 of the acts of 1947, and inserting in place thereof the following section:—

Section 91. Official stenographers, other than additional stenographers, appointed by the justices of the superior court shall receive salaries which shall be established from time to time by said justices. The stenographers appointed under section eighty-two for the county of Nantucket shall be allowed, in addition thereto, the sum of eighteen dollars for each sitting as compensation for time consumed in traveling where such stenographer neither resides nor has a usual place of business within said county. Said salaries and other compensation shall be paid by the respective counties upon order of the court. Other official stenographers, and all additional and temporary stenographers shall receive from the county in which they are employed, on the order of the presiding justice, compensation for each day's actual and necessary attendance which shall be established as aforesaid. If the service is rendered outside the county in which the stenographer resides or has his usual place of business, the presiding justice shall, in addition to such compensation, allow his reasonable and actual expenses for transportation, food and lodging.

SECTION 3. Section ninety-one A of said chapter two hundred and twenty-one is hereby repealed. *Approved June 23, 1972.*

Chap. 493. AN ACT REQUIRING THE POSTING OF A NON-RESIDENT OWNER'S NAME, ADDRESS AND TELEPHONE NUMBER OR CERTAIN OTHER INFORMATION ON A DWELLING RENTED FOR RESIDENTIAL USE.

Be it enacted, etc., as follows:

Chapter 143 of the General Laws is hereby amended by striking out section 3S, inserted by chapter 260 of the acts of 1967, and inserting in place thereof the following section:—

Section 3S. An owner of a dwelling which is rented for residential use, who does not reside therein and who does not employ a manager or agent for such dwelling who resides therein, shall post and maintain or cause to be posted and maintained on such dwelling adjacent to the mailboxes for such dwelling or elsewhere in the interior of such dwelling in a location visible to the residents a notice, not less than twenty square inches in size, bearing his name, address and telephone number. If the owner is a realty trust or partnership, the name, address and telephone number of the managing trustee or partner shall be posted. If the owner is a corporation, the name, address and telephone number of the president of the corporation shall be posted.

Where the owner employs a manager or agent who does not reside in such dwelling, such manager or agent's name, address and telephone number shall also be included in the notice.

Whoever violates the provisions of this section shall be punished by a fine of not more than fifty dollars. Each day during which a violation continues shall constitute a separate offense.

Approved June 23, 1972.

Chap. 494. AN ACT DESIGNATING A CERTAIN BRIDGE IN THE CITY OF GARDNER AS THE OVILA CASE POST 905 V.F.W. BRIDGE.

Be it enacted, etc., as follows:

The bridge at the intersection of state highway route 2 and state highway route 140 in the city of Gardner shall be known and designated as the Ovila Case Post 905 V.F.W. bridge. 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 June 23, 1972.

Chap. 495. AN ACT PROVIDING FOR THE INDEMNIFICATION OF LAW ENFORCEMENT OFFICERS FOR DAMAGES CAUSED BY DOGS CARED FOR OR MAINTAINED BY THEM IN CONNECTION WITH THEIR OFFICIAL DUTIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 41 of the General Laws is hereby amended by inserting after section 100G the following section:—

Section 100H. If an action is brought against a law enforcement officer because of damage caused by a dog which said officer was caring for or maintaining in connection with his official duties, the political subdivision employing said officer shall indemnify him for expenses or damages incurred in the settlement or defense of such action; provided that in the case of an officer employed by a city or town such settlement or defense 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.

SECTION 2. Chapter 140 of the General Laws is hereby amended by inserting after section 155 the following section:—

Section 155A. If an action is brought against a law enforcement officer because of damage caused by a dog which said officer was caring for or maintaining in connection with his official duties, the commonwealth or the political subdivision employing said officer shall indemnify him for expenses or damages incurred in the settlement or defense of such action; provided that in the case of an officer employed by the commonwealth the settlement or defense of such case shall have been made by the attorney general, and that in the case of an officer employed by a city or town such settlement or defense 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.

Approved June 23, 1972.

Chap. 496. AN ACT ESTABLISHING A PROGRAM OF CONTINUING STUDIES AND SPECIAL PROGRAMS AT SOUTHEASTERN MASSACHUSETTS UNIVERSITY.

Be it enacted, etc., as follows:

SECTION 1. Chapter one hundred and eighty-eight of the acts of nineteen hundred and sixty-seven is hereby repealed.

SECTION 2. Southeastern Massachusetts University is hereby authorized to maintain a program of continuing studies, including evening and summer schools, at no cost to the commonwealth, and may receive funds for said purpose from any other public or any private source and may expend the same. *Approved June 23, 1972.*

Chap. 497. AN ACT PROVIDING FOR THE ELECTION OF A BOARD OF SEWER COMMISSIONERS FOR THE TOWN OF WALPOLE.

Be it enacted, etc., as follows:

SECTION 1. Section 6 of chapter 596 of the acts of 1967 is hereby amended by striking out, in lines 1 and 2, the words "sewer commissioners,".

SECTION 2. Said chapter 596 is hereby further amended by inserting after section 6 the following section:—

Section 6A. Beginning with the annual town meeting to be held in the year nineteen hundred and seventy-three, three sewer commissioners shall be elected in the manner provided by section sixty-three of chapter forty-one of the General Laws and said commissioners shall have the powers and duties of sewer commissioners provided by section sixty-five of said chapter forty-one.

SECTION 3. Notwithstanding the provisions of section one of this act, the board of selectmen of the town of Walpole shall continue to serve as sewer commissioners until the election and qualification of three sewer commissioners as authorized by section two of this act.

Approved June 23, 1972.

Chap. 498. AN ACT AUTHORIZING THE CITY OF REVERE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Revere 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 unpaid bills incurred by said city and totalling seventy-seven thousand seventy-one dollars and twenty cents, as are set forth in a list on file in the bureau of accounts in the department of corporations and taxation, and are certified by the city accountant to the superintendent of schools of said city as unencumbered bills for the year nineteen hundred and seventy-one, provided, that the money so appropriated to pay such bills shall be raised by taxation in said city.

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

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both. *Approved June 23, 1972.*

Chap. 499. AN ACT FURTHER REGULATING THE APPOINTMENT OF ASSOCIATE MEMBERS OF THE HISTORIC DISTRICTS COMMISSION OF THE TOWN OF CONCORD.

Be it enacted, etc., as follows:

The second paragraph of section 4 of chapter 345 of the acts of 1960 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—The selectmen shall also appoint for terms of five years from January first following the year of such appointments five associate members of the commission.

Approved June 23, 1972.

Chap. 500. AN ACT AUTHORIZING LICENSED BOXING MATCHES TO BE HELD IN THE CITY OF SPRINGFIELD.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section forty-nine of chapter one hundred and forty-seven of the General Laws, sections thirty-two to forty-seven, inclusive, of said chapter one hundred and forty-seven shall be in full force and effect in the city of Springfield.

SECTION 2. This act shall take effect upon its acceptance by the city of Springfield. *Approved June 23, 1972.*

Chap. 501. AN ACT AUTHORIZING THE TOWN OF LUDLOW TO USE CERTAIN PARK LAND IN SAID TOWN FOR SCHOOL PURPOSES.

Be it enacted, etc., as follows:

The town of Ludlow is hereby authorized to use for school purposes a parcel of land now held by said town for park purposes, bounded and described as follows:

Beginning at a point marked by a chain link corner fence post, said point being in the Easterly line of land of said Sroka, said point also being about 101.8 feet Northerly of an angle point in said Sroka's Easterly line, said last mentioned angle point being about 260.7 feet Northeasterly of the Northerly side of Higher Brook, thence, from said corner fence post, running N. 4°–20′E. along said Sroka's Easterly line about 952.2 feet to an angle point; thence running S. 85°–29′E., still along land of said Sroka, about 275.65 feet to another angle point; thence running N. 3°–58′E., still along land of said Sroka, about 596.2 feet to a point at land of said Pease; thence running S. 84°–45′E. along said last mentioned land about 270.8 feet to a point; thence running S. 84°–30′E. still along said last mentioned land about 560.55 feet to a point at land of said Ludlow Fish and Game Club; thence running S. 3°–44′W., along land of said Club about 1700 feet to a point; thence running Westerly along the Northerly side of said ball playing fields, following the chain link fence where it exists, about 1113 feet to the point of beginning. Containing about thirty-seven acres of land, more or less. *Approved June 23, 1972.*

Chap. 502. AN ACT RELATIVE TO THE CORPORATE PURPOSES OF CERTAIN ELECTRIC COMPANIES.

Be it enacted, etc., as follows:

Chapter 164 of the General Laws is hereby amended by striking out section 9A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 9A. An electric company may, in its agreement of association or, in case of a company already organized, at any time and from time to time, by vote of two thirds in amount of all its stockholders at a meeting duly called for the purpose, state that it is organized for, or that thereafter its corporate purpose shall be, the generating and buying of electricity and the transmitting and selling of the same to two or more corporations specified in said agreement or vote as engaged in the electric light or electric power business, or both, in this commonwealth or adjoining states, including other purposes incidental thereto. Upon the approval of said statement by the department, such company shall be limited, in respect to its rights and obligations to transmit and sell electricity, to such transmission and sale as are authorized by this section. Such electric company shall have authority to transmit electricity to or for and to sell electricity to such of the corporations specified as aforesaid as are stockholders of said company, upon such terms as the department shall approve. Such electric company shall also have authority to transmit electricity to or for and to sell electricity to other corporations, municipal electric departments and other entities, engaged in the electric light or electric power business, or both, within or

outside this commonwealth, provided that any such sale of electricity for delivery within this commonwealth shall be made upon such terms as the department, on application of such electric company, shall approve. With the consent of the department and to such extent and upon such terms as it may approve, any corporation specified as aforesaid may subscribe for, acquire, own and dispose of stock, bonds or other securities of such electric company, and may, with the consent of the department and upon such terms as it may prescribe, and in compliance with all provisions of law relative thereto, issue and sell its own stock, bonds or other securities to obtain the capital necessary to acquire the same. *Approved June 23, 1972.*

Chap. 503. AN ACT INCREASING THE SALARIES OF THE CLERKS AND ASSISTANT CLERKS OF THE SUPERIOR COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 221 of the General Laws is hereby amended by striking out section 94, as most recently amended by chapter 570 of the acts of 1970, and inserting in place thereof the following section: —

Section 94. Except as provided in section ninety-three, and except as otherwise provided, the salaries of the clerks of the courts of the various counties and their assistants, the clerk of the supreme judicial court of Suffolk county and his assistants, the clerk of the superior court for criminal business in Suffolk county and his assistants, and the clerk of the superior court of civil business in Suffolk county and his assistants shall be paid by their respective counties, and shall be as follows: —

SUPREME JUDICIAL COURT FOR SUFFOLK COUNTY

Clerk. — A sum equivalent to seventy-five per cent of the salary of an associate justice of the supreme judicial court, of which the sum of thirty-seven hundred dollars shall be paid by the commonwealth.

Assistant Clerk. — A sum equivalent to eighty-five per cent of the salary of the clerk, of which the sum of thirty-eight hundred seventy-seven dollars and fifty cents shall be paid by the commonwealth.

Second Assistant Clerk. — A sum equivalent to seventy-five per cent of the salary of the clerk, of which the sum of four thousand six hundred and sixty-one dollars and twenty-five cents shall be paid by the commonwealth.

Third Assistant Clerk. — A sum equivalent to sixty-five per cent of the salary of the clerk, of which the sum of one thousand dollars shall be paid by the commonwealth.

SUPERIOR COURT FOR CRIMINAL BUSINESS IN THE COUNTY OF SUFFOLK

Clerk. — Twenty-five thousand five hundred and sixty-four dollars.

First Assistant Clerk (so designated by the clerk). — A sum equivalent to eighty per cent of the salary of the clerk.

Second Assistant Clerk (so designated by the clerk). — A sum equivalent to seventy-five per cent of the salary of the clerk.

All Other Assistant Clerks. — A sum equivalent to sixty-five per cent of the salary of the clerk.

SUPERIOR COURT FOR CIVIL BUSINESS
IN THE COUNTY OF SUFFOLK

Clerk. — Twenty-five thousand five hundred and sixty-four dollars.

First Assistant Clerk (so designated by the justices of said court). — A sum equivalent to eighty per cent of the salary of the clerk.

Assistant Clerk (appointed to perform the duties of clerk pertaining to equity proceedings in said court and designated to act as clerk of said court when sitting in Boston for the hearing of causes from any other county). — A sum equivalent to eighty per cent of the salary of the clerk, of which the sum of twenty-five hundred dollars shall be paid by the commonwealth.

All Other Assistant Clerks. — A sum equivalent to sixty-five per cent of the salary of the clerk.

In all other counties, the salaries of the clerks of the courts shall be as follows: —

Middlesex — Twenty-five thousand five hundred and sixty-four dollars.

Essex — Twenty-three thousand eight hundred and seventy-two dollars.

Worcester — Twenty-three thousand eight hundred and seventy-two dollars.

Norfolk — Twenty-three thousand eight hundred and seventy-two dollars.

Hampden — Twenty-two thousand one hundred and seventy-one dollars.

Bristol — Twenty-two thousand one hundred and seventy-one dollars.

Plymouth — Twenty-one thousand seven hundred and eighty dollars.

Berkshire — Nineteen thousand two hundred and fifty dollars.

Hampshire — Seventeen thousand and fifty dollars.

Barnstable — Seventeen thousand and fifty dollars.

Franklin — Seventeen thousand and fifty dollars.

Dukes — Eight thousand two hundred and fifty dollars.

Nantucket — Eight thousand two hundred and fifty-dollars.

In all counties other than Suffolk the assistant clerk shall receive a sum equivalent to eighty per cent of the salary of the clerk, the second assistant clerk shall receive a sum equivalent to seventy-five per cent of the salary of the clerk and all other assistant clerks shall receive a sum equivalent to sixty-five per cent of the salary of the clerk.

SECTION 2. This act shall take effect as of July first, nineteen hundred and seventy-two. *Approved June 26, 1972.*

Chap. 504. AN ACT AUTHORIZING THE TOWN OF NAHANT TO APPOINT JOHN F. DOUGHERTY AND RAYMOND A. ROBIDOUX AS PERMANENT INTERMITTENT MEMBERS OF THE FIRE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any law or rule to the contrary regulating the maximum age of firefighters, John F. Dougherty and Raymond A. Robidoux may be appointed as permanent intermittent

firefighters in the town of Nahant provided they meet 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 firefighter in the fire department of said town on the effective date of this act.

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

Approved June 27, 1972.

Chap. 505. AN ACT AUTHORIZING THE CITY OF SALEM TO BORROW MONEY FOR THE SOUTH RIVER FLOOD CONTROL PROJECT.

Be it enacted, etc., as follows:

SECTION 1. The city of Salem may borrow at one time or from time to time an amount of money not to exceed, in the aggregate, five hundred thousand dollars, for the purpose of financing the South River Flood Control Project. Said funds may be used for the construction, acquisition of any land necessary, as well as the cost of surveys, engineering fees, legal fees, and the supervision necessary and incidental to said project. For said purposes said city may issue bonds or notes therefor which shall bear on their face the words, City of Salem South River Flood Control Project Loan, Act of 1972. Each authorized issue shall constitute a separate loan, and such loans shall be paid in not more than ten years from their dates of issue. Indebtedness incurred under this act shall not be in excess of the statutory limit and shall be subject to the approval of the emergency finance board of the commonwealth, notwithstanding any other provisions to the contrary.

SECTION 2. Notwithstanding the provisions of section one of chapter six hundred and eight of the acts of nineteen hundred and sixty-eight, the maximum amount to be contributed by the city of Salem shall not exceed twenty-five per cent of the cost of the improvements authorized by said chapter six hundred and eight.

SECTION 3. This act shall take effect upon its acceptance by the city of Salem.

Approved June 27, 1972.

Chap. 506. AN ACT ESTABLISHING REQUIREMENTS FOR LABELING HAZARDOUS SUBSTANCES.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to provide for the further regulation of hazardous substances, 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 94B of the General Laws is hereby amended by striking out sections 1 to 9, inclusive, as appearing in section 2 of chapter 727 of the acts of 1960, and inserting in place thereof the following nine sections:—

Section 1. The following words as used in this chapter, unless the context otherwise requires shall have the following meanings:—

"Banned hazardous substance", any toy, or other article intended for use by children, which is a hazardous substance, or which bears or contains a hazardous substance susceptible of access to a child, or is otherwise hazardous because it presents electrical, mechanical or thermal hazards; or any hazardous substance intended or packaged in a form suitable for use in households, which the commissioner by regulation classifies as a "banned hazardous substance" on the basis of a finding that notwithstanding cautionary labeling required under this chapter, the degree or nature of the hazard involved in the presence or use of the substance in households is such that the protection of the public health and safety can be adequately served only by keeping the substance out of the channels of commerce. The commissioner, by regulation, shall, however, exempt articles, such as chemical sets, which by reason of their functional purpose, require the inclusion of the hazardous substance involved or necessarily present an electrical, mechanical, or thermal hazard, and which bear labeling giving adequate direction and warnings for safe use and are intended for use by children who have attained sufficient maturity and who may reasonably be expected to read and heed these warnings.

"Combustible", any substance or mixture of substances which has a flash point from eighty degrees to and including one hundred and fifty degrees Fahrenheit, as determined by the Tagliabue Open Cup Tester.

"Commerce", any and all commerce within the commonwealth, including the operation of any business or service establishment.

"Commissioner", the commissioner of public health.

"Corrosive", any substance which when in contact with living tissue will cause destruction of such tissue by chemical action.

"Department", the department of public health.

"Director", the director of the division of food and drugs in the department.

"Division", the division of food and drugs in the department.

"Electrical hazard", an article which in normal use or when subjected to reasonably foreseeable damage or abuse, by its design or manufacture, may cause personal injury or illness by electrical shock.

"Extremely flammable", when used with respect to a substance, any substance which has a flash point at or below twenty degrees Fahrenheit as determined by the Tagliabue Open Cup Tester.

"Flammable", when used with respect to a substance, any substance which has a flash point of above twenty degrees to and including eighty degrees Fahrenheit, as determined by the Tagliabue Open Cup Tester; except that the flammability of solids and of the contents of self-pressurized containers shall be determined by methods generally recognized as applicable to such materials or containers and established by regulations issued by the commissioner.

"Hazardous substance", any substance or mixture of substances which is toxic, corrosive, an irritant, a strong sensitizer, flammable or which generates pressure through decomposition, heat, or other means, if such substance or mixture of substances may cause substantial personal injury or substantial illness during or as a proximate result of any customary or reasonably foreseeable handling or

use, including reasonable foreseeable ingestion by children, or any toy or other article intended for use by children which presents an electrical, mechanical or thermal hazard. It shall include any radioactive substance if, with respect to such substance as used in a particular class of article or as packaged, the commissioner determines by regulation that the substance is sufficiently hazardous to require labeling in accordance with this chapter in order to protect the public health. It shall not include economic poisons subject to the Federal Insecticide, Fungicide and Rodenticide Act, unless the commissioner finds that such economic poison is not adequately labeled for the protection of the public health, nor foods, drugs and cosmetics subject to the Federal Drug and Cosmetic Act or to chapter ninety-four, nor substances intended for use as fuels when stored in containers and used in heating, cooking, or refrigeration systems. It shall include any article which is not itself an economic poison within the meaning of the Federal Insecticide, Fungicide and Rodenticide Act but which is a hazardous substance within the meaning of this definition by reason of bearing or containing such economic poison.

"Highly toxic", when used with respect to a substance, any substance which (*a*) produces death within fourteen days in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, at a single dose of fifty milligrams or less per kilogram of body weight, when orally administered; or (*b*) produces death within fourteen days in half or more than half of a group of ten or more laboratory white rats each weighing between two hundred and three hundred grams, when inhaled continuously for a period of one hour or less at an atmospheric concentration of two hundred parts per million by volume or less of gas or vapor or two milligrams per liter or less of mist or dust, provided such concentration is likely to be encountered by man when the substance is used in any reasonably foreseeable manner; or (*c*) produces death within fourteen days in half or more than half of a group of ten or more rabbits tested in a dosage of two hundred milligrams or less per kilogram of body weight, when administered by continuous contact with the bare skin for twenty-four hours or less; provided that if the commissioner finds that available data on human experience with any substance indicate results different from those obtained on animals with the aforesaid dosages or concentrations, the human data shall take precedence.

"Immediate container", excludes a package liner.

"Inspector", an inspector of the division of food and drugs in the department.

"Irritant", any substance not corrosive which on immediate, prolonged or repeated contact with normal living tissue will induce a local inflammatory reaction.

"Label", a display of written, printed, or graphic matter upon the immediate container of any substance, or in the case of an article which is unpackaged or is not packaged in an immediate container intended or suitable for delivery to the ultimate consumer, a display of such matter directly on the article involved or on a tag or other

suitable material affixed thereto, and a requirement made by or under authority of this chapter that any word, statement, or other information appear on the label shall not be considered to be complied with unless such word, statement or other information also appears on the outside container or wrapper, if any there be, unless it is easily legible through the outside container or wrapper and on all accompanying literature where there are directions for use, written or otherwise.

"Mechanical hazard", an article which, in normal use or when subjected to reasonably foreseeable damage or abuse, by its design or manufacture presents an unreasonable risk of personal injury or illness from fracture, fragmentation or disassembly of the article, from propulsion of the article or any part or accessory thereof, from points or other protrusions, surfaces, edges, openings or closures, from moving parts, from lack or insufficiency of controls to reduce or stop motion, as a result of self-adhering characteristics of the article, because the article or any part or accessory thereof may be aspirated or ingested, because of instability, or any other aspect of the article's design or manufacture.

"Misbranded hazardous substance", a hazardous substance, including a toy, or other article intended for use by children, which is a hazardous substance, or which bears or contains a hazardous substance in such a manner as to be susceptible of access by a child to whom the toy or other article is entrusted, intended, or packaged in a form suitable, for use in the household or by children, which except as provided by section three fails to bear a label (1) which states conspicuously (*a*) the name and place of business of the manufacturer, packer, distributor, or seller; (*b*) the common or usual name, or the chemical name if there be no common or usual name, of the hazardous substance or of each component which contributes substantially to its hazard, unless the commissioner by regulation permits or requires the use of a recognized generic name; (*c*) the signal word "DANGER" on substances which are corrosive, extremely flammable or highly toxic; (*d*) the signal word "WARNING" or "CAUTION" on all other hazardous substances; (*e*) an affirmative statement of the principal hazard or hazards, such as "Flammable", "Combustible", "Vapor Harmful", "Causes Burns", "Absorbed through skin", or similar wording descriptive of the hazard; (*f*) precautionary measures describing the action to be followed or avoided, except when modified by regulation of the commissioner pursuant to section two; (*g*) instructions, when necessary or appropriate, for first-aid treatment; (*h*) the word "POISON" and the skull and crossbones for any hazardous substance which is defined above as "highly toxic"; (*i*) instructions for handling and storage of packages which require special care in handling or storage and; (*j*) the statement "Keep out of the reach of children" or its practical equivalent, or (*k*) if the article is intended for use by children and is not banned as a hazardous substance, adequate directions for the protection of children from the hazard; and (2) on which any statements required under subparagraph (1) of this paragraph are located prominently and are in English language in conspicuous and legible type in contrast by typography, layout, or color with other printed matter on the label.

"Person", includes an individual, partnership, corporation, association, or legal representative or agent.

"Radioactive substance", a substance which emits ionizing radiation.

"Strong sensitizer", a substance which will cause on normal living tissue, through an allergic or photodynamic process, a hypersensitivity which becomes evident on reapplication of the same substance and which is designated as such by the commissioner. Before designating any substance as a strong sensitizer, the commissioner, upon consideration of the frequency of occurrence and severity of the reaction, shall find that the substance has a significant potential for causing hypersensitivity.

"Thermal hazard", an article which, in normal use or when subjected to reasonably foreseeable damage or abuse, by its design or manufacture presents an unreasonable risk of personal injury or illness because of heat as from heated parts, substances or surfaces.

"Toxic", when used with respect to a substance, any substance, other than a radioactive substance, which has the capacity to produce personal injury or illness to man through ingestion, inhalation, or absorption through any body surface.

Section 2. (*a*) Whenever in the judgment of the commissioner such action will promote the objectives of this chapter by avoiding or resolving uncertainty as to its application, the commissioner may by reasonable rules and regulations declare to be a hazardous substance, for the purpose of this chapter, any substance or mixture of substances which he finds meets the requirements of the same term as defined in section one.

(*b*) If the commissioner finds that the requirements of section one, as to labeling of a "misbranded hazardous substance" are not adequate for the protection of the public health and safety in view of the special hazard presented by any particular hazardous substance, he may by regulation establish such reasonable variations of additional label requirements as he finds necessary for the protection of the public health and safety; and any hazardous substance intended, or packaged in a form suitable, for use in the household or by children, which fails to bear a label in accordance with these regulations shall be deemed to be a misbranded hazardous substance.

(*c*) If the commissioner finds that, because of the size of the package involved or because of the minor hazard presented by the substance contained therein, or for other good and sufficient reasons, full compliance with the labeling requirements otherwise applicable under this chapter is impracticable or is not necessary for the adequate protection of the public health and safety, he shall promulgate regulations exempting the substance from these requirements, to an extent he determines consistent with adequate protection of the public health and safety.

(*d*) If the commissioner finds that an article subject to this chapter cannot be labeled adequately to protect the public health and safety, or the article presents an imminent danger to the public health and safety, he may declare the article to be a banned hazardous substance and require its removal from commerce.

The commissioner shall cause the regulations promulgated under this chapter to conform, insofar as practicable, with the regulations established pursuant to the Federal Hazardous Substances Act.

Section 3. (*a*) No person shall sell, expose for sale, deliver, give away, have in his possession, introduce or deliver for introduction into commerce any misbranded hazardous substance or banned hazardous substance.

(*b*) No person shall alter, mutilate, destroy, obliterate or remove the whole or any part of the label of, or do any other act with respect to, any hazardous substance if such act is done while the substance is in commerce or held for sale, whether or not the first sale, and such act results in the hazardous substance being a misbranded hazardous substance or a banned hazardous substance.

(*c*) No person shall receive in commerce any misbranded hazardous substance or banned hazardous substance and deliver or proffer delivery thereof for pay or otherwise.

(*d*) No person shall give a guarantee or undertaking referred to in section four which guarantee or undertaking is false, except in reliance upon a guarantee or undertaking to the same effect signed by, and containing the name and address of, the person residing in the United States from whom he received in good faith the hazardous substance.

(*e*) No person shall sell, expose for sale, deliver, give away, have in his possession, introduce or deliver for introduction into commerce, or receive in commerce and subsequently deliver or proffer delivery for pay or otherwise, any hazardous substance in a reused food, drug or cosmetic container or in a container which though not a reused container, is identifiable as a food, drug, or cosmetic container by its labeling or by other identification. The reuse of a food, drug or cosmetic container as a container for a hazardous substance shall be deemed to be an act which results in the hazardous substance being a misbranded hazardous substance. As used in this paragraph, the terms "food", "drug", and "cosmetic" shall have the same meaning as in section one of chapter ninety-four.

(*f*) No person shall manufacture any hazardous substance that is misbranded with the intent that the same be distributed or sold in violation of this chapter.

(*g*) No person shall use to his own advantage, or reveal other than to the commissioner or officers or employees of the department or to the courts when relevant in any judicial proceeding under this chapter or to a physician treating a patient for potential poisoning any information acquired under authority of sections six and seven concerning any method or process which as a trade secret is entitled to protection.

Section 4. Any person who violates any of the provisions of section three shall be punished for a first offense by a fine of not less than one hundred dollars nor more than five hundred dollars or by imprisonment for not more than ninety days, or both; and for a second and subsequent offenses, shall be punished by imprisonment for not more than one year, or a fine of not less than six hundred dollars nor more than three thousand dollars, or both; provided, however, that no person shall be subject to such penalties for

having violated the provisions of paragraph (*c*) of section three if the receipt, delivery, or proffered delivery of the hazardous substance, was made in good faith, unless he refused to furnish on request of an officer or employer duly designated by the commissioner the name and address of the person from whom he purchased or received such hazardous substance, and copies of all documents, if any there be, pertaining to the delivery of the hazardous substances to him; or for having violated paragraph (*d*) of section three if he establishes a guarantee or undertaking signed by, and containing the name and address of, the person residing in the United States from whom he received in good faith the hazardous substance, to the effect that the hazardous substance is not a misbranded hazardous substance or a banned hazardous substance within the meaning of those terms in this chapter, or for having violated paragraph (*a*) of section three in respect to any hazardous substance shipped or delivered for shipment for export to any foreign country, in a package marked for export on the outside of the shipping container and labeled in accordance with the specifications of the purchaser and in accordance with the laws of the United States or of the foreign country.

Section 5. (*a*) Whenever the director or his duly authorized inspector finds or has probable cause to believe that any hazardous substance is misbranded, or is a banned hazardous substance within the meaning of this chapter, he shall affix or cause to be affixed to such article a tag or other appropriate marking, giving notice to the manufacturer of the substance, the distributor, and the owner thereof, that such article is, or is suspected of being misbranded or is a banned hazardous substance and has been detained or embargoed, and warning all persons not to remove or dispose of such article by sale or otherwise until permission for removal or disposal is given by the director, his inspector, or the court, provided, any such article may at the discretion of the manufacturer, distributor or owner thereof be removed from public display but shall not be removed from the immediate premises. Such manufacturer, distributor or owner shall be authorized to destroy the article so detained if such article is destroyed under the supervision of the director, or his inspector. When an article detained or embargoed has been found to be a misbranded or banned hazardous substance, the director or his agent shall within thirty-days file a petition in any district or municipal court within whose jurisdiction the article is detained or embargoed for a libel of condemnation of such article. When such inspector has found that an article so detained or embargoed is not a misbranded or banned hazardous substance, he shall remove the tag or other marking, thereby permitting its release. Such toy or other article shall be deemed to be a banned hazardous substance for purposes of this chapter until the proceeding has been completed.

(*b*) If the court finds that a detained or embargoed article is misbranded or a banned hazardous substance, such article shall, after entry of the decree, be destroyed at the expense of the manufacturer, distributor or owner thereof, under supervision of such inspector, and all court costs and fees, and storage and other proper

expenses, shall be taxed against him of such article or his agent; provided, that when the misbranding can be corrected by proper labeling of the article, the court, after entry of the decree and after such costs, fees and expenses have been paid and a good and sufficient bond, conditioned that such article shall be so labeled, has been executed may by order direct that such article be returned to such person for such labeling under the supervision of an inspector of the commissioner. The expense of such supervision shall be paid by such manufacturer, distributor or owner. The article shall be returned to such manufacturer, distributor or owner on the representation to the court by the commissioner that the article is no longer in violation of this chapter and that the expenses of such supervision have been paid.

This section shall not apply to a hazardous substance intended for export to any foreign country if it (1) is in a package branded in accordance with the specifications of the foreign purchaser, (2) is labeled in accordance with the laws of the foreign country, and (3) is labeled on the outside of the shipping package to show that it is intended for export, and (4) is so exported.

Section 6. (*a*) For the purpose of administering the provisions of this chapter, the director and inspectors shall have access and entry at reasonable times to any premises pursuant to a search warrant duly issued by a court of competent jurisdiction, provided that no sample of an alleged hazardous substance obtained in the course of such inspection and no result of any analysis or test of any such sample shall be received in evidence in any criminal proceeding under this chapter unless the sample shall have been taken and the analysis or test conducted in accordance with the procedure provided in sections one hundred and eighty-eight and one hundred and eighty-nine of chapter ninety-four.

(*b*) Any person who obstructs the director or an inspector from entering premises under a valid search warrant where a hazardous substance is kept as provided in section six, or any person who does not comply with the provisions of section seven, shall be punished by a fine of not less than five hundred nor more than two thousand dollars or by imprisonment for not more than six months, or both.

Section 7. For the purpose of enforcing the provisions of this chapter, carriers engaged in commerce, and persons storing or receiving hazardous substances in commerce or holding such hazardous substances so received shall, upon the request of an officer or employee duly designated by the commissioner acting under authority of a search warrant duly issued by a court of competent jurisdiction, permit such officer or employee at reasonable times, to have access to and to copy all records showing the movement in commerce of any such hazardous substances, or the holding thereof during or after such movement, and the quantity, shipper, and consignee thereof.

Section 8. In the case of any article or substance sold by its manufacturer, distributor, or dealer which is a banned hazardous substance, whether or not it was such at the time of its sale, such article or substance shall, in accordance with regulations of the commissioner, be repurchased as follows:

(*a*) The manufacturer of any such article or substance shall repurchase it from the person to whom he sold it, and shall refund to that person the purchase price paid for such article or substance. If that person repurchased such article or substance pursuant to the provisions in this section, the manufacturer shall reimburse him for any amounts paid in connection with its repurchase, and reimburse such person for any reasonable and necessary expenses incurred in returning it to the manufacturer.

(*b*) The distributor of any such article or substance shall repurchase it from the person to whom he sold it, and shall refund to that person the purchase price paid for such article or substance. If that person has repurchased such article or substance pursuant to the provisions of this section, the distributor shall reimburse him for any amounts paid for the return of such article or substance in connection with its repurchase and reimburse that person for any reasonable and necessary expenses incurred in returning it to the distributor.

(*c*) In the case of any such article or substance sold at retail by a dealer, if the person who purchased it from the dealer returns it to him, the dealer shall refund the purchase price paid for it and reimburse him for any reasonable and necessary transportation charges incurred in its return.

For the purpose of this section, (1) the term "manufacturer" includes an importer for resale, and (2) a dealer who sells at wholesale an article or substance shall with respect to that sale be considered the distributor of that article or substance.

Section 9. (*a*) The commissioner may cause to be published from time to time reports summarizing any judgments, decrees or court orders which have been rendered under this chapter including the nature of the charge and the disposition thereof.

(*b*) The commissioner may also cause to be disseminated information regarding hazardous substances in situations involving, in the opinion of the commission, possible danger to health. Nothing in this section shall be construed to prohibit the commissioner from collecting, reporting and illustrating the results of his investigations.

SECTION 2. Said chapter 94B is hereby further amended by striking out section 21, as most recently amended by section 6 of chapter 521 of the acts of 1962, and inserting in place thereof the following section:—

Section 21. Except as otherwise provided in sections four and six, whoever himself or by his servant or agent, violates any provision of section one to eighteen, inclusive, shall, for a first offense, be punished by a fine of not less than fifty nor more than two hundred dollars; and, for a second or subsequent offense, by a fine of not less than two hundred nor more than one thousand dollars, or by imprisonment for not more than ninety days, or both.

Regulations issued by the commissioner hereunder may provide penalties for violations thereof not exceeding, for a first offense, a fine of one hundred dollars and, for a second or subsequent offense, a fine of five hundred dollars. *Approved June 28, 1972.*

Chap. 507. AN ACT DESIGNATING THE STATE OFFICE BUILDING ON ASHBURTON PLACE IN THE CITY OF BOSTON AS THE JOHN W. MCCORMACK STATE OFFICE BUILDING.

Be it enacted, etc., as follows:

The state office building on Ashburton Place in the city of Boston shall, upon its completion, be known and designated as the John W. McCormack State Office Building, in recognition of the long and meritorious service of former congressman and Speaker of the United States House of Representatives John W. McCormack. A suitable marker bearing said designation shall be attached to said building by the state superintendent of buildings, who shall provide for appropriate ceremonies to be held in connection therewith.

Approved June 28, 1972.

Chap. 508. AN ACT AUTHORIZING THE DISSOLUTION OF ALLIANCE OF CAMBRIDGE SETTLEMENT HOUSES, INC. AND THE REINCORPORATION AND RECONSTITUTION OF THE MARGARET FULLER HOUSE, INCORPORATED, CAMBRIDGE NEIGHBORHOOD HOUSE AND EAST END HOUSE, INC.

Be it enacted, etc., as follows:

SECTION 1. The Margaret Fuller House, Incorporated, Cambridge Neighborhood House, and East End House, Inc., each of which was a charitable corporation organized and existing under the laws of the commonwealth, and each of which was merged into Alliance of Cambridge Settlement Houses, Inc. on July twenty-fourth, nineteen hundred and sixty-nine, by acceptance by each of them of chapter four hundred and seventy-five of the acts of nineteen hundred and sixty-seven, hereinafter sometimes referred to as the Houses, are and each of them hereby is authorized to reincorporate and reconstitute themselves by acceptance of this act as hereinafter provided within one year of its effective date. Alliance of Cambridge Settlement Houses, Inc., a charitable corporation organized and existing under the laws of the commonwealth hereinafter sometimes referred to as the Alliance, hereby is authorized to reconvey and retransfer to each of the reconstituted corporations all of their respective property, real, personal and mixed, and all of the respective rights and interests, legal and equitable now held by the Alliance and then to dissolve its corporate existence by acceptance of this act as hereinafter provided within one year of its effective date. The reconstituted corporations shall be subject to and liable for all the duties, liabilities, obligations and restrictions provided by law of the Alliance.

SECTION 2. The reincorporation of the Houses shall not become effective unless and until (*a*) each of the respective Houses shall have approved by-laws for its reincorporation, (*b*) each of the respective Houses shall have elected a board of directors initially comprised of the five individuals named by each House and serving at the time of the approval of this act as directors of the Alliance, (*c*) each of the respective Houses shall have held elections under the aforesaid by-laws, and (*d*) each of the respective Houses shall

have accepted this act at a meeting duly called for the purpose by two-thirds of the members present and voting at such meeting.

SECTION 3. The dissolution of the Alliance shall not become effective unless and until (*a*) the Alliance shall have reconveyed and retransferred to each of the Houses all of their respective property, real, personal and mixed, and all of their respective rights and interests, legal and equitable held by the Alliance at the time of the approval of this act, (*b*) the Alliance shall have approved a resolution to dissolve and shall have accepted this act at a meeting duly called for the purpose by two-thirds of the members present and voting at such meeting.

SECTION 4. The reincorporation of the reconstituted corporations and the dissolution of the Alliance shall be completed and effective upon the filing with the secretary of the commonwealth and the recording in the office of the register of deeds for Middlesex county, within one year after the passage of this act, of a certificate signed by the president of each of the corporations to the effect that the conditions of sections two and three have been satisfied.

SECTION 5. Whatever right or authority is granted or conferred by this act is hereby declared to be limited to such authority or right as the general court may constitutionally grant or confer, without prejudice to any proceeding that may be instituted in any court of competent jurisdiction to effect the purposes of this act. If the application of any provision of this act to any property or funds held by any of the corporations shall be held invalid, the application of such provision to property and funds other than those as to which it is held invalid shall not be affected thereby.

Approved June 28, 1972.

Chap. 509. AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO EXPEND CERTAIN MONIES TO RESTORE AND REPAIR THE MOUNT GREYLOCK WAR MEMORIAL.

Be it enacted, etc., as follows:

Chapter 643 of the acts of 1970 is hereby amended by inserting after the word "sixty-three", in line 6, the words:—and the sum of five hundred thousand dollars from the proceeds of the bonds authorized by chapter seven hundred and forty-three of the acts of nineteen hundred and seventy. *Approved June 28, 1972.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, June 28, 1972

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 509 of the Acts of 1972, entitled "AN ACT AUTHORIZING THE DEPARTMENT OF NATURAL RESOURCES TO EXPEND CER-

TAIN MONIES TO RESTORE AND REPAIR THE MOUNT GREYLOCK WAR MEMORIAL." and the enactment of which received my approval on June 28, 1972, 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 delays in construction of the project authorized by this bill.

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

OFFICE OF THE SECRETARY, BOSTON, June 28, 1972.

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 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 nine of the acts of nineteen hundred and seventy-two.

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

Chap. 510. AN ACT FURTHER REGULATING THE REMOVAL, FILLING AND DREDGING OF AREAS BORDERING ON COASTAL WATERS.

Be it enacted, etc., as follows:

Chapter 130 of the General Laws is hereby amended by striking out section 27A, as most recently amended by sections 1 and 2 of chapter 406 of the acts of 1969, and inserting in place thereof the following section:—

Section 27A. No person shall remove, fill or dredge any bank, flat, marsh, meadow or swamp bordering on coastal waters without filing written notice of his intention to so remove, fill or dredge with the conservation commission or if none, with the board of selectmen in a town or to the appropriate licensing authority in a city, to the state department of public works, and to the director of marine fisheries. Said notice shall be sent by registered mail at least thirty days prior to any such removing, filling or dredging. The conservation commission or if none, the selectmen or, in the case of a city, the licensing authority, shall hold a hearing on said proposal within twenty days of the receipt of said notice, notice of which hearing shall be given by them by publication in a newspaper published in such town or city, or if there be no newspaper published in such town or city, then in a newspaper published within the county, and shall notify by mail the person intending to do such removing, filling or dredging, the department of public works and the director, of the time and place of said hearing. The cost of such publication of notice shall be borne by the person filing the notice of intention to so remove, fill or dredge. The conservation commission or if none, the selectmen or licensing authority, as the case may be, may recommend the installation of such bulkheads, barriers or other protective

measures as may protect the public interest and shall transmit forthwith to such person, the director and the department of public works a copy of any such recommendations. If the department of public works finds that such proposed removing, filling or dredging would violate the provisions of sections thirty and thirty A of chapter ninety-one, it shall proceed to enforce the provisions of said sections. If the area on which the proposed work is to be done contains shellfish or is necessary to protect marine fisheries, the said director may impose such conditions on said proposed work as he may determine necessary to protect such shellfish or marine fisheries, and work shall be done subject thereto.

Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months, or both, and the superior court shall have jurisdiction in equity to restrain a continuing violation of this section.

This section shall not affect or regulate the ordinary and usual work of any mosquito control project operating under chapter two hundred and fifty-two, or under the provisions of a special act.

Approved June 28, 1972.

Chap. 511. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR MEMBERS OF THE POLICE FORCE OF THE TOWN OF WILBRAHAM.

Be it enacted, etc., as follows:

SECTION 1. The tenure of office of any present or future permanent member of the police force of the town of Wilbraham who has served as a member of said police force for three consecutive years and the tenure of office of any present or future officer of said force, including the chief of police, who has served as a member for three consecutive years shall be unlimited until he attains age sixty-five and he shall hold office during good behavior unless he is incapacitated by physical or mental disability from performing his duties. No police officer shall be removed from office or lowered in rank except for cause and for reasons specifically given him by the board of selectmen in the manner provided by section forty-three of chapter thirty-one of the General Laws.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Wilbraham at the biennial state election to be held 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 at said election:—"Shall an act passed by the General Court in the year nineteen hundred and seventy-two, entitled 'An Act providing tenure of office until age sixty-five for members of the police force of the town of Wilbraham', be accepted?" If a majority of the votes in answer to said question are in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved June 28, 1972.

Chap. 512. AN ACT RELATIVE TO THE JONES LIBRARY, INCORPORATED, IN THE TOWN OF AMHERST.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Amherst are hereby authorized to elect six members of the board of trustees of the town library for three-year terms arranged so that two are elected each year except that at the annual town election in nineteen hundred and seventy-three one shall be elected for one year, one for two years and two for three years, the then incumbent and previously elected trustees of The Jones Library, Incorporated to serve out the remainder of their allotted three-year terms and shall, while so serving, be members of said board. For any such term and as it expires a member of such board shall be elected for three years at the next ensuing annual town election. A vacancy in either such trustee position shall be filled by joint action of the remaining board members with the board of selectmen of such town until its next annual town election. The town treasurer shall act as treasurer of said town library, but not of The Jones Library, Incorporated.

SECTION 2. Chapter 96 of the Special Acts of 1919 is hereby amended by striking out section 5 and inserting in place thereof the following section:—

Section 5. After the annual town election in nineteen hundred seventy-three those who are town library trustees for the time being shall constitute the trustees of the corporation.

SECTION 3. Section 2 of said chapter 96 is hereby amended by adding the following paragraph:—

After the annual town election in nineteen hundred seventy-three the corporation is authorized to delegate to the board of trustees of the town library the operation of the corporation's library, the use and maintenance of its library premises and other tangible property, and part or all of the income from its endowment fund and from trust or other funds after deducting custodial and management expenses thereof, all to the extent and under such terms as the corporation may determine; but the foregoing authorization shall not authorize a transfer of any part of the principal of the corporation's endowment, trust or other special funds except for the enlargement, alteration or construction of buildings owned or to be owned by the corporation. In any transfer of library operations each appropriately affected full-time employee of the corporation shall become an employee of the town, as of the transfer date agreed to by the corporation and said board, on terms at least as favorable to the employee as his then current contract with the corporation. The corporation shall, and is hereby authorized to, expend its funds to assure that no employee suffers financial detriment because of such transfer to town employment. Employees in the town library system shall be classified and receive pay benefits as provided in the town's personnel bylaw and amendments thereof, while it is in effect, or such other personnel classification system, if any, as may be applicable generally to the town's employees.

SECTION 4. The board of trustees of the town library is authorized to receive funds from The Jones Library, Incorporated, and spend

them together with funds appropriated by the town for libraries and with funds received from other sources, as a single fund without reference to source, for the operation of a free public library in the town except that trust fund income received from any source shall be used by said board only for the purposes designated in each case as to the trust of its origin.

SECTION 5. Any public building, with appurtenant land, owned by said town may by vote of the town meeting be turned over to the custody of the board of trustees of the town library to be used as part of a free public library; and said board may receive custody of, manage and maintain, any premises or tangible property of, and turned over to it by, The Jones Library, Incorporated. Said board may use town funds for the maintenance, repair and enlargement of property of The Jones Library, Incorporated, while in the custody of said board.

SECTION 6. Section 3 of chapter 11 of the acts of 1951 is hereby amended by striking out, in line 3, the words "Jones Library" and inserting in place thereof the words:—town library.

SECTION 7. Subsection (*a*) of section 11 of said chapter 11 is hereby amended by striking out, in line 6, the words "Jones Library" and inserting in place thereof the words:—town library.

SECTION 8. Said section 11 of said chapter 11 is hereby amended by striking out subsection (*h*) and inserting in place thereof the following subsection:—

(*h*) The town manager shall have jurisdiction over the rental and use of all town property except school property and property under the control of the trustees of the town library, and shall be responsible for the maintenance and repair of all town buildings except school property and property under the control of said trustees. He shall be responsible for the preparation of plans and the supervision of work on existing buildings or on the construction of new buildings other than school buildings and buildings under the control of said trustees. He shall maintain and repair school buildings if and to the extent that the school committee so requests; and he shall maintain and repair buildings under the control of said trustees if and to the extent that they so request.

SECTION 9. Said section 11 of said chapter 11 is hereby further amended by striking out subsection (*i*) and inserting in place thereof the following subsection:—

(*i*) The town manager shall purchase all supplies, materials and equipment and shall award all contracts for all departments of the town except the public schools and the town library unless, and to the extent that, the school committee or the trustees of the town library, as the case may be, so request. He shall make purchases for departments not under his supervision only upon requisition duly signed by the head of such department.

SECTION 10. The Jones Library, Incorporated is authorized to receive from any source, property, real or personal, or funds, by gift, bequest, devise or otherwise, before or after the effective date of this act, and property or funds so received shall be subject to the provisions of this act applicable to property so acquired by it before such date. A gift for library purposes in Amherst designated as for

The Jones Library, the trustees of The Jones Library, or any similar variation of its title shall be construed as intended for The Jones Library, Incorporated.

SECTION 11. The power granted by this act shall be exercised only in conformity with such decree, if any, of the probate court for the county of Hampshire, sitting in equity, or any other court of competent jurisdiction, as may be entered within nine months of the effective date of this act; provided that all the authority conferred by this act is hereby declared to be limited to such authority as the general court may constitutionally grant. *Approved June 28, 1972.*

Chap. 513. AN ACT INCREASING THE PENALTY FOR FRAUDULENTLY OBTAINING FOOD, ENTERTAINMENT OR ACCOMMODATION FROM CERTAIN PLACES OF LODGING.

Be it enacted, etc., as follows:

The first sentence of section 12 of chapter 140 of the General Laws, as appearing in chapter 31 of the acts of 1943, is hereby amended by striking out, in line 14, the words "two hundred" and inserting in place thereof the words:—one thousand,—and by striking out, in line 19, the word "fifty" and inserting in place thereof the words:—five hundred. *Approved June 28, 1972.*

Chap. 514. AN ACT MAKING APPROPRIATIONS FOR THE FISCAL YEAR NINETEEN HUNDRED AND SEVENTY-THREE, 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-three, in this act referred to as the year nineteen hundred and seventy-three, 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

Item		
0112–0000	For the office of the senate clerk, prior appropriation continued, including not more than nine permanent positions	$157,000
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	170,000
0115–0000	For administrative and legislative aides to the senators, prior appropriation continued	516,450
0115–0020	For expenses of standing and special committees of the senate, authorized by order of the senate, to sit during the session and recess of the General Court, said funds to be allocated to committees only upon written approval of the president of the senate	10,000
0115–0030	For expenses of standing and special committees of the senate, authorized by the president under the provisions of Joint Rule 3, to sit and travel during the recess of the General Court, said funds to be allocated to committees only upon written approval of the president	5,000
0116–0000	For secretarial and clerical assistance to the senators, prior appropriation continued	268,000
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	144,000
0118–0000	For the office supplies and other expenses of the senators	250,000

House of Representatives.

0121–0000	For the compensation of representatives, prior appropriation continued	$2,811,050
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	161,644
0123–0000	For the salary of the chaplain of the house of representatives	7,269
0124–0000	For the office of the house counsel, prior appropriation continued, including not more than eight permanent positions	220,000
0125–0000	For the office of the house committee on rules, prior appropriation continued, including not more than fourteen permanent positions	500,000
0125–0010	For expenses of standing and special committees of the house of representatives, authorized by order of the house of representatives to sit during the session and recess of the General Court, said funds to be allocated to committees only upon written approval of the speaker	12,000
0125–0020	For expenses of standing and special committees of the house of representatives, authorized by the speaker under Joint Rule 3, to sit and travel during the recess of the General Court, said funds to be allocated to committees only upon written approval of the speaker	5,000
0126–0000	For the office of the house committee on ways and means, prior appropriation continued, including not more than nine permanent positions	318,000
0127–0000	For clerical and other expenses of the members of the house of representatives, including not more than one permament position	650,000
0127–0020	For legislative aides to the members of the house of representatives	200,000
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

Sergeant-at-Arms.

0131–0000	For the office of the sergeant-at-arms, including not more than eleven permanent positions	$178,599

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	$1,552,257
0132-1000	For the salaries of clerks employed in the legislative document room, including not more than three permanent positions	142,665
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	125,000
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
0143-0000	For the office of legislative service bureau	405,000
0143-0001	For the administration of the office of legislative data processing; provided that the unexpended balance remaining in item 0166-0000 — of section two of chapter seven hundred and seventy-one of the acts of nineteen hundred and sixty-eight is hereby transferred to and made available for the purposes of this item	141,600
0143-0002	For the office of the recodification counsel, including not more than four permanent positions	52,492
0143-0003	For the compilation, indexing, annotating, printing and other expenses in connection with the publication of the bulletin of committee hearings and of the daily list, with the approval of the joint committee on rules, including not more than two permanent positions	350,000
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	75,000
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	350,000
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	13,000
0162-0000	For the service of the joint committee on federal financial assistance	20,000
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
0164-0010	For expenses of joint standing and special committees, authorized by joint order, to sit and travel during the session and recess of the General Court, said funds to be allocated to committees only upon written approval of the president of the senate and the speaker of the house of representatives	20,000
0164-0020	For expenses of joint standing and special committees, authorized by the president of the senate and the speaker of the house of representatives, under the provisions of Joint Rule 3, to sit and travel during the recess of the General Court, said funds to be allocated to committees only upon written approval of the president and the speaker	10,000

Item		
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
0169–7103	For an investigation and study by a joint special committee on the administration and public welfare in the commonwealth and related matters	36,500
0169–7104	For an investigation and study by a joint special committee on the feasibility of creating a state land planning office and a Massachusetts land bank and other related matters	20,000
0169–7201	For an investigation and study by a joint special committee on a new apportionment of representative, senatorial and councillor districts, as authorized by an order adopted in the House on February eighth, nineteen hundred and seventy-two, and in the Senate on February twenty-second, nineteen hundred and seventy-two	50,000
0169–7102	For the office of legislative post audit and oversight bureau, prior appropriation continued	300,000

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)	$69,100
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	15,000
0185–1000	For an investigation and study relative to marine boundaries and resources of the commonwealth, as authorized by chapter seventy-seven of the resolves of nineteen hundred and sixty-nine	35,000
0185–2000	For an investigation and study relative to public financial aid to non-public primary and secondary schools and certain related matters, as authorized by chapter sixty-one of the resolves of nineteen hundred and sixty-nine	1,000
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	35,000
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	25,000
0185–7103	For an investigation and study of the Massachusetts National Guard, as authorized by chapter twenty-five of the resolves of nineteen hundred and seventy-one	50,000
0185–7205	For an investigation and study relative to a program of pollution abatement in Boston Harbor and redevelopment of the waterfront, as authorized by chapter forty-four of the resolves of nineteen hundred and seventy-one	50,000
0185–7206	For an investigation and study relative to evaluating the adequacy of existing programs in the commonwealth for the care and treatment of children, as authorized by chapter six of the resolves of nineteen hundred and seventy-two	50,000
0185–7207	For an investigation and study relative to the authorization of savings banks to accept demand deposits, as authorized by chapter seventy-two of the resolves of nineteen hundred and seventy-one	30,000
0185–7208	For an investigation and study relative to the management, operation and accessibility of public beaches along the sea coast and other related matters, as authorized by chapter fifty-one of the resolves of nineteen hundred and seventy	5,000
	Total, Legislature	$13,297,785

Judiciary.

Supreme Judicial Court.

Item		
0301–0001	For the salaries, travelling allowances and expenses of the chief justice and of the six associate justices	$245,800
0301–0002	For law clerks and clerical assistance for the justices	245,534
0301–0006	For office supplies, services and equipment	19,000
0301–0101	For the salary of the clerk and the assistant clerk for the commonwealth	48,191
0301–0102	For clerical assistance to the clerk	20,928
0301–0200	For the salaries of the officers and messengers	15,805
0301–0300	For the commonwealth's part of the salaries of the clerk and assistant clerks for the county of Suffolk	13,239
0301–0400	For the use by certain state agencies of the facilities of the social law library; provided, that no payment shall be made for the use of said facilities other than from funds provided by this item	54,000
0301–0500	For the service of the executive secretary	101,877
0301–0601	For expenses of the Massachusetts defenders committee, including not more than thirty-nine permanent positions	1,230,420
0301–0700	For the office of the reporter of decisions, including not more than four permanent positions	61,646

Superior Court.

0302–0001	For the salaries, travelling allowances and expenses of the chief justice and of the forty-five justices	$1,481,300
0302–0003	For court expenses	261,300
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	90,000
0302–0302	For expenses of justices of district courts while sitting in the superior court, prior appropriation continued	20,000
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 ninety-three permanent positions	1,260,000
0302–0402	For personal services and expenses of the office of the supervisor of probation	19,897

Judicial Council.

0303–0001	For the service of the council	$24,945

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	32,934

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:

Item		
0305–6011	Barnstable, including not more than eleven permanent positions	$131,520
0305–6021	Berkshire, including not more than eight permanent positions	95,365
0305–6031	Bristol, including not more than twenty permanent positions	208,295
0305–6041	Dukes, including not more than three permanent positions	23,410
0305–6051	Essex, including not more than thirty permanent positions	290,000
0305–6061	Franklin, including not more than five permanent positions	74,075
0305–6071	Hampden, including not more than thirty-one permanent positions	299,000
0305–6081	Hampshire, including not more than seven permanent positions	94,460
0305–6091	Middlesex, including not more than sixty permanent positions	577,009
0305–6101	Nantucket, including not more than three permanent positions	41,295
0305–6111	Norfolk, including not more than thirty-five permanent positions	331,035
0305–6121	Plymouth, including not more than seventeen permanent positions	207,586
0305–6131	Suffolk, including not more than seventy permanent positions	650,000
0305–6141	Worcester, including not more than twenty-six permanent positions	269,575

Land Court.

0306–0001	For the office of the land court, including not more than fifty-nine permanent positions	$771,120

Pensions for Certain Retired Justices.

0307–0001	For pensions of retired judges or their widows	$500,000

District Attorneys.

For the salaries of district attorneys and assistants for the nine districts:

0308–0001	Suffolk, including not more than thirty-five permanent positions	$428,300
0308–0002	Northern, including not more than seventeen permanent positions	193,900
0308–0003	Eastern, including not more than ten permanent positions	98,000
0308–0004	Southern, including not more than nine permanent positions	89,500
0308–0005	Middle, including not more than thirteen permanent positions	125,500
0308–0006	Western, including not more than nine permanent positions	90,000
0308–0007	Northwestern, including not more than six permanent positions	47,000
0308–0008	Norfolk, including not more than fourteen permanent positions	117,000
0308–0009	Plymouth, including not more than eight permanent positions	79,500
0308–0010	For the travelling expenses necesarily incurred by the above district attorneys except in the Suffolk district, including expenses incurred in previous years	50,000

Committee on Probation.

0309–0001	For the office of the commissioner of probation, including not more than sixty-two permanent positions	$682,878
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	$116,204

Suffolk County Court House.

Item

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 $440,000

Total, Judiciary $12,501,426

Executive.

Governor.

0411-1000 For the salaries of the governor and officers and employees in the governor's office $845,000

0411-1901 For postage, printing, office and other contingent expenses, including travel of the governor 200,000

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

0411-4000 For the administration of the public safety committee . 364,220

0411-6000 For the office of intergroup affairs 50,000

5011-0001 For medical examinations for the mentally retarded . 165,000

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 $118,800

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 $155,446

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.

0431-0010 For the office of the adjutant general, including not more than thirty-nine permanent positions $409,860

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	$187,585
0431–0300	For allowances to companies and other administrative units, to be expended under the direction of the adjutant general	188,000
0431–0400	For compensation for accidents and injuries sustained in the performance of military duty and for small claims for damages to private property	12,400
0431–0500	For the operation of the war records project, so-called, including not more than ten permanent positions	76,500
	State Quartermaster.	
0431–1010	For the office of the state quartermaster	$7,350
0431–1110	For the operation of armories of the first class, including not more than one hundred and four permanent positions	1,386,960
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	57,110
0431–1410	For certain storage and maintenance facilities, including not more than twenty-eight permanent positions	203,900
0431–1510	For certain national guard aviation facilities, including not more than ten permanent positions	75,745
	Other Military.	
0431–9001	For the military reservation in Barnstable county, including compensation of the commissioner	$1,715
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	475
	Civil Defense Agency.	
0432–0001	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	$535,040
0432–0002	For the service of the civil defense agency nonmatching fund program	19,110
0432–3000	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	12,300
0432–4000	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	34,095
	Total, Executive	$5,363,361

Secretary of the Commonwealth.

0511–0000	For the office of the secretary, including not more than one hundred and two permanent positions	$1,105,690

Item		
0511-1510	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	$13,550
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	246,840
0513-0000	For the expense of processing certain statistical data	9,000
0514-0000	For the administration of the bureau of corporate organization and registration, including not more than thirteen permanent positions	183,385
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	12,200
0517-0000	For the expense of printing various public documents, prior appropriation continued	110,000
0518-0000	For the purchase and distribution of certain journals of the house of representatives (1920, 413; 1964, 451)	4,500
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	1,276,500
0522-0000	For expenses of publications of lists of candidates and of questions before state elections	35,000
0524-0000	For expenses of compiling and publishing information to voters	300,000

Massachusetts Historical Commission.

0526-0100	For the administration of the commission, including not more than one permanent position	$46,975

Ballot Law Commission.

0527-0100	For compensation and expenses of the commissioners, including not more than three permanent positions	$4,550

Records Conservation Board.

0528-0100	For the expenses of the board	$1,200

Commission on Interstate Co-operation.

0530-0100	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	$68,758
	Total, Secretary of the Commonwealth	$3,458,148

Treasurer and Receiver-General.

0610-0000	For the office of the treasurer and receiver-general, including not more than ninety-nine permanent positions	$1,619,285
	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

Item

0611–4000 For the administration of the Vietnam bonus payments . **$246,620**

0611–5000 For compensation to victims of violent crimes, as authorized by chapter two hundred and fifty-eight A of the General Laws **60,000**

State Board of Retirement.

0612–0100 For the administration of the board, including not more than thirty-nine permanent positions **$370,450**

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 **38,000,000**

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 **6,802,000**

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 **2,000**

0612–4000 For the compensation of certain prison officers and instructors formerly in the service of the commonwealth, now retired . **6,200**

0612–5000 For retirement allowances of certain employees formerly in the service of the administrative division of the metropolitan district commission; provided, that the metropolitan district commission's share of this item shall be assessed by methods fixed by law . **22,000**

MDC Sewerage District Fund .	25.0%
MDC Water District Fund . .	25.0%
Highway Fund	25.0%
MDC Parks District Fund . .	25.0%

0612–6000 For retirement allowances of certain veterans and police officers formerly in the service of the metropolitan district commission; provided, that the commission's share of this item shall be assessed by methods fixed by law **706,000**

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 **202,300**

MDC Sewerage District Fund .	100.0%

0612–8000 For retirement of certain veterans formerly in the service of the metropolitan water system **440,300**

MDC Water District Fund . .	100.0%

0612–9000 For annuities for widows of certain former members of the uniformed branch of the state police (1963, 526) **55,000**

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.

Item

0630-0000 For administration of the board, including not more than one permanent position **$35,440**

State Lottery Commission.

0640-0000 For the expenses of the operation and administration of the state lottery, as authorized by sections twenty-two to thirty-six, inclusive, of chapter ten of the General Laws; 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 and 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, so far 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 one hundred and twenty-four permanent positions **$4,904,450**

Debt Service.

0699-1800 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 **$712,559**

State Recreation Areas Fund . 100.0%

0699-1900 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 **1,880,000**

State Recreation Areas Fund . 100.0%

0699-2800 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 **100,900**

Inland Fisheries and Game Fund . 100.0%

0699-2900 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 **250,000**

Inland Fisheries and Game Fund . 100.0%

0699-3800 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 **4,726,258**

MDC Water District Fund . 100.0%

Item		
0699-3900	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	$6,087,000
	MDC Water District Fund 100.0%	
0699-4800	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	3,675,126
	MDC Sewerage District Fund 100.0%	
0699-4900	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	4,454,000
	MDC Sewerage District Fund 100.0%	
0699-5800	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	1,739,766
	MDC Parks District Fund 100.0%	
0699-5900	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	3,455,000
	MDC Parks District Fund 100.0%	
0699-6800	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	15,888,826
	Highway Fund 100.0%	
0699-6900	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	45,846,000
	Highway Fund 100.0%	
0699-7800	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	32,874,197
0699-7900	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	52,849,000
	Total, Treasurer and Receiver-General	$228,037,302

Auditor of the Commonwealth.

0710-0000	For the office of the auditor, including not more than one hundred and thirty permanent positions	$2,371,773
	Highway Fund 30.0%	
	General Fund 70.0%	
	Total, Auditor of the Commonwealth	$2,371,773

Department of the Attorney General.

0810-0000	For the office of the attorney general, including not more than fifty-three permanent positions, prior appropriation continued	$2,970,357
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	

Item

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 $210,000

Commission on Uniform State Laws.

0830-0100 For the expenses of the commission $7,900

Total, Department of the Attorney General . . $3,188,257

Executive Office of Administration and Finance.

Office of the Commissioner.

1100-1100 For the office of the commissioner of administration, including not more than thirty-nine permanent positions . . . $809,862
Highway Fund 30.0%
General Fund 70.0%

1100-1141 For certain existing public social services to be performed by various state departments and agencies including but not limited to the executive office of elder affairs, the executive office of human services, the department of youth services, education, correction, mental health, public health and the Massachusetts rehabilitation commission pursuant to contracts entered into between any such agency with the department of public welfare; provided that any expenditure from this item shall be contingent 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 not less than seventy-five per cent of such expenditure . 7,500,000

1100-1200 For the personal expenses of the governor while living in the vicinity of Boston, with approval of the commissioner of administration 20,000

1100-1601 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 ene hundred per cent; and further provided, that any federal funds available for this purpose, when received, shall be credited to the Highway Fund 1,000,000
Highway Fund 100.0%

1100-1701 For the administration of the bureau of developmental disabilities 70,760

Fiscal Affairs Division.

1101-2100 For the administration of the Division, including not more than one hundred and sixty-two permanent positions . . $2,080,135
Highway Fund 30.0%
General Fund 70.0%

1101-2400 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 66,000
Highway Fund 100.0%

1101-2500 For other in-service training programs 51,450

1101-2510 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.

Item

1102-3110 For the administration of the division, including not more than six permanent positions $94,420

1102-3310 For the administration of the bureau of state buildings, and for the maintenance of the state house, including not more than one hundred and ninety-two permanent positions . . . 2,178,565

1102-3410 For the maintenance of the Leverett Saltonstall building, including not more than seventy-three permanent positions . . 1,684,864

1102-3501 For the maintenance of the Lindemann Building, including not more than fifty-four permanent positions 1,074,054

1102-3710 For the operation, maintenance and security of the Charles F. Hurley Employment Security building; provided, that expenditures from this item shall not exceed the amount to be paid the commonwealth under the terms of the lease defined in section six of chapter six hundred and thirty-five of the acts of nineteen hundred and sixty, as amended, insofar as rental payments under the terms of said lease apply to the cost of operation, maintenance and repair; including not more than thirty-two permanent positions 1,025,000

1102-3810 For the maintenance of the Springfield state office building including not more than two permanent positions 81,783

1102-4010 For the operation of certain central services and the telephone system, including not more than twenty-eight permanent positions 393,645

Comptroller's Division.

1103-1000 For the administration of the division, including not more than two hundred and twenty-six permanent positions . . $2,855,450

Highway Fund 30.0%

General Fund 70.0%

1103-5010 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 nineteen hundred and seventy-one 767,280

Purchasing Agent's Division.

1104-1000 For the administration of the division, including not more than ninety-three permanent positions $879,100

Highway Fund 30.0%

General Fund 70.0%

1104-2000 For the operation of a central mailing room in the Leverett Saltonstall building, including not more than four permanent positions 26,785

1104-3000 For the purchase of paper used in the execution of contracts for printing, other than legislative 167,500

Suggestion Awards Board.

1105-1000 For awards to state employees $500

Rate Setting Commission.

1106-1000 For the administration of the commission, including not more than fifty-three permanent positions $755,285

Other Administration and Finance.

1110-2200 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

Group Insurance Commission.

Item

1120-1000 For administration of the group insurance program, including not more than forty-six permanent positions $990,675

1120-2000 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 29,106,093

1120-3000 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 . . . 200,000

Board of Economic Advisors.

1130-1000 For the expenses of the board $23,150

Massachusetts Commission Against Discrimination.

1150-5100 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 $757,825

1150-5110 For administration of the Springfield office . . . 35,189

1150-5120 For administration of the New Bedford office . . 21,959

1150-5130 For administration of the Worcester office . . . 21,215

Contributory Retirement Appeal Board.

1160-1000 For the expenses of the board $2,200

Finance Advisory Board.

1170-1000 For the expenses of the board $100

Retirement Law Commission.

1180-1000 For the administration of the commission, including not more than two permanent positions $38,470

Department of Corporations and Taxation.

1201-0100 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-nine permanent positions $10,310,000

Highway Fund 6.0%

General Fund 94.0%

1201-1100 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 thou-

Item

sand 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 $2,046,498

Highway Fund 2.5%

General Fund 97.5%

1201–2000 For certain tax audits of foreign corporations . . 78,530

Bureau of Accounts.

1231–0100 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 $1,544,550

1231–1000 For the administration of the county personnel board, including not more than six permanent positions 35,595

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 . . . $2,910,000

1233–2000 For reimbursing cities and towns for abatements granted 1,400,000

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.

1310–1000 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 including not more than thirty-three permanent positions $393,766

Division of Civil Service.

1400–0100 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 . . $3,900,400

Highway Fund 15.0%

General Fund 85.0%

Miscellaneous.

1500–0001 For the contribution of the commonwealth toward the maintenance of the old provincial state house $1,500

1599–0001 For the payment of certain annuities and pensions of soldiers and others under the provisions of certain acts and resolves . 12,500

1599–0002 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 . 25,000

1599–0003 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 20,000

Item

1599-0004 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 $2,500

1599-0020 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 . 5,000

Highway Fund 100.0%

Unassigned Accounts.

Miscellaneous.

1599-2013 For a reserve to meet the cost of certain salary adjustments, including cost-of-living increases as authorized by chapter 300 of the acts of 1972 and certain salary adjustments authorized by chapter 835 of the acts of 1970, provided, that the funds made available in this item shall not be used for payment of overtime or excess quota positions; provided, that the comptroller shall pay from this item the cost of retroactive adjustments due and payable under the provisions of section 43 and 44 of said act, and provided further, 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-three, which are available in whole or in part for personal services, such amounts as are necessary to meet the cost of said adjustments for the fiscal year nineteen hundred and seventy-three, 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 further authorized to allocate the cost of such salary adjustments to the several state or other funds to which such items of appropriation are charged $28,000,000

UNFORESEEN EMERGENCIES.

1599-2014 For a reserve to meet unforeseen emergencies, the Governor, upon recommendation of the commissioner of administration, is hereby authorized to transfer from the sum appropriated herein to other appropriation items where the amounts otherwise available are insufficient, such amounts as are necessary to protect the public interest; provided, that no transfer shall be made as authorized herein until the existence of the said unforeseen emergency shall have been certified by the agency and by the secretary having jurisdiction over the requesting agency; and that the existence of the said unforeseen emergency shall have been verified by the House and Senate Committees on Ways and Means; and provided further, that the Governor, upon recommendation of the commissioner of administration, is authorized to allocate the amount of the said transfers to the several state or other funds to which such items of appropriation are charged $5,000,000

1599-3100 For the payment of certain employment security benefits as authorized by Chapter 940 of the Acts of 1971 500,000

Total, Administration and Finance . . . $111,386,228

Executive Office of Environmental Affairs.

Office of the Secretary.

Item

2000–0100 For the office of the secretary of environmental affairs, including not more than five permanent positions . . . $171,746

General Fund	16.0%
MDC Water District Fund	20.0%
MDC Sewerage District Fund	15.0%
MDC Parks District Fund	14.0%
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%
Highway Fund	22.0%

Outdoor Advertising Division.

2100–1000 For the office of the division, including not more than eleven permanent positions $105,990

World War II Memorial Commission.

2200–1000 For the administration and maintenance of a certain World War II memorial, as authorized by chapter eighty-three of the acts of nineteen hundred and sixty-five $6,500

Metropolitan District Commission.

Administration.

2410–1000 For general administration, including not more than sixty-nine permanent positions $835,760

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.

2420–0100 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 $7,260,125

MDC Water District Fund . . 100.0%

2425–9001 For emergency repairs to water mains, prior appropriation continued.

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%

Metropolitan Sewerage District.

2430–0100 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 $7,318,018

MDC Sewerage District Fund . 100.0%

Metropolitan Parks District.

Item		
2440-0010	For the maintenance of boulevards and parkways, including Bunker Hill and the adjacent property, and for the maintenance of parks, reservations and the Charles River basin, and for the payment of damages caused by defects in boulevards and parkways under the control of the commission with the approval of the attorney general, including payments to the state retirement system under the provisions of the General Laws; 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 four hundred and eleven permanent positions	**$22,567,395**
	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.	
	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	**25,000**
	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	**500,000**
	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	**5,000**
	MDC Parks District Fund . . 100.0%	
2444-9006	For the expenses of holding band concerts	**25,000**
	MDC Parks District Fund . . 100.0%	

Item		
2444–9007	For certain recreation repairs and renovations at Foss Park	$75,000
	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 any other federal or state funds or assistance which may be made available for the purposes of said act, prior appropriation continued	250,000
	MDC Parks District Fund . . 100.0%	
2444–9017	For certain payments to the children's museum . .	50,000
	MDC Parks District Fund . . 100.0%	
2444–9026	Item 2444–9026 of section two of chapter one thousand and three of the acts of nineteen hundred and seventy-one is hereby amended by adding the following: — and the construction and/or reconstruction of such drainage facilities or other appurtenances which may be required for the efficient operation of said pumping station	450,000

Department of Agriculture.

2511–0100	For the office of the commissioner, including the expenses of the board of agriculture, and including not more than twenty-nine permanent positions	$247,190
	Agricultural Purposes Fund . . 50.0%	
	General Fund 50.0%	
2512–1000	For apiary inspection and for reimbursement of owners of diseased bees, including not more than one permanent position .	12,638

Division of Poultry and Poultry Products.

2513–1000	For the office of the division, including not more than six permanent positions	$81,253
2513–2000	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	5,467

Division of Dairying and Animal Husbandry.

2514–1000	For the office of the division, including not more than twenty permanent positions	$205,250
2514–2000	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	5,745

Division of Animal Health.

2515–1000	For the office of the division, including not more than twenty-eight permanent positions	$286,438
	Agricultural Purposes Fund . . 100.0%	
2515–2000	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	1,160
	Agricultural Purposes Fund . . 100.0%	
2515–3000	For the reimbursement of owners of diseased cattle slaughtered, prior appropriation continued	5,000
2515–3500	Reimbursement for hogs killed	5,000
	Agricultural Purposes Fund . . 100.0%	
2515–4000	For the reimbursement of certain towns for compensation paid to inspectors of animals	2,500
	Agricultural Purposes Fund . . 100.0%	

Division of Markets.

Item		
2516–1000	For the office of the division, including not more than twelve permanent positions	$157,373
2516–1500	For promoting agriculture in the commonwealth	100,000
	Agricultural Purposes Fund 100.0%	
2516–2000	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	7,020
2516–7000	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	4,800

Division of Plant Pest Control.

2517–1000	For the office of the division, including not more than four permanent positions	$51,330
2517–1100	For control of European Chafer	1,555

Division of Fairs.

2518–1000	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	$297,115
	Agricultural Purposes Fund 100.0%	
2518–1010	For the display of exhibits at certain fairs as authorized by chapter nine hundred and eighty-seven of the acts of nineteen hundred and seventy-one	200,000
	Agricultural Purposes Fund 100.0%	
2518–1020	For the administration of the thoroughbred breeders fund	12,975
	Agricultural Purposes Fund 100.0%	
2518–1021	For certain prizes	50,000
	Agricultural Purposes Fund 100.0%	
2518–1030	For the administration of the Massachusetts standardbred agricultural fair and breeding fund committees	3,900
	Agricultural Purposes Fund 100.0%	
2518–1031	For certain prizes	50,000
	Agricultural Purposes Fund 100.0%	

State Reclamation Board.

2520–0100	For the office of the board, including not more than three permanent positions	$36,800
2520–0200	For the commonwealth's share of the greenhead fly control program	6,500

For the expenses of the following mosquito control projects:

2520–0300	Cape Cod	$226,750
	Mosquito & Greenhead Fly Control Fund 100.0%	
2520–1100	Berkshire County	171,448
	Mosquito & Greenhead Fly Control Fund 100.0%	
2520–1200	Norfolk County	168,540
	Mosquito & Greenhead Fly Control Fund 100.0%	
20–1300	Bristol County	142,680
	Mosquito & Greenhead Fly Control Fund 100.0%	
0–1400	Plymouth County	159,520
	Mosquito & Greenhead Fly Control Fund 100.0%	
–1500	Essex County, city of Revere and town of Winthrop	171,220
	Mosquito & Greenhead Fly Control Fund 100.0%	

Department of Natural Resources.

Item		
2600–0100	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 shall not be subject to the provisions of chapter thirty-one of the General Laws	$619,300
	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%	
2600–1491	For the maintenance, operation and improvement of public access land and water areas, as authorized by section seventeen A of chapter twenty-one of the General Laws	32,000
	Public Access Fund 100.0%	
2600–1492	For the acquisition of certain land and water areas as authorized by section seventeen A of chapter twenty-one of the General Laws	166,000
	Public Access Fund 100.0%	
2600–1495	For certain construction, as authorized by section seventeen A of chapter twenty-one of the General Laws	426,100
	Public Access Fund 100.0%	

Division of Forests and Parks.

2610–1000	For the office of the division, including not more than fourteen permanent positions	$157,520
2611–0100	For the office of the bureau of recreation, including not more than one hundred and sixty-five permanent positions	2,755,730
	State Recreation Areas Fund 100.0%	
2611–1000	For the administration of public beaches, including not more than five permanent positions (1968, 501)	49,175
	State Recreation Areas Fund 100.0%	
2611–1100	For the maintenance of Fort Phoenix Beach	53,675
	State Recreation Areas Fund 100.0%	
2611–1200	For the maintenance of Horseneck Beach, including not more than one permanent position	247,670
	State Recreation Areas Fund 100.0%	
2611–1300	For the maintenance of Salisbury Beach, including not more than three permanent positions	319,010
	State Recreation Areas Fund 100.0%	
2611–1325	For replacement of a beach cleaner	25,000
	State Recreation Areas Fund 100.0%	
2611–1400	For the maintenance of Scusset Beach, including not more than one permanent position	86,006
	State Recreation Areas Fund 100.0%	
2611–2100	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	2,468,620
	State Recreation Areas Fund 100.0%	
2611–9006	For the improvement of roads in state forests, state parks and state reservations	125,500
	State Recreation Areas Fund 100.0%	
2612–1000	For the development of forests, including not more than five permament positions	137,130

Item

2612-9002 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 $149,600

2613-0001 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 757,654

2613-0002 For the administration of the forest fire patrol, including not more than seventeen permanent positions 155,120

2613-0005 For replacement of fire tower 29,000

2614-1000 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 298,535

2614-1002 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 purpose of this item; and, provided further, that said program shall be terminated within eighteen months from the effective date of this appropriation 19,068

Division of Law Enforcement.

2620-0100 For the office of the division, including not more than seventy-seven permanent positions $968,225

Inland Fisheries and Game Fund	26.0%
Marine Fisheries Fund	24.0%
State Recreation Areas Fund	5.0%
General Fund	45.0%

2620-0200 For the supervision of public fishing and hunting grounds 15,050

Inland Fisheries and Game Fund	100.0%

2620-0300 Hunter Safety training program 45,745

Inland Fisheries and Game Fund	100.0%

Division of Conservation Services.

2630-1000 For the office of the division, including the expenses for the committee for conservation, and including not more than fifteen permanent positions $210,499

2630-1200 For assistance to community conservation commissions in the acquisition of conservation lands 750,000

2630-1241 For the administration of a land and water conservation program, including not more than eight permanent positions . 82,180

State Recreation Areas Fund	100.0%

Division of Marine Fisheries.

2640-0001 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 $349,880

Marine Fisheries Fund	100.0%

2640-0004 For the expenses of the marine fisheries advisory commission 1,800

Marine Fisheries Fund	100.0%

Item		
2640–0010	For repairs to research vessel	$6,000
	Marine Fisheries Fund . . . 100.0%	
2640–0100	For expenses of the Cat Cove marine research station .	62,500
	Marine Fisheries Fund . . . 100.0%	
2640–1311	For a program of estuarine research	123,485
	Marine Fisheries Fund . . . 100.0%	
2640–1341	For the operation of the shellfish treatment plant at Newburyport (1961, 506)	77,866
	Marine Fisheries Fund . . . 100.0%	
2640–1361	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:

2640–1372	For the collection, compilation, evaluation and dissemination of commercial fisheries statistics	$26,859
	Marine Fisheries Fund . . . 100.0%	
2640–1373	For a program, in cooperation with the Woods Hole Laboratory of the bureau of commercial fisheries, to increase the knowledge of coastal flounder population	28,408
	Marine Fisheries Fund . . . 100.0%	
2640–1374	Coordination of commercial fisheries research and development work	45,951
	Marine Fisheries Fund . . . 100.0%	
2640–1375	For consumer education in and the development of Massachusetts fishery products	99,000
	Marine Fisheries Fund . . . 100.0%	
2640–1376	For an investigation of the use of anadromous fish .	27,829
	Marine Fisheries Fund . . . 100.0%	
2640–1377	For the improvement of the program for the protection of shellfish	18,428
	Marine Fisheries Fund . . . 100.0%	
2640–1379	Lobster Aquaculture Research	42,729
	Marine Fisheries Fund . . . 100.0%	
2640–1383	Commercial Fisheries Extension Service	48,000
	Marine Fisheries Fund . . . 100.0%	
2640–1384	For a program to study the alewife run parameters .	11,000
	Marine Fisheries Fund . . . 100.0%	

Division of Mineral Resources.

2650–1000	For the office of the division	$159,180

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.

2670–0001	For the office of the division, including expenses of the fish and game board, including not more than eighteen permanent positions	$249,150
	Inland Fisheries and Game Fund . 100.0%	

Item		
2670-2300	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	$719,710
	Inland Fisheries and Game Fund . 100.0%	
2670-2305	For replacement of upper pools — Sandwich fish hatchery complex, appropriation expires June the thirtieth, nineteen hundred and seventy-three	30,000
	Inland Fisheries and Game Fund . 100.0%	
2670-2322	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%	
2670-2341	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%	
2670-2342	For fish restoration projects, including not more than four permanent positions	70,730
	Inland Fisheries and Game Fund . 100.0%	
2670-2401	For the administration of game farms and for wildlife research and management, including not more than forty-eight permanent positions	589,600
	Inland Fisheries and Game Fund . 100.0%	
2670-2441	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%	
2670-2451	For the payment of damages caused by wild deer, including not more than one permanent position, prior appropriation continued	10,027
	Inland Fisheries and Game Fund . 100.0%	
2670-2461	For the administration of a program for wildlife restoration projects, including not more than twenty-two permanent positions	236,450
	Inland Fisheries and Game Fund . 100.0%	
2670-2502	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%	

Division of Water Resources.

2681-0100	For the office of the division, including not more than twenty permanent positions	$227,300
2681-0102	For property surveys for establishment of flood plain limits in Assabet and Chicopee River Valleys (1961 548, 554) . .	10,000
2681-0200	For a program of water planning; 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 sixty-six thousand five hundred dollars of federal funds for the purposes of this item, including not more than six permanent positions .	96,500
2681-0501	For the administration of the Thames River Valley Flood Control Commission (1957, 616)	600
2681-0502	For the administration of the Connecticut River Valley Flood Control Commission and for reimbursement for loss of taxes (1951, 692)	50,450
2681-0503	For the administration of the Merrimack River Valley Flood Control Commission (1956, 608)	85,450

Item		
2681–0506	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
2681–0801	For the expenses of a certain flood control project in the town of New Marlborough (1959, 496)	150
2681–0802	For the expenses of the flood control reservoirs on the Clam River watershed (1963, 565)	5,000
2681–0803	For the expenses of the flood control reservoirs on the Quaboag River watershed (1962, 571)	8,000
2681–0804	For the expenses of the flood control reservoirs on the SuAsCo watershed (1960, 669)	10,000
2681–0805	For the commonwealth's share of the cost of a federal-state cooperative water favorability study	96,000
2681–0806	For the commonwealth's share of the cost of a federal-state cooperative water reservoir site study	60,000
2681–0807	For the commonwealth's share of the New England River Basin Commission	43,150

Division of Water Pollution Control.

2685–0010	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	$821,170
2685–8000	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
2685–9000	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	1,153,700
	Total, Environmental Affairs	$60,069,990

Executive Office of Communities and Development.

Office of the Secretary.

3000–0100	For the office of the secretary of communities and development, including not more than four permanent positions	$106,715
	General Fund 60.0%	
	Tourism and Industrial Promotion Fund 40.0%	

Mobile Homes Commission.

3100–0100	For the expenses of the commission	$1,500

Committee on Law Enforcement and Administration of Criminal Justice.

3200–1000	For the expenses of the committee	$500

American and Canadian French Cultural Exchange Commission.

3300–1000	For the expenses of the American and Canadian French cultural exchange commission	$12,500

Department of Commerce and Development.

Item

3600-0100 For the administration of the department, including not more than eighty-nine permanent positions **$1,206,680**
Tourism and Industrial Promotion Fund 100.0%

Division of Tourism.

3622-1000 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 **$42,810**
Tourism and Industrial Promotion Fund 100.0%

3622-9001 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.

3632-9001 For the promotion of industry within the commonwealth; provided, that no salaries or expenses of employees shall be chargeable to this item **$450,000**
Tourism and Industrial Promotion Fund 100.0%

Massachusetts Science and Technology Foundation.

3690-0010 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 **$100,000**

Department of Community Affairs.

Administration.

3700-0100 For the general administration of the department, including not more than eighty-four permanent positions **$2,109,480**

Division of Community Development.

3722-9001 For certain financial assistance for housing projects for the elderly **$9,168,024**

3722-9002 For certain financial assistance for housing projects for veterans **7,889,626**

3722-9003 For a program of financial assistance for certain low income housing, prior appropriation continued **575,000**

3722-9004 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 **1,750,000**

3722-9005 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 **1,600,000**

3722-9101 For reimbursement of cities and towns for the commonwealth's share of federally-aided urban renewal **3,500,000**

Item		
3722-9102	For reimbursement of cities and towns for the commonwealth's share of certain non-federally-aided urban renewal projects, provided, that notwithstanding the provisions of any law to the contrary, an amount not exceeding one hundred thousand dollars in the current fiscal year may be authorized by the department for surveys, plans, and administration; and, further provided, that notwithstanding the provision of any law to the contrary, an amount not exceeding four hundred and fifty-eight thousand dollars in the current fiscal year may be authorized for urban renewal assistance grants	$558,000
3722-9201	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

Division of Community Services.

3731-2003	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	$320,000
3732-0010	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	180,000
3732-2022	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	55,000
3735-9001	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
	Total, Communities and Development	$31,305,835

Executive Office of Human Services.

Office of the Secretary.

4000-0100	For the office of the secretary of human services, including not more than eight permanent positions	$676,123
4000-1502	For the comprehensive health planning project	60,000

Massachusetts Commission for the Blind.

4110-0001	For the office of the commissioner, including not more than fifteen permanent positions	$124,496

Bureau of Medical Care.

4110-1000	For administration of the bureau, including not more than fifty-four permanent positions	$234,690
4110-1010	For aiding the adult blind, prior appropriation continued	3,005,000
4110-1020	For administration of a program of medical assistance, including not more than five permanent positions	138,000
4110-1030	For payments of the state share of certain medical assistance programs, including medical supplies and equipment; and including previous fiscal years	1,405,300

Bureau of Individual Services.

Item		
4110-2000	For administration of a program of individual services, including not more than two permanent positions	$19,925
4110-2010	For administration of a talking book program, including not more than three permanent positions	103,370
4110-2020	For administration of a home teaching program, including not more than nineteen permanent positions	146,800
4110-2030	For administration of a children's services program, including not more than seven permanent positions	68,260

Bureau of Rehabilitation.

4110-3000	For administration of the bureau, including not more than two permanent positions	$14,650
4110-3010	For a program of vocational rehabilitation of the blind in cooperation with the federal government, prior appropriation continued	415,000

Bureau of Industrial Aid and Workshops.

4110-4000	For the administration of the bureau, including not more than three permanent positions	$30,015
4110-4010	For operation of local shops, including not more than fourteen permanent positions	385,630
4110-4020	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	52,985
4110-4030	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	734,235
4110-4040	For the administration and operation of the service of piano tuning	40,000
4110-4050	For certain payments to blind persons	80,000

Bureau of Research.

4110-5000	For the administration of the bureau, including not more than four permanent positions	$35,975

Massachusetts Rehabilitation Commission.

4120-0010	For the administration of the commission, including not more than one permanent position, prior appropriation continued	$2,500,000

Other.

Boxers' Fund Board.

4130-0001	For the expenses of the board	$250

Health and Welfare Commission.

4140-0100	For the office of the commission, including not more than three permanent positions	$40,220

Advisory Council on Home and Family.

4150-0100	For expenses of the council	$11,000

State Council on Juvenile Behavior.

4160-0100	For the administration of the council, including not more than two permanent positions	$25,400

Commissioner of Veterans' Services.

Item		
4170–0010	For the office of the commissioner, including not more than ninety permanent positions	$838,950
4170–0300	For the payment of annuities to certain disabled veterans	200,000
4170–0400	For reimbursing cities and towns for money paid for veterans benefits	18,000,000
4170–0500	For reimbursing cities and towns for financial aid granted to certain needy dependents of persons in the service of the armed forces	120,000

Soldiers' Home in Massachusetts.

4180–0100	For the maintenance of the home, including not more than six hundred and twenty-four permanent positions	$6,610,705
4180–9040	For certain renovations and equipment in the steam room of the main dormitory building	15,000
4180–9041	For certain interior painting	5,000
4180–9043	For repair of all machines in the laundry department	5,000

Soldiers' Home in Holyoke.

4190–0100	For the maintenance of the home, including not more than three hundred and six permanent positions	$2,948,561
4190–9022	For replacement of a certain feedwater heater	25,000
4190–9023	For replacement of certain furnace walls	10,000

Department of Youth Services.

4200–0010	For the administration of the department, including not more than one hundred and twenty-five permanent positions	$1,702,610
4202–0021	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	2,004,000
4205–0010	For the maintenance of detention centers in metropolitan Boston, including not more than thirty-nine permanent positions (G.L. Ch. 18A, sec. 2)	600,435

Bureau of Educational Services.

4210–1000	For reimbursement of cities and towns for tuition, including transportation to and from school, of children attending public schools	$100,000

Bureau of Clinical Services.

For the administration, maintenance of and for certain improvements at the institutions within the bureau:

4221–1010	Judge John J. Connelly Youth Center in the city of Boston, including not more than seventy permanent positions	$796,590
4223–1010	Detention center in Hampden county, including not more than twenty-four permanent positions	256,535
4224–1010	Detention center in Worcester county, including not more than twenty-eight permanent positions	300,760

Bureau of Institutional Services.

For the administration, maintenance of and for certain improvements at the institutions within the bureau:

4231–1010	Stephen L. French Youth Forestry Camp, including not more than thirteen permanent positions	$211,340

Item

4232-1010 Residential treatment unit in Oakdale, including not more than thirty-three permanent positions $395,765

4233-1010 Industrial school for boys, including not more than twenty-five permanent positions 122,000

4234-1010 Industrial school for girls, including not more than twenty-five permanent positions 115,000

4235-1010 Lyman school for boys, including not more than twenty-five permanent positions 123,000

4236-1010 For the northeast training center and a residential treatment unit, including not more than fifty-four permanent positions 592,700

4237-1010 For the supervision, counseling and related services for certain residential care programs; 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, including not more than three hundred and forty-six permanent positions 3,853,319

Bureau of After-care, Delinquency Prevention and Community Services.

4250-1100 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, town, county, federal 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 $1,130,000

Department of Correction.

4311-0001 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-three permanent positions $987,795

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

4312-0001 Correctional institution at Bridgewater, including not more than five hundred and eighty-six permanent positions . . $8,783,100

4312-0908 For the replacement of the security system in certain areas 26,000

4313-0001 Correctional institution at Walpole, including not more than three hundred and twenty-four permanent positions . . 4,201,950

4313-2001 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 1,964,250

4313-9030 For certain renovations and repairs 500,000

4314-0001 Correctional institution at Concord, including not more than two hundred and eighty-four permanent positions . . . 3,871,875

4314-2001 Correctional institution at Concord, industries, including not more than fifteen permanent positions 347,550

Item		
4315–0001	Correctional institution at Framingham, including not more than one hundred and thirty-three permanent positions	$1,654,750
4315–2001	Correctional institution at Framingham, industries, including not more than ten permanent positions	241,700
4316–0001	Correctional institution at Norfolk, including not more than two hundred and eighty-three permanent positions	4,321,085
4316–2001	Correctional institution at Norfolk, industries, including not more than thirty-one permanent positions	601,600
4317–0001	Correctional institution camps, including not more than thirty-nine permanent positions	734,250
4341–0001	For a receptions diagnostic center	216,447
4342–0001	For a pre-lease guidance center	72,445

Parole Board.

4380–0001	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-seven permanent positions	$1,243,048

Department of Public Welfare.

4400–1000	For the Office of the Commissioner; provided that any provisional or temporary employee shall be appointed from a Civil Service list; and further provided that expenditures 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 the position of director, food distribution programs shall not be subject to Chapter 31 of the General Laws; 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 and said report shall be available to the public; and provided further that notwithstanding the provisions of section 5 of Chapter 18 of the General Laws the consolidation of welfare service offices is hereby suspended; and provided further that applications for all federal *subventions* and grants shall be subject to prior approval of the commissioner of administration and the house and senate committees on Ways and Means; including not more than five thousand one hundred and ninety-six permanent positions	$53,989,730
4400–1010	For the travelling expenses of the medical assistance advisory council	1,500
4400–1020	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	800,528
4400–1061	For the administration of the social services administrative unit; including not more than 77 permanent positions	800,000

Grove Hall Project.

Item

4400-2000 For administration of a demonstration project, linking, integrating, and strengthening services in a neighborhood service center program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund $590,928

4401-1000 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; and, provided further, that the division utilize the citizens training group Blue Hill project 25,934,000

4401-2000 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 . 1,650,000

4402-1000 For payment on account of medical assistance and permanent and total disability assistance for recipients at Tewksbury hospital 57,000

4402-2000 For payments on account of medical assistance and old age assistance for recipients at Tewksbury hospital . . . 79,000

4402-3000 For payments on account of the programs of medical assistance-mental health and old age assistance-mental health (1965, 874) 16,850,000

4402-4000 For reimbursement to cities and towns for a medical assistance program provided under Public Law 89-97 Title XIX, including certain (*a*) families with dependent children (*b*) totally and permanently disabled persons (*c*) aged persons and (*d*) certain individuals with insufficient resources to meet the cost of necessary medical services, prior appropriation continued (1965, 874) . . . 75,000

4402-5000 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 . . . 345,000,000

4403-2000 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 270,000,000

4403-2010 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 1,518,478

4403-2020 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

Item

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 $977,080

4403-2030 For a program of day care services; 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 . . . 5,000,000

4403-2040 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 774,145

4403-2050 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 certifica-

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tion 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 $820,000

4403-2070 For a program of counseling and family life education, to provide related services in: marital counseling, parent-child counseling, personality counseling, budgeting and nutritional counseling, and home management counseling; 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 these authorized in this item will be reduced or eliminated by the use of such grants or reimbursements for the purpose of this item 1,000,000

4405-2000 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 88,000,000

4406-2000 For a program of general relief 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 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 53,000,000

4407-2000 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 38,000,000

4409-3000 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 will 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.

Department of Public Health.

Bureau of Administration.

4510-0100 For the office of the bureau, including not more than sixty permanent positions $794,428

4510-0200 For the administration of certain research in connection with a health program for children and youth 7,605

4510-0300 For the administration of the drug formulary commission, as authorized by section thirteen of chapter seventeen of the General Laws 7,500

4510-0700 For the administration of the medical assistance unit . 744,970

Bureau of Environmental Sanitation.

Item		
4511-0100	For the office of the bureau, including not more than eighty-two permanent positions	$1,242,556
4511-0200	For the administration of the Lawrence experiment station, including not more than thirty-one permanent positions	392,890
4511-0300	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	157,464
4511-0500	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	60,695
4511-1200	For the administration of the Berkshire air pollution control district, to be in addition to any federal funds available for the purpose	8,490
4511-1300	For the administration of the central Massachusetts air pollution control district, to be in addition to any federal funds available for the purpose	29,530
4511-1400	For the administration of the Merrimack Valley air pollution control district, to be in addition to any federal funds available for the purpose	29,500
4511-1700	For the administration of the Southeastern Massachusetts air pollution control district, to be in addition to any federal funds available for the purpose	14,045

Bureau of Chronic Disease Control.

4512-0100	For the office of the division of communicable and venereal diseases, including not more than twenty-four permanent positions	$1,123,260
4512-0110	For a poliomyelitis vaccine program (1955, 481)	160,000
4512-0120	For a measles vaccine program	150,000
4512-0150	For a mumps vaccine program	300,000
4512-0160	Rubella vaccine program	250,000
4512-0165	For a triviral vaccine program	300,000
4512-0170	For a yellow fever vaccine program	820
4512-0200	For the office of the division of alcoholism, including not more than ten permanent positions	2,121,304
4512-0300	For the office of the division of adult health, including not more than fourteen permanent positions	336,150
4512-0400	For the office of the division of nursing home facilities, including not more than fourteen permanent positions	491,854
4512-0500	For the office of the division of dental health, including not more than ten permanent positions	116,202
4512-0600	For a study of equine encephalitis	49,717
4512-0700	For the office of epilepsy control program, including not more than two permanent positions	148,455
4512-0800	For a chronic renal disease program, including not more than two permanent positions	335,770

Bureau of Health Services.

4513-1000	For the office of the bureau, including not more than sixty-nine permanent positions	$3,023,139
4513-2110	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	

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	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
4513-2200	For the reimbursement of cities and towns for the care of certain infants	140,000
4513-2300	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.	
4514-0100	For the office of the bureau, including not more that twenty permanent positions	$255,920
	Bureau of Tuberculosis and Institutions.	
4515-0100	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	$4,412,265
	Institute of Laboratories.	
4516-0100	For the office of the institute, including not more than one hundred and sixty-seven permanent positions	$1,822,380
4516-0201	For a program of prevention of lead poisoning, including not more than three permanent positions	170,484
	Bureau of Consumer Products Protection.	
4517-0100	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	$1,623,979
4517-0200	For the administration of the pesticide board	27,770
	For the maintenance of and for certain improvements at the following institutions under the control of the department of public health:	
4531-0001	Lakeville hospital, including not more than three hundred and forty-nine permanent positions	$3,802,967
4532-0001	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	8,908,622
4532-9002	For a research program of chronic hepatitis and related diseases, to be in addition to any federal or other funds available	89,685
4532-9003	For the purchase and installation of an F. M. call system	35,000
4533-0001	Massachusetts hospital school, including not more than three hundred and thirty-seven permanent positions	2,905,020
4534-0001	Pondville hospital, including not more than three hundred and ten permanent positions	3,508,870
4534-9001	For the administration of a cancer research project	57,670
4534-9005	For the replacement of fire hydrants	12,000
4534-9006	For the painting of hospital buildings	10,000
4535-0001	Rutland Heights hospital, including not more than three hundred and eighty-three permanent positions	3,464,415
4536-0001	Tewksbury hospital, including not more than eight hundred and thirty-six permanent positions	8,847,875

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4536-9005	For purchase of certain laundry equipment, appropriation expires June the thirtieth, nineteen hundred and seventy-three	$25,000
4536-9006	For certain roof repairs	15,000
4537-0001	Western Massachusetts hospital, including not more than two hundred and ninety-six permanent positions	3,019,000
4537-9009	For certain roof repairs	15,000

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	$6,640,620
5013-0100	For the office of the division of drug rehabilitation, including not more than seventeen permanent positions	3,424,775
5014-0100	For certain community programs for the mentally retarded; provided that the expenditures from this item shall be contingent upon prior approval of the program by the proper federal authorities and assurance by such authorities that the federal allocation for the cost of the program shall not be less than 100 per cent	991,000

Region One.

5111-0000	For administration, including not more than thirteen permanent positions	$216,985
5121-0000	For mental health and retardation services, including not more than eighty-four permanent positions	1,508,310
5181-0000	For the maintenance of the Belchertown state school, including not more than seven hundred and eighty-five permanent positions	7,098,600
5181-9008	For the replacement of certain water pumping station power lines	30,000
5191-0000	For the maintenance of the Northampton state hospital, including not more than nine hundred and twenty-two permanent positions	8,790,220

Region Two.

5211-0000	For administration, including not more than eleven permanent positions	$218,430
5221-0000	For mental health and retardation services, including not more than eighty-nine permanent positions	1,250,700
5271-0000	For the maintenance of the Rutland Heights mental health rehabilitation center, including not more than thirty-seven permanent positions	506,630
5291-0000	For the maintenance of the Gardner state hospital, including not more than five hundred and fifty-nine permanent positions	5,338,040
5291-9006	For certain renovations to E and B building roofs	17,000
5292-0100	For the maintenance of the Grafton state hospital, including not more than five hundred and eighty-seven permanent positions	5,249,167
5293-0100	For the maintenance of the Worcester state hospital, including not more than one thousand and sixty-three permanent positions	9,432,885
5294-0100	For the maintenance of the Monson state hospital, including not more than eight hundred and sixty-three permanent positions	6,603,540

Region Three.

5311-0000	For administration, including not more than eleven permanent positions	$205,650
5321-0000	For mental health and retardation services, including not more than one hundred and thirty-six permanent positions	1,642,050
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	1,464,605

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5362-0100	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 two hundred and ninety-two thousand three hundred ninety-four 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 one hundred and seven positions	$784,054
5363-0100	For the purchase of psychiatric services at the Waltham hospital, prior appropriation continued	14,000
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	11,216,200
5381-9013	For the replacement of certain steam lines	45,000
5381-9014	For the renovation and improvement of the fire alarm system at Templeton Colony	40,000
5391-0000	For the maintenance of the Metropolitan state hospital, including not more than eight hundred and sixty-one permanent positions	8,337,700

Region Four.

5411-0000	For administration, including not more than fifteen permanent positions	$261,750
5421-0000	For mental health and retardation services, including not more than ninety-five permanent positions	1,776,100
5471-0000	For the maintenance of the John T. Berry rehabilitation center, including not more than eighty-nine permanent positions	940,958
5471-9001	For replacement and renovations to the fire alarm system	25,000
5481-0000	For the maintenance of the Hathorne state school, including not more than four hundred and sixty-five permanent positions	3,436,940
5491-0000	For the maintenance of the Danvers state hospital, including not more than nine hundred and forty-three permanent positions	8,598,700

Region Five.

5511-0000	For administration, including not more than thirteen permanent positions	$210,690
5521-0000	For mental health and retardation services, including not more than one hundred and twenty-four permanent positions	1,466,600
5581-0000	For the maintenance of the Wrentham state school, including not more than six hundred and eighty-one permanent positions	8,157,990
5591-0000	For the maintenance of the Medfield state hospital, including not more than six hundred and ninety-four permanent positions	6,515,450
5592-0100	For the maintenance of the Westborough state hospital, including not more than eight hundred and ninety-one permanent positions	8,000,447
5593-0100	For the maintenance of the Cushing hospital, including not more than six hundred and eighty-nine permanent positions	5,610,175

Region Six.

5611-0000	For administration, including not more than thirteen permanent positions	$212,105
5621-0000	For mental health and retardation services, including not more than one hundred and seventy-nine permanent positions	2,185,022
5661-0000	For the maintenance of the Massachusetts mental health center, including not more than three hundred and thirty-five permanent positions	3,539,316
5662-0100	For certain expenses of the mental health training, treatment and research center; provided, that federal funds not exceeding seven hundred and forty-two thousand dollars may be expended for the purposes of this item, said federal funds to be in addition to the amount appropriated	864,800
5663-0100	For the maintenance of the Erich Lindemann Mental Health Center, including not more than one hundred and ninety-three permanent positions	1,767,200

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5691-0000 For the maintenance of the Boston state hospital, including not more than one thousand two hundred and fifty-five permanent positions $11,568,072

Region Seven.

5711-0000 For administration, including not more than fifteen permanent positions $235,301

5721-0000 For mental health and retardation services, including not more than one hundred and four permanent positions . . . 1,183,395

5761-0000 For the maintenance of the Dr. John C. Corrigan mental health center, including not more than one hundred and twelve permanent positions 1,056,750

5781-0000 For the maintenance of the Paul A. Dever school, including not more than nine hundred and twenty-nine permanent positions 7,859,782

5791-0000 For the maintenance of the Foxborough state hospital, including not more than six hundred and eight permanent positions 5,498,850

5792-0100 For the maintenance of the Taunton state hospital, including not more than seven hundred and forty permanent positions . 7,616,000

5792-9005 For certain roof repairs 20,000

Total, Human Services $1,211,458,648

Executive Office of Transportation and Construction.

Office of the Secretary.

6000-0100 For the office of the secretary of transportation and construction, including not more than five permanent positions . . $193,645

Highway Fund 96.0%

General Fund 4.0%

Bureau of Building Construction.

6004-0200 For the administration of the bureau of building construction, including not more than one hundred and one permanent positions $1,483,024

Massachusetts Aeronautics Commission.

6006-0001 For the personal services and expenses of the commissioners, including not more than five permanent positions . . . $3,500

6006-0003 For the administration of the commission, including not more than ten permanent positions 159,160

6006-0051 For the expenses of air navigation facilities . . . 50,000

Government Center Commission.

6008-0001 For the office of the commission (1960, 635) . . . $312,722

Department of Public Works.

Highway Activities.

Personal Services.

6010-0001 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 com-

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missioner and shall not be subject to chapter thirty-one of the General Laws and may also appoint a deputy chief counsel (counsel III) who shall not be subject to chapter thirty-one of the General Laws $48,218,820
Highway Fund 100.0%

Administrative and Engineering Expenses.

6020-1509 For telephone service in the public works building . $125,000
Highway Fund 94.9%
General Fund 5.1%

6020-1900 For the operation and maintenance of the public works building, including not more than eighty-five permanent positions 860,373
Highway Fund 96.8%
General Fund 3.2%

6020-2401 For the purchase of all administrative and engineering equipment 400,000
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 2,432,470
General Fund 8%
Highway Fund 99.2%

6020-2801 For the compensation of certain retired employees (1948, 403, as amended) 4,365
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%

6020-2902 For a study of the problem of the destructive effects and possible solutions to the Interstate 93 highway in the city of Somerville 25,000
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 . $7,705,000
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 . 2,840,000
Highway Fund 100.0%

6030-7501 For the purchase of all equipment to be used directly for the maintenance and operation of state highways and bridges . . 1,200,000
Highway Fund 100.0%

6030-7601 For the maintenance and operation of state highways and bridges 2,997,000
Highway Fund 100.0%

6031-0131 For a property management program 200,000
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.

Item

6032-0100 For the administration of the division, including not more than seventy-four permanent positions $909,041
Public Access Fund . . . 2.6%
General Fund 97.4%

6032-2018 For certain construction, as authorized by chapter eight hundred and seventy-three of the acts of nineteen hundred and seventy-one 300,000

6032-3001 For the maintenance of property in the town of Plymouth, including not more than two permanent positions . . . 17,380

6032-3002 For the operation and maintenance of the New Bedford state pier, including not more than two permanent positions (1914, 693) 32,154

6032-7000 For the regulation of mill dams and reservoirs, as authorized by chapter two hundred and fifty-three of the General Laws . 131,110

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:

6033-1001 For the modernizing of the traffic signal system . . $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.

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

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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-two, 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.

6050-0010 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 fifteen permanent positions, prior appropriation continued $139,305

Total, Transportation and Construction . . $88,610,069

Executive Office of Educational Affairs.

Office of the Secretary.

7000-0100 For the office of the secretary of educational affairs, including not more than five permanent positions $180,698

George Fingold Library.

7000-0601 For the administration of the library, including not more than thirty-four permanent positions $368,010

Art Commission.

7000-0651 For expenses of the commission, notwithstanding the limitation of section nineteen of chapter six of the General Laws . $900

Compact for Education.

7000-0751 For the commonwealth's share of the cost of the compact for education $13,500

7000-0752 For the expenses of the education compact council of Massachusetts 1,400

New England Board of Higher Education.

7000-0801 For expenses of the board, and for compensation and expenses of the members (1954, 589) $148,825

7000-0811 For payments to medical or dental schools on acceptance of certain Massachusetts students (1954, 589, Art. V) . 425,000

Department of Education.

Advisory Council on Education.

Item		
7001–0010	For the office of the council, including not more than eight permanent positions	$428,303

Board of Education.

Board of Education and Commissioner's Office.

7010–0001	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	$230,637
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	225,000
7010–0009	For the administration of the program for the elimination of racial imbalance, including expenses of the prior fiscal year	85,814
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	2,000,000
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	707,790
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 career employees under said program 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.

7021–0010	For the office of the division, including not more than thirty-four permanent positions	$341,408
7021–9003	For the rental and maintenance of the Tremont street property, including not more than seven permanent positions	435,615
7025–0001	For the administration of the bureau of teachers' retirement, including not more than thirty-six permanent positions	353,595
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	9,500,000
7025–9004	For the payment of the commonwealth's share in financing the teachers' retirement system	57,953,000

Division of Occupational Education.

7027–0001	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	$269,797

Item		
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	$16,707,956
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	1,565,059
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	75,000
7027-0013	For the reimbursement of certain counties for county vocational schools	1,307,700
7027-0014	For the reimbursement of certain towns for the transportation of pupils	375,000
7027-1001	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 four permanent positions	175,000

Division of Special Education.

7028-0001	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-five permanent positions (1970, 887)	$414,300
7028-0301	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	9,014,000
7028-0701	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	9,875,483
7028-0901	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
7028-1401	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
7028-1402	For the transportation of deaf, blind and aphasic pupils attending classes in local school systems	292,500
7028-2802	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

Division of Curriculum and Instruction.

7030-0100	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	$889,084
7030-0110	For the administration of bilingual programs, including not more than five permanent positions	63,275
7032-0301	For expenses of holding teachers' institutes	1,000
7032-1001	For printing guides for school curricula	7,500
7035-0001	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	470,075
7035-0004	For the reimbursement of certain towns and regional school districts for the transportation of pupils	20,000,000
7036-0101	For the administration of the library bureau, including not more than twenty-six permanent positions	274,804
7036-1401	For state aid to regional public libraries	2,566,982
7036-1501	For state aid to public libraries	2,160,051

Division of Research and Development.

Item

7040-1011 For the office of the division, including not more than six permanent positions $136,685

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 $41,840

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 . . 271,519

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 1,000,000

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) 405,570

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 the 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 . . . 249,325

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 the 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 . . . 7,662,000

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) 290,000

Division of State and Federal Assistance.

7061-0001 For the office of the division, including not more than eight permanent positions $100,428

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

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property agency, including not more than two permanent positions; provided, that the persons employed in a temporary status on December 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 $21,853

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 326,000

Board of Higher Education.

7070-0001 For the office of the board, including the salary of the chancellor and including not more than twenty permanent positions $492,598

7070-0005 For medical, dental and nursing scholarships, as authorized by section one D of chapter fifteen of the General Laws . 350,000

7070-0006 For a scholarship program as provided in section one D of chapter fifteen of the General Laws, other than medical, dental, nursing and 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 8,000,000

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 190,643

7070-0014 For merit scholarships 128,000

7070-0011 For a scholarship program as authorized by chapter seven hundred and twelve of the acts of nineteen hundred and sixty-six for children of fire fighters or police officers who were killed or died in performance of duty 10,000

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 . $5,200

7101-0001 For the office of the board, including not more than thirty-four permanent positions 507,547

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, pro-

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	vided 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	287,500
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 veterans are ineligible to receive benefits under P.L. 351, Chapter 34; and provided further, no appropriated or state funds or personnel shall be used or expended directly or indirectly for said program; and, provided further, that the comptroller shall transfer to the General Fund on or after July 1 of each fiscal year an amount equal to the reasonable charge for said prior year; 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.	
7108–0100	State college at Boston, including not more than five hundred and seventy-two permanent positions	8,035,541
7108–9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	90,584
8071–26	Item 8071–26 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 words "General Laws" the following: —, said amount to be in addition to the amount appropriated in item 8067–17 of section two of chapter five hundred and ninety of the acts of nineteen hundred and sixty-six.	
7109–0100	State college at Bridgewater, including not more than four hundred and forty-nine permanent positions	5,861,000
7109–1011	State college at Bridgewater, boarding hall, including not more than twenty-two permanent positions	230,547
7109–9103	For a new roof on Pope Hall	15,000
7109–9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	35,000
7110–0100	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 sixty-two permanent positions	4,735,741
7110–1011	State college at Fitchburg, boarding hall, including not more than nineteen permanent positions	196,210
7110–9101	To replace a certain wall	8,500
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)	35,000
7111–0100	State college at Framingham, including not more than three hundred and six permanent positions	3,599,750
7111–1011	State college at Framingham, boarding hall, including not more than twenty-one permanent positions	197,861
7111–9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	30,000
7112–0100	State college at Lowell, including not more than two hundred and sixty-nine permanent positions	3,415,566
7112–1011	State college at Lowell, boarding hall, including not more than four permanent positions	78,572
7112–9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	23,000
7113–0100	State college at North Adams, including not more than one hundred and eighty-seven permanent positions	2,392,900
7113–1011	State college at North Adams, boarding hall, including not more than six permanent positions	51,345

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7113-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	$10,882
7114-0100	State college at Salem, including not more than five hundred and sixteen permanent positions	6,136,700
7114-2501	For the trimester program at Salem state college	45,000
7114-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	45,000
7114-9728	Expenses for moving certain library books and equipment	10,500
7115-0100	State college at Westfield, including not more than three hundred and thirty-three permanent positions	3,837,843
7115-1011	State college at Westfield, boarding hall, including not more than eleven permanent positions	127,240
7115-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	33,000
7116-0100	State college at Worcester, including not more than three hundred and forty permanent positions	4,320,950
7116-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	34,158
7116-9711	For a pilot program in consortium scholarships; provided, that a report on details of said pilot program is submitted to the house and senate ways and means committees by February fifteenth, nineteen hundred and seventy-three	150,000
7117-0100	Massachusetts college of art, including not more than one hundred and twenty-two permanent positions	1,691,400
7117-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	15,000
7118-0100	Massachusetts maritime academy and ship, including not more than ninety-seven permanent positions	1,350,000

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 thirty-seven permanent positions	$8,409,934
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
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 forty-four permanent positions	706,963
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 fifty-four permanent positions	$6,408,700
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	89,000

Item

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 $446,184

7400-0100 For the institute for governmental service, including not more than three permanent positions 73,765

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 125,000

7400-0111 For the purchase of scientific, technological, and other educational reference material for the libraries 480,000

7400-0112 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

7400-0113 For a legislative internship program 35,000

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 receipts of said boarding halls the sum of two hundred and forty-five thousand dollars to the General Fund to meet the estimated cost of heat, light, power, rental of facilities at present available for the purpose and the estimated cost of certain employee fringe benefits to be furnished by the commonwealth; and, provided further, that the commonwealth shall furnish heat, light, power and necessary repairs to the infirmary building and pay the commonwealth's share of the cost of employee fringe benefits of the university health services trust fund; and, provided further, that the university health services trust fund shall furnish, without charge, health services required by law to be furnished at the university by the commonwealth; including not more than three thousand six hundred and seven positions . 57,486,570

7411-1005 For the personal services and expenses of the medical school, prior appropriation continued, including not more than one hundred and forty-five permanent positions 2,624,264

7411-1012 For the entertainment of distinguished visitors to the campus of the university, with the approval of the board of trustees . 1,000

7416-1001 For the maintenance of the facilities of the university in the city of Boston, including not more than five hundred and sixty-five 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 11,310,774

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:

Item		
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-nine permanent positions	$379,207
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
7502-0100	Berkshire community college, including not more than one hundred and forty-six permanent positions	1,892,400
7502-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	15,542
7503-0100	Bristol community college, including not more than one hundred and seventy-three permanent positions	1,940,495
7503-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	29,516
7504-0100	Cape Cod community college, including not more than one hundred and forty permanent positions	1,806,606
7504-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	19,344
7505-0100	Greenfield community college, including not more than one hundred and twenty-one permanent positions	1,505,433
7505-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	16,000
7506-0100	Holyoke community college, including not more than two hundred and six permanent positions	2,526,792
7506-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	15,221
7507-0100	Massachusetts Bay community college, including not more than one hundred and twenty-eight permanent positions	1,982,795
7507-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	12,742
7508-0100	Massasoit community college, including not more than one hundred and fifty-three permanent positions	2,076,600
7508-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	20,000
7509-0100	Mount Wachusett community college, including not more than one hundred and eleven permanent positions	1,458,917
7509-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	8,878
7510-0100	Northern Essex community college, including not more than two hundred and seven permanent positions	2,498,000
7510-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	56,982
7511-0100	North Shore community college, including not more than one hundred and eighty-two permanent positions	2,250,600
7511-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	34,330
7512-0100	Quinsigamond community college, including not more than one hundred and seventy-eight permanent positions	2,107,099
7512-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	11,463
7514-0100	Springfield community college, including not more than two hundred and eighty-three permanent positions	3,272,600
7514-9704	For the commonwealth's contribution toward federal student loan programs and federal work study programs (1959, 361)	20,000
7515-0100	Franklin Park community college, including not more than two permanent positions	37,000

Item		
7516-0100	Middlesex community college, including not more than one hundred permanent positions	$1,160,300
7516-9704	For the commonwealth's contribution toward federal loan programs and federal work study programs	5,000
7518-0100	Bunker Hill community college, including not more than two permanent positions	44,417

Council on the Arts and Humanities.

7700-0001	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	$300,000
	Total, Educational Affairs	$385,170,192

Executive Office of Public Safety.

Office of the Secretary.

8000-0100	For the office of the secretary of public safety, including not more than four permanent positions	$193,693
	Highway Fund 85.0%	
	General Fund 13.0%	
	Recreational Vehicles Fund 2.0%	

Governor's Highway Safety Committee.

8111-5000	For the office of the governor's highway safety committee	$1,000
	Highway Fund 100.0%	

Massachusetts Police Training Council.

8200-0100	For the administration of the council, including not more than three permanent positions	$75,405

Department of Public Safety.

8311-1000	For the administration of the department, including not more than one hundred and fourteen permanent positions	$1,206,892

Division of State Police.

8312-0100	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 one thousand and sixty-one permanent positions	$13,766,341
	General Fund 15.0%	
	Highway Fund 85.0%	

Division of Fire Prevention.

8314-1000	For the administration of the division, including not more than twenty-five permanent positions	$394,615

Division of Inspection.

8315-1000	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	$1,149,840

Board of Boiler Rules.

Item
8316-1000 For the administration of the board, including not more than four permanent positions $3,500

State Boxing Commission.

8317-1000 For the office of the commission, including not more than six permanent positions $43,000

Board of Elevator Regulations.

8318-1000 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.

8319-1000 For the administration of the board, including not more than one permanent position $1,250

Board of Elevator Appeals.

8320-1000 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.

8321-1000 For the expenses of the board, including not more than seven permanent positions $4,300

Recreational Tramway Board.

8322-1000 For the expenses of the board, including not more than four permanent positions $5,100

Board of Standards.

8330-1000 For the administration of the board, including not more than seven permanent positions $6,650

Board of Fire Prevention Regulations.

8340-1000 For the administration of the board, including not more than eight permanent positions $7,000

Board of Schoolhouse Structural Standards.

8350-1000 For the expenses of the board $1,000

Registry of Motor Vehicles.

8400-0001 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 eighteen permanent positions $16,048,366

General Fund 1.2%

Highway Fund 98.8%

8400-0002 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, prior appropriation continued, including not more than two hundred and twenty-nine permanent positions 1,233,182

Highway Fund 100.0%

8400-0010 For a motor vehicle safety compact with other states (1963, 721) 2,000

Highway Fund 100.0%

Division of Marine and Recreational Vehicles.

Item		
8420–0001	For the office of the division, including not more than fifty-seven permanent positions	$711,935
	Recreational Vehicle Fund 100.0%	
	Total, Public Safety	$34,863,619

Executive Office of Manpower Affairs.

Office of the Secretary.

9000–0100	For the office of the secretary of manpower affairs, including not more than four permanent positions	$148,847
9000–0119	For administrative expenses of the emergency employment act	9,000

Commission on Employment of the Handicapped.

9010–0100	For the expenses of the commission	$450

Department of Labor and Industries.

9020–1001	For general administration of the department, including not more than fourteen permanent positions	$177,950

For the personal services and expenses of the following agencies of the department:

9020–2001	Division of industrial safety, including not more than seventy-nine permanent positions	$918,125
9020–3001	Division of occupational hygiene, including not more than fifteen permanent positions	191,920
9020–4001	Division of statistics, including not more than thirty-four permanent positions	281,135
9020–6001	Commission on minimum wage and for expenses of wage boards, including not more than thirty-four permanent positions	312,975
9020–7001	Board of conciliation and arbitration, including not more than fourteen permanent positions	219,650
9020–8001	Division of employment agencies, including not more than three permanent positions	41,540

Division of Apprentice Training.

9020–9001	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	$304,450

Labor Relations Commission.

9030–1001	For the office of the commission, including not more than twenty-four permanent positions	$328,080

Division of Industrial Accidents.

9050–1001	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	$1,728,170
9050–1901	For expenses of impartial examinations, including previous fiscal years	90,000
9050–3000	For the compensation of certain public employees for injuries sustained in the course of their employment, including previous fiscal years	2,450,000
	Highway Fund 35.0%	
	General Fund 65.0%	

Office of Self-Insurance.

Item

9050–4000 For the service of the office, including not more than six permanent positions $61,855

Industrial Accident Rehabilitation Board.

9050–5000 For the service of the board, including not more than six permanent positions $18,920

Division of Employment Security.

9081–0682 For the administrative expenses of the welfare general relief assistance check payment program $157,249

Total, Manpower Affairs $7,440,316

Executive Office of Elder Affairs.

Office of the Secretary.

9100–0100 For the office of the secretary of elder affairs, including not more than five permanent positions $108,160

9110–0100 For the administration of the bureau of the aging . . . 168,230

9110–1630 For a home care service program for the elderly as established under titles I, X, and XIV of the social security act; provided, that expenditures made for this program shall be charged in the ratio of seventy-five per cent to federal funds available for this purpose and twenty-five per cent to this item; and, provided further, that a detailed monthly report of all expenditures made from this item, including the purposes made therefor, shall be submitted to the house and senate committees on ways and means not later than the fifteenth day of the following month 200,000

9110–9002 For a demonstration grant program for the elderly . 25,000

Total, Elder Affairs $501,390

Executive Office of Consumer Affairs.

Office of the Secretary.

9200–0100 For the office of the secretary of consumer affairs, including not more than four permanent positions $110,292

State Racing Commission.

9210–0001 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 nineteen permanent positions $336,425

Agricultural Purposes Fund . . 7.5%

General Fund 92.5%

Alcoholic Beverages Control Commission.

9212–0001 For the office of the commission, including not more than sixty-five permanent positions $782,623

Consumers' Council.

9214–0001 For the administration of the council, including not more than nine permanent positions $168,150

Community Antenna Television Commission.

Item

9215–0001 For the office of the community antenna television commission, including not more than eight permanent positions . . . $50,530

Division of Milk Control.

9216–0100 For the office of the division, including not more than thirty-four permanent positions $282,060

Division of Standards.

9218–0100 For the personal services and expenses of the division of standards, including not more than thirty-eight permanent positions $432,702

Health, Welfare and Retirement Trust Funds Board.

9219–0001 For the administration of the board; provided, that the positions of assistant to the director, health, welfare and retirement trust funds board and counsel II shall not be subject to chapter thirty-one of the General Laws, including not more than thirty permanent positions $361,849

Department of Banking and Insurance.

Division of Banks.

9221–1000 For the office of the commissioner, including not more than two hundred and forty-one permanent positions $2,781,745

Division of Insurance.

9222–0100 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 ninety-three permanent positions $3,777,645

Highway Fund	30.0%
General Fund	70.0%

Division of Savings Bank Life Insurance.

9224–1000 For the office of the division, including not more than thirty permanent positions $309,850

Division of Registration.

9230–0001 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-five permanent positions $960,905

For the services of the following agencies in the division:

9230–0100 Board of registration in medicine, including not more than seven permanent positions $12,575

9230–0200 Board of dental examiners, including not more than five permanent positions 8,925

9230–0300 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 . . 3,980

Item		
9230–0400	Board of registration in pharmacy, including not more than ten permanent positions	$85,800
9230–0500	Board of registration of nurses, including not more than twelve permanent positions	8,700
9230–0600	Board of registration in embalming and funeral directing, including not more than five permanent positions	12,825
9230–0700	Board of registration in optometry, including not more than five permanent positions	3,950
9230–0800	Board of registration in veterinary medicine, including not more than five permanent positions	4,420
9230–0900	Board of registration of chiropractors, including not more than five permanent positions	6,500
9230–1000	Board of registration of architects, including not more than five permanent positions	20,830
9230–1100	Board of registration of professional engineers and land surveyors	29,650
9230–1200	Board of public accountancy, including not more than nine permanent positions	91,700
9230–1300	State examiners of electricians, including not more than two permanent positions	10,500
9230–1400	State examiners of plumbers, including not more than three permanent positions	10,750
9230–1500	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 thirty-one permanent positions	373,820
9230–1600	Board of registration of electrologists, including not more than three permanent positions	3,425
9230–1700	Board of registration of barbers, including not more than ten permanent positions	85,870
9230–1800	Board of registration of hairdressers, including not more than eighteen permanent positions	179,632
9230–1900	Board of registration of dispensing opticians, including not more than five permanent positions	1,375
9230–2000	Board of registration of sanitarians, including not more than four permanent positions	1,550
9230–2100	Board of registration of radio and television technicians, including not more than seven permanent positions	13,900
9230–2200	Board of registration of landscape architects	1,600
9230–2300	Board of registration of health officers	2,250
9230–2400	Board of registration of nursing home administrators, including not more than eleven permanent positions	4,600
9230–2500	Board of certification of operators of waste water treatment facilities	925
9230–2600	Board of registration of operators of drinking water facilities	900
9230–2700	Board of registration of psychologists	900

Department of Public Utilities.

9270–0001	For general administration, including not more than eighty-six permanent positions	$992,850
9271–9001	For hearings and special investigations; provided, that no salaries or expenses of permanent employees shall be chargeable to this item	25,000

Commercial Motor Vehicle Division.

9272–0001	For the office of the division, including not more than thirty-nine permanent positions	$419,025

Securities Division.

9273–0001	For the office of the division, including not more than ten permanent positions	$102,020

Gas Fitting Regulations Board.

Item		
9275–0001	For administration of the program of regulating the installation of gas fittings in buildings, including not more than one permanent position	$30,395
	Total, Consumer Affairs	$12,905,918

SECTION 2A. In order to meet the estimated cost of utilities furnished projects constructed by the building authorities established by C557: 1961 and C703 of 1963, the comptroller shall transfer to the General Fund on or after July 1, of each fiscal year beginning July 1, 1972 the following amounts—From item 7109–0100, 31,000; from item 7110–0000, 30,000; from item 7111–0100, 25,000; from item 7114–0000, 42,000; from item 7115–0000, 34,000; from item 7210–0000, 40,000. Provided that said amounts shall be credited to said item upon payment by said building authority—shall be added to the particular accounts and spent without further appropriation.

SECTION 2B. The comptroller shall establish and set up on the books of the commonwealth a separate account to be known as the Special Reserve Account for the fiscal year nineteen hundred and seventy-three.

The comptroller shall reduce each item of appropriation in this act by transferring from the subsidiary accounts within said items established as provided in section twenty-seven of chapter twenty-nine of the General Laws to the Special Reserve Account amounts determined in accordance with the following schedule:

25% of all sums designated for (03) Services Nonemployees

4% of all sums designated for (07) Laboratory and Medical Supplies

10% of all sums designated for (10) Travel and Automotive Expense

10% of all sums designated for (11) Advertising and Printing

50% of all sums designated for (12) Maintenance, Repairs and Replacements

5% of all sums designated for (13) Special Supplies and Expenses

50% of all sums designated for (15) Equipment

Provided, however, that amounts designated for financial aid for students shall not be reduced by such transfer, and provided, further, that transfers made under this section shall not limit any action transferring amounts between subsidiary accounts as authorized by section fifteen of this act.

Fifteen per cent of all amounts transferred to the Special Reserve Account under this section, as herein provided, shall be available for any of the several purposes for which they were appropriated, subject, however, to the conditions established in the following paragraph. The balance remaining in said account shall revert to the general revenues of the commonwealth at the end of the nineteen hundred and seventy-three fiscal year. The commissioner of administration 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.

To meet critical needs arising from the reduction of amounts in appropriation items resulting from transfers to the Special Reserve Account, the governor is authorized to and may, upon recommendation of the commissioner of administration, transfer from said account such amounts as may be necessary to meet such needs; provided, however, that the existence of any such critical need has first been certified by the secretary having jurisdiction over the agency in which the need has arisen; and provided, further, that no such transfer from said account shall increase the total in any such subsidiary account to an amount in excess of the amount as filed in accordance with the provisions of section twenty-seven of chapter twenty-nine.

SECTION 2C. The comptroller shall establish and set up on the books of the commonwealth a separate account to be known as the Personal Service Reserve Account for the fiscal year nineteen hundred and seventy-three.

The comptroller shall reduce each item of appropriation in this act by transferring twenty per cent of all sums designated for (02) Salaries Other in the schedules of subsidiary accounts established as provided in section twenty-seven of chapter twenty-nine of the General Laws to the said Personal Service Reserve Account. The comptroller shall also reduce each item of appropriation in this act for which no such schedule has been filed, by an amount equal to twenty per cent of the expenditures, made for similar purposes, during the fiscal year nineteen hundred and seventy-one and coded as required by the comptroller's manual under object codes otherwise included under said subsidiary account (02) Salaries Other.

Amounts transferred as authorized by this section shall be in addition to any amount transferred as provided in section two B.

Fifteen per cent of all amounts transferred to the Personal Service Reserve Account under this section, as herein provided, shall be available for reassignment to appropriation accounts for the purpose for which they were appropriated, subject, however, to the conditions established in the following paragraph. The balance remaining in said account shall revert to the general revenues of the commonwealth at the end of the nineteen hundred and seventy-three fiscal year.

To meet any additional critical needs that cannot be met from the balance remaining in said item, the governor is authorized to and may, upon recommendation of the commissioner of administration or the presiding officer of the house of representatives or the senate or the chief justice of the supreme judicial court, transfer from said Personal Service Reserve Account such amounts as may be necessary to meet such critical needs for temporary or emergency employees or for overtime services; provided, however, that, the existence of any such critical need has been certified by the secretary having jurisdiction over the agency in which the need has arisen; and provided further that such employment of such temporary or emergency employees or payments for overtime services shall be in accordance with the provisions of section six of this act and all applicable provisions of chapter thirty-one of the General Laws;

and provided, further, that no such transfer from said account shall increase the total in said subsidiary account or the corresponding amount in an appropriation item for which no schedule of subsidiary accounts has been filed to an amount in excess of the amount originally designated for such purpose in section two of this act.

Further, the governor shall immediately implement the provisions of chapter five hundred and seventy-nine of the acts of nineteen hundred and seventy-one, and shall implement specific economies and reductions in all divisions, departments and agencies prior to January first, nineteen hundred and seventy-three towards actual savings and actual reductions of expenditures based on the formulas stated above.

SECTION 2D. For the purpose of making available for expenditure in the fiscal year nineteen hundred and seventy-three certain balances of appropriations which otherwise would revert on June the thirtieth, nineteen hundred and seventy-two, the unexpended balances of the items shown below are hereby reappropriated for the fiscal year nineteen hundred and seventy-three; provided, that unexpended balances in any other item of appropriation included by reference in the accounts listed below are not reappropriated:

7511–0111
8338–01
8338–02
8338–03
8338–04
8338–05.

SECTION 2E. Section 1 of chapter 616 of the acts of 1967 is hereby amended by inserting after the word "grade", in line 7, the words:—, for an enlarged culvert under and near Furnace Brook parkway between the Furnace Brook school and Newport avenue in the city of Quincy, the cost of which shall not exceed four hundred thousand dollars, .

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 monies appropriated under this act shall be expended for reimbursement for the expenses of meals for persons while traveling within or without the commonwealth at the expense thereof, unless such reimbursement is in accordance with rules and rates established in accordance with section twenty-eight of chapter seven of the General Laws.

SECTION 5. All use of state-owned motor vehicles shall be subject to regulations to be promulgated and enforced by the commissioner of administration. No state-owned vehicle shall be used for providing transportation for state officers or employees between their domiciles

and places of employment nor shall any expense be incurred for the garaging of such vehicles except when specifically authorized by said commissioner.

The commissioner is hereby authorized to transfer a motor vehicle from one agency or department to another.

The allowance to state employees for expenses incurred by them in the operation of motor vehicles owned by them and used in the performance of their official duties shall not exceed 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 provisions of paragraph (5A) of section forty-six of chapter thirty of the General Laws, the director of personnel and standardization shall not approve the recruitment of any person at a rate above the minimum of the grade if such proposed employee has been in the service of the commonwealth within a twelve-month period prior to the date of the proposed recruitment.

Notwithstanding the provisions of clause (*d*) of paragraph (5) of section forty-five of chapter thirty of the General Laws, no part of the sums appropriated for the service of any agency or subdivision of a department in section two of this act shall be available for the payment of any temporary or excess quota position if there is a similar position vacant within the quota of permanent positions as established by the appropriation account for the service of such agency or subdivision of a department and, except such temporary positions as may be authorized in connection with the passage of this act, and except as hereinafter provided, no additional temporary positions shall be authorized; provided, however, the provisions of this section shall not apply to positions essential for the care of patients or inmates in institutions or to positions essential for the

educational program in all institutions of higher education operated by the commonwealth, nor to the filling of a position under the provisions of section twenty-four B of said chapter thirty nor to a position required to correct an inequity determined, as provided in sections fifty-three and fifty-six of said chapter thirty. The commissioner of administration may, however, upon certification that an emergency exists requiring additional temporary assistance to perform work essential to the public interest, authorize the temporary employment of such additional personnel as may be necessary within the limits of funds available for the purpose; provided, however, that such emergency authorization shall not be extended to the succeeding fiscal year. The commissioner shall forthwith notify the house and senate committees on ways and means of the employment of any such additional temporary personnel.

SECTION 7. In addition to the payment of regular salaries, sums appropriated for personal services in the fiscal year nineteen hundred and seventy-three 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 7A. Notwithstanding any special or general law to the contrary, any officer of the commonwealth as defined in section G-6 of the rules and regulations authorized by section 28 of chapter seven of the General Laws receiving payment under subsidiaries "01" Salaries, permanent positions; "02" Salaries, other; or "03" Services, non-employees; for services under any item in section 2 of this act, shall report under the penalties of perjury, annually, to the commissioner of administration on forms he shall prescribe, any other compensations received for services performed and paid from any state, federal or private funding source. The said forms shall include the name of the said source, the date, and extent of the services performed, including the rate of compensation, the signature of the person so employed and the employer thereof. Any officer of the commonwealth failing to file said report shall be given a hearing and dismissed if found delinquent without sufficient cause. Copies of said reports shall be submitted within thirty days after receipt, to the House and Senate Committees on Ways and Means.

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-three 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 four hundred 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-three 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-three, 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 millon dollars on any one day, notwithstanding any special or general law regulating the disbursement of public funds by the commonwealth. Said board may require any agency to notify it of the anticipated receipt of revenue from any source, including federal subventions and grants.

SECTION 15. The budget director, notwithstanding the provisions of section twenty-nine of chapter twenty-nine of the General Laws, is hereby directed to limit the transfer of funds between subsidiary

accounts, established as provided in section twenty-seven of said chapter twenty-nine, to those transfers required to meet unforeseen emergencies where funds otherwise are not available to protect the public interest. The budget director shall file forthwith, on the approval of any such transfer, a copy of the authorization with the house and senate committees on ways and means.

SECTION 16. No agency of the commonwealth receiving an appropriation under section two of this act, whether or not the expenditure is made from funds authorized by this act, shall make any expenditure for consultant services, so-called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services—Non-employees" unless the rate of compensation for such services shall have been approved by the commissioner of administration upon the recommendation of the director of personnel and standardization. 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 and section twenty-six of chapter sixty-nine and clause (7) of paragraph (A) of section two of chapter eighteen of the Gen-

eral 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 16D. Notwithstanding any provision of law to the contrary, all persons eligible for public assistance, as determined by the department of public welfare, under the provisions of chapters one hundred and eighteen A, one hundred and eighteen D, and one hundred and eighteen E, who are not maintaining their own homes but are receiving care in any licensed nursing home, any licensed chronic hospital or in any approved public medical institution, shall retain the first thirty dollars for clothing, personal needs and leisure time activities. If there is no income, or the monthly income is less than twenty-five dollars, the recipient shall be paid monthly in advance the difference between the income and thirty dollars a month.

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-three 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:

2410–9016	2439–7110	2439–7252
2439–7061	2439–7130	2439–7253
2439–7062	2439–7140	2439–7254
2439–7070	2439–7170	2439–7255
2439–7090	2439–7250	2439–7260
2439–7100	2439–7251	2439–7320

SECTION 19. Notwithstanding any provision of law to the contrary, during the entire fiscal year nineteen hundred and seventy-three, for the payment of classified personal services the fiscal year shall be

from July the first, nineteen hundred and seventy-two through June the thirtieth, nineteen hundred and seventy-three.

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-three, 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-two. However, beginning June the first, nineteen hundred and seventy-two, 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-two; 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-two, 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-two, 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-two. 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-two.

SECTION 22A. In order that the group insurance commission may provide for maximum reimbursements to the Commonwealth for group insurance costs, every department, board or agency on or before August first, nineteen hundred and seventy-two shall file with the group insurance commission a true copy of all existing contracts or agreements of every nature and description with the Commonwealth which provides for the receipt or expenditure on behalf of the Commonwealth or a political subdivision of federal, trust and any other non-state funds.

For contracts or agreements entered into on and after July first, nineteen hundred and seventy-two, true copies shall be filed with the group insurance commission no later than sixty calendar days from the effective date thereof.

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-two and sections twenty-two and twenty-three shall take effect upon the passage of this act.

SECTION 25. The provisions of this act are severable, and if any of its provisions shall be held unconstitutional by any court of competent jurisdiction, the decision of such court shall not impair any of the remaining provisions. *Approved June 28, 1972.*

Chap. 515. AN ACT VALIDATING THE ACTION OF THE WAREHAM FIRE DISTRICT IN LEVYING BETTERMENT ASSESSMENTS FOR A WATER EXTENSION PROGRAM IN THE WEST WAREHAM SECTION OF THE TOWN OF WAREHAM.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the failure of the Wareham fire district to comply seasonably with the provisions of sections forty-two G to forty-two I of chapter forty and sections one and two of chapter eighty of the General Laws relating to the construction or extension of a water supply system in the part of the town of Wareham known as West Wareham, said Wareham fire district is hereby authorized and empowered to collect such betterment assessments as have already been levied arising from the construction of said water supply and distribution system, and all votes, orders and acts providing for the levy of the betterment assessments and providing for the method of such assessments are hereby validated, ratified, confirmed and cured

effective beginning with the year nineteen hundred sixty-seven; provided, that nothing in this act shall be construed to impair or affect the rights of owners of such land as has been the subject of such betterment assessments, which ownership has been conveyed prior to the twenty-fifth day of July, nineteen hundred sixty-eight, the date of recording of the order of the water commissioners in the registry of deeds for Plymouth county levying the betterment assessments.

SECTION 1A. The recording by the Wareham fire district of the orders, plans, estimates and assessments required under the provisions of section forty-two I of chapter forty and sections one and two of chapter eighty of the General Laws is hereby validated and confirmed, notwithstanding the failure of said district to record the same within the time prescribed by said sections.

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

Approved June 28, 1972.

Chap. 516. 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-two.

BRISTOL COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$65,501 50
2.	For reduction of county debt		67,000 00
3.	For county commissioners, salaries and expenses		32,543 36
	1. Personal services	$28,370 01	
	2. Contractual services	1,000 00	
	3. Supplies and materials	1,000 00	
	4. Current charges and obligations	114 40	
	5. Equipment	2,058 95	
4.	For transportation and expenses of county and acting commissioners		750 00
5.	For clerk of courts, salary and expenses		225,137 70
	1. Personal services	201,226 70	
	2. Contractual services	15,350 00	
	3. Supplies and materials	5,000 00	
	4. Current charges and obligations	836 00	
	5. Equipment	2,725 00	

Item		Subtotal	Total
6.	For county treasurer, salaries and expenses		$107,251 80
	1. Personal services	$98,844 40	
	2. Contractual services	5,055 00	
	3. Supplies and materials	2,350 00	
	4. Current charges and obligations	777 40	
	5. Equipment	225 00	
7.	For sheriff, salary and expenses		21,633 30
	1. Personal services	19,653 30	
	2. Contractual services	850 00	
	3. Supplies and materials	300 00	
	4. Current charges and obligations	220 00	
	5. Equipment	610 00	
8.	For registry of deeds, salaries and expenses Northern District		150,960 00
	1. Personal services	119,701 00	
	2. Contractual services	22,500 00	
	3. Supplies and materials	6,000 00	
	4. Current charges and obligations	738 00	
	5. Equipment	2,021 00	
	Southern District		146,645 50
	1. Personal services	128,304 00	
	2. Contractual services	10,900 00	
	3. Supplies and materials	5,650 00	
	4. Current charges and obligations	600 00	
	5. Equipment	1,191 50	
	Fall River District		154,977 70
	1. Personal services	131,232 70	
	2. Contractual services	12,150 00	
	3. Supplies and materials	7,650 00	
	4. Current charges and obligations	625 00	
	5. Equipment	3,320 00	
8a.	For registry of probate, salaries and expenses		21,879 95
	1. Personal services	1,059 95	
	2. Contractual services	10,410 00	
	3. Supplies and materials	5,800 00	
	4. Current charges and obligations	2,885 00	
	5. Equipment	1,725 00	
9.	For law library, salaries and expenses — Taunton		20,154 00
	1. Personal services	9,477 00	
	2. Contractual services	290 00	
	3. Supplies and materials	160 00	
	4. Current charges and obligations	10,227 00	
	For law library, salaries and expenses — New Bedford		22,759 45
	1. Personal services	9,477 00	
	2. Contractual services	365 00	
	3. Supplies and materials	125 00	
	4. Current charges and obligations	12,100 00	
	5. Equipment	692 45	
	For law library, salaries and expenses — Fall River		17,698 74
	1. Personal services	7,513 74	
	2. Contractual services	525 00	
	3. Supplies and materials	60 00	
	4. Current charges and obligations	9,600 00	

Item		Subtotal	Total
10.	For highways, including state highways, bridges and land damages		$422,250 00
	2. Contractual services	$422,250 00	
12.	For criminal costs in superior court		370,921 49
	1. Personal services	124,186 49	
	2. Contractual services	236,050 00	
	3. Supplies and materials	4,310 00	
	4. Current charges and obligations	961 00	
	5. Equipment	5,414 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		203,218 80
	1. Personal services	59,693 80	
	2. Contractual services	142,725 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	300 00	
14.	For district courts, salaries and expenses		
	First District Court of Bristol		184,658 85
	1. Personal services	168,304 45	
	2. Contractual services	9,550 00	
	3. Supplies and materials	4,700 00	
	4. Current charges and obligations	1,408 40	
	5. Equipment	696 00	
	Second District Court of Bristol		350,937 73
	1. Personal services	249,355 05	
	2. Contractual services	17,625 00	
	3. Supplies and materials	7,100 00	
	4. Current charges and obligations	11,490 00	
	5. Equipment	5,367 68	
	6. All other	60,000 00	
	Third District Court of Bristol		443,830 80
	1. Personal services	358,222 80	
	2. Contractual services	23,885 00	
	3. Supplies and materials	8,970 00	
	4. Current charges and obligations	16,122 00	
	5. Equipment	9,081 00	
	6. All other	27,550 00	
	Fourth District Court of Bristol		181,651 80
	1. Personal services	165,623 80	
	2. Contractual services	8,525 00	
	3. Supplies and materials	3,590 00	
	4. Current charges and obligations	2,763 00	
	5. Equipment	1,150 00	
	District Court — Juvenile Division		81,183 15
	1. Personal services	77,008 15	
	2. Contractual services	3,400 00	
	3. Supplies and materials	450 00	
	4. Current charges and obligations	325 00	
	District Court — Appellate Division		300 00
	2. Contractual services	260 00	
	3. Supplies and materials	40 00	
15.	For medical examiners and commitments of insane		70,685 00

Item		Subtotal	Total
16.	For jail and house of correction, maintenance and operation		$755,506 77
	1. Personal services	$507,222 77	
	2. Contractual services	80,000 00	
	3. Supplies and materials	128,000 00	
	4. Current charges and obligations	10,459 00	
	5. Equipment	29,825 00	
17.	For training school		30,000 00
18.	For court houses and registry buildings, maintenance and operation		386,199 72
	1. Personal services	256,685 45	
	2. Contractual services	81,962 00	
	3. Supplies and materials	25,067 20	
	4. Current charges and obligations	1,173 00	
	5. Equipment	1,312 07	
	6. All other	20,000 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		783,423 44
	1. Personal services	576,059 81	
	2. Contractual services	74,918 63	
	3. Supplies and materials	99,745 00	
	4. Current charges and obligations	16,370 00	
	5. Equipment	11,330 00	
	6. All other	5,000 00	
24.	For noncontributory pensions		58,000 00
25.	For contributory retirement system and supervisory expenses		249,343 42
26.	For miscellaneous and contingent expenses		40,091 42
27.	For unpaid bills of previous years		49,901 50
28.	For reserve fund		50,000 00
28a.	For reserve for salary increases		141,000 00
28d.	For reserve — counsel for indigent defendants		75,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		125,000 00
36.	For Dutch elm disease		20,000 00
39.	For group insurance		120,000 00
	Total amount of appropriations		$6,247,996 89
	Less estimated amount available for reduction of county tax		1,240,797 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		$5,007,199 64

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

Approved June 29, 1972.

Chap. 517. AN ACT RELATIVE TO SEWER CONNECTIONS IN THE TOWN OF MIDDLETON WITHIN THE SOUTH ESSEX SEWERAGE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 190 of the acts of 1972 is hereby amended by striking out section 4 and inserting in place thereof the following section:—

Section 4. Prior to any connection by any sewer system serving the property described in section one to the district trunk sewer in accordance with section two, the board shall allocate and apportion to that portion of the town of Middleton described in section one its proportionate share of all the costs of construction, operation of works and facilities constructed, principal retirement, interest payments due on bonds and notes issued under chapter five hundred and sixteen of the acts of nineteen hundred and sixty-nine, including notes issued to pay annual interest on bonds or notes previously issued and all other costs authorized by said chapter five hundred and sixteen and to assess the town of Middleton such proportionate share as provided by the board.

SECTION 2. Said chapter 190 is hereby further amended by striking out section 6 and inserting in place thereof the following section:—

Section 6. Before any sewer connection is made from a private estate situated in that part of the town of Middleton described in section one to the trunk sewer in accordance with sections two and four, the town of Middleton shall require that the construction of said sewer connection shall be secured by a deposit of money by the owners of said private estate equal to: (*a*) the cost of such connection as estimated by the board and (*b*) the amount of the entire assessment to the town of Middleton as set forth in section four. Said town may require that the time be specified within which such construction shall be completed and said town may use any deposit of money for payment of any costs or assessments under any provision of this act.

The town of Middleton, in respect to any assessment allocated to it by the board under any provision of this act, is hereby granted all powers of assessment, in like manner, which are granted to the cities and towns by the General Laws for the assessment, collection and enforcement thereof of sewer uses and betterments and said assessment shall be made against the various owners of the part of the town of Middleton as described in section one and said town may adopt such rules and regulations as it may determine for the purpose of said assessment, collection and enforcement thereof.

Approved June 29, 1972.

Chap. 518. AN ACT INCREASING THE NUMBER OF COURT OFFICERS IN THE SUPERIOR COURT FOR THE COUNTY OF HAMPDEN.

Be it enacted, etc., as follows:

The fourth paragraph of section 70 of chapter 221 of the General Laws, as amended by chapter 482 of the acts of 1968, is hereby further amended by striking out, in line 1, the word "six" and inserting in place thereof the word:—ten. *Approved June 29, 1972.*

Chap. 519. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO CONSTRUCT A NEW OFFICE BUILDING ON THE NEW BEDFORD STATE PIER, AND TO RENOVATE THE PRESENT BUILDING ON SAID STATE PIER.

Be it enacted, etc., as follows:

The department of public works, acting through the division of waterways, is hereby authorized and directed to construct and maintain a new office building on the New Bedford state pier. Said department shall also renovate the pier shed and attached office building located on said state pier, including repairs to the roof and downspouts and renovation of the electrical wiring. For the purposes of this act, said department may expend such sums as may be appropriated therefor. *Approved June 29, 1972.*

Chap. 520. AN ACT REGULATING THE SERVICE OF TRUSTEES, DIRECTORS OR OTHER OFFICERS OF CERTAIN BANKS AND CREDIT UNIONS.

Be it enacted, etc., as follows:

SECTION 1. Provision 3 of section 10 of chapter 168 of the General Laws is hereby amended by striking out the second and third sentences and inserting in place thereof the following sentence:— After January first, nineteen hundred and seventy-five, a trustee or other officer of a savings bank may at the same time be a director or other officer of a co-operative bank, state or federally chartered savings and loan association, trust company, or national banking association if, in such case, there is in force a permit therefor issued by the commissioner in writing with the reasons thereon stating why the public interest warrants its issuance, after reasonable notice and an opportunity to be heard, who is hereby authorized to issue such permit if, in his judgment, it is not incompatible with the public interest, and to revoke any such permit whenever he finds, after reasonable notice and opportunity to be heard, that the public interest warrants its revocation except that the provisions of this section shall not apply to any trustee or other officer who held such position at the time of incorporation of said savings bank.

SECTION 2. Chapter 170 of the General Laws is hereby amended by striking out section 8A, inserted by chapter 102 of the acts of 1957, and inserting in place thereof the following section:—

Section 8A. No person shall be a director or other officer of two co-operative banks at the same time, except in the case of the purchase of assets and the assumption of liabilities pursuant to the provisions of section forty-seven. After January first, nineteen hundred and seventy-five, a director or other officer of a co-operative bank may at the same time serve as a trustee, director or other officer of a savings bank, state or federally chartered savings and loan association, trust company, or national banking association if, in such case, there is in force a permit therefor issued by the commissioner in writing with the reasons thereon stating why the public interest warrants its issuance, after reasonable notice and an opportunity to be heard, who is hereby authorized to issue such permit if, in his judgment, it is not incompatible with the public interest, and to

revoke any such permit whenever he finds, after reasonable notice and opportunity to be heard, that the public interest warrants its revocation except that the provisions of this section shall not apply to any director or other officer who held such position at the time of incorporation of said co-operative bank.

SECTION 3. Section 16 of chapter 172 of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:—After January first, nineteen hundred and seventy-five, a director or other officer of a trust company may at the same time be a director, trustee or other officer of a savings bank, co-operative bank, state or federally chartered savings and loan association, trust company, or national banking association if, in such case, there is in force a permit therefor issued by the commissioner in writing with the reasons thereon stating why the public interest warrants its issuance, after reasonable notice and an opportunity to be heard, who is hereby authorized to issue such permit if, in his judgment, it is not incompatible with the public interest, and to revoke any such permit whenever he finds, after reasonable notice and opportunity to be heard, that the public interest warrants its revocation except that the provisions of this section shall not apply to any director or other officer who held such position at the incorporation of said trust company. *Approved June 29, 1972.*

Chap. 521. AN ACT RELATIVE TO INVESTMENT BY SAVINGS BANKS IN OBLIGATIONS OF THE MASSACHUSETTS HOUSING FINANCE AGENCY.

Be it enacted, etc., as follows:

Section 13 of chapter 708 of the acts of 1966 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:—Bonds and notes 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 forty of chapter one hundred and seventy-two of the General Laws, savings banks, 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 the commonwealth may properly and legally invest funds, including capital in their control or belonging to them.

Approved June 29, 1972.

Chap. 522. AN ACT AUTHORIZING THE REMOVAL OR DEMOLITION OF CERTAIN BUILDINGS WITHIN NINETY DAYS OF THEIR CLOSING BY BOARDS OF HEALTH.

Be it enacted, etc., as follows:

The first paragraph of section 127B of chapter 111 of the General Laws, as most recently amended by chapter 78 of the acts of 1966,

is hereby further amended by striking out the eighth sentence and inserting in place thereof the following sentence:—If compliance with the regulations contained in said code has not been effected within one year from the date the premises have been so closed up the board of health may cause such structure to be demolished or removed; provided, however, that said board, upon written certification to it by the head of the local health department that immediate demolition or removal is essential to protect the health and safety of the public, may cause such demolition or removal within ninety days of said closing. *Approved June 29, 1972.*

Chap. 523. AN ACT FURTHER REGULATING THE LIABILITY FOR MEALS AND ROOM OCCUPANCY EXCISES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 64B of the General Laws is hereby amended by inserting after section 6 the following section:—

Section 6A. Every person who fails to pay to the commissioner any sums required to be paid by this chapter shall be personally and individually liable therefor to the commonwealth. The term "person", as used in this section, includes an officer or employee of a corporation, or a member or employee of a partnership, who as such officer, employee or member is under a duty to pay over the taxes imposed by this chapter.

SECTION 2. Chapter 64G of the General Laws is hereby amended by inserting after section 7A the following section:—

Section 7B. Every operator who fails to pay to the commissioner any sums required to be paid by this chapter shall be personally and individually liable therefor to the commonwealth. The term "operator", as used in this section, includes an officer or employee of a corporation, partnership, who as such officer, employee or member is under duty to pay over the taxes imposed by this chapter.

Approved June 29, 1972.

Chap. 524. AN ACT RELATIVE TO CERTAIN NOTICE REQUIREMENTS RELATING TO THE ASSESSMENT AND COLLECTION OF INHERITANCE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 33A of chapter 65 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 561 of the acts of 1969, and inserting in place thereof the following sentence:—Notice to the commissioner of the death of the decedent shall be conclusively presumed to have been given upon the date of filing with the commissioner the return required under section twenty-two.

SECTION 2. This act shall apply to taxes unpaid on its effective date as well as to taxes assessed thereafter.

Approved June 29, 1972.

Chap. 525. AN ACT AUTHORIZING THE CONVEYANCE OF CERTAIN LAND BY THE COMMONWEALTH TO THE TOWN OF WEYMOUTH UNDER A CERTAIN CONDITION.

Be it enacted, etc., as follows:

The governor, on behalf of the commonwealth, is hereby authorized to convey to the town of Weymouth certain land located in said town which was acquired by the United States of America for the purposes of the United States Naval Air Station at South Weymouth, Massachusetts, if and when title to said land is acquired by deed or otherwise by the commonwealth. *Approved June 29, 1972.*

Chap. 526. AN ACT AUTHORIZING TRUST COMPANIES TO INVEST IN THE MINBANC CAPITAL CORPORATION.

Be it enacted, etc., as follows:

Section 48 of chapter 172 of the General Laws is hereby amended by striking out clause 8, as most recently amended by section 1 of chapter 313 of the acts of 1971, and inserting in place thereof the following clause:—

8. To invest in the capital stock of any small business investment company organized under the provisions of the Small Business Investment Act 1958 in an amount aggregating not more than two per cent of its capital stock and surplus account; to invest, subject to the approval of the commissioner, in the Minbanc Capital Corporation, a non-diversified closed end investment company created for the purpose of making capital funds available to qualifying minority owned banks, up to an amount not exceeding two per cent of its capital stock and surplus account. *Approved June 29, 1972.*

Chap. 527. AN ACT PROVIDING FOR THE LICENSING OF RIDING INSTRUCTORS.

Be it enacted, etc., as follows:

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

Section 2A. No person shall hold himself out to be a horse riding instructor for hire without being licensed for such purpose by the commissioner. Application for a license under this section may be filed with the commissioner and shall contain such information as he shall prescribe. Every such application shall be accompanied by a registration fee of ten dollars, which shall in no event be refunded. If an application is approved by the commissioner, the applicant upon the payment of an additional fee of fifteen dollars shall be granted a license, which shall expire on March thirty-first following the date of issue, unless sooner revoked. The annual fee for renewal thereafter shall be fifteen dollars.

Every person licensed as aforesaid shall endorse his usual signature on the margin of the license in the space provided for such purpose immediately upon the receipt of said license, and such license shall not be valid until so endorsed. In case of loss, mutilation, or destruction of a license, the commissioner shall issue a duplicate upon proper proof thereof and payment of a fee of two dollars.

The commissioner shall make rules and regulations governing the issuance and revocation of said license, and shall establish the minimum qualifications for the issuance thereof. If the qualifications of an applicant meet or exceed the minimum qualifications established by the commissioner he shall be issued such license.

Approved June 29, 1972.

Chap. 528. AN ACT REQUIRING THE REGISTRATION OF ALL MOTORBOATS ON WATERS OF THE COMMONWEALTH REGARDLESS OF HORSEPOWER.

Be it enacted, etc., as follows:

Section 2 of chapter 90B of the General Laws, as amended by section 2 of chapter 140 of the acts of 1961, is hereby further amended by striking out, in line 1, the words "of five horsepower or more".

Approved June 29, 1972.

Chap. 529. AN ACT AUTHORIZING THE REGISTRAR OF MOTOR VEHICLES TO ESTABLISH A BRANCH OFFICE FOR THE REGISTRY OF MOTOR VEHICLES IN THE CITY OF GARDNER.

Be it enacted, etc., as follows:

The registrar of motor vehicles, subject to appropriation, is hereby authorized to establish and maintain a branch office of the registry of motor vehicles in the city of Gardner. *Approved June 29, 1972.*

Chap. 530. AN ACT AUTHORIZING THE CITY OF WORCESTER TO PAY FOR THE MEDICAL EXPENSES INCURRED BY ANGELO DELL'OLIO AS A RESULT OF INJURIES SUSTAINED BY HIM IN ASSISTING A POLICE OFFICER OF SAID CITY.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section one hundred of chapter forty-one of the General Laws, the city of Worcester is hereby authorized to appropriate and pay the sum of six hundred and thirty-nine dollars as reimbursement to Angelo Dell'Olio for medical expenses and loss of wages incurred as a result of injuries sustained on March second, nineteen hundred and seventy, while assisting a police officer of said city in the arrest of a person. *Approved June 29, 1972.*

Chap. 531. AN ACT FURTHER REGULATING THE MAKING AND ACQUISITION OF LOANS AND ADVANCES INSURED OR GUARANTEED PURSUANT TO THE SERVICEMEN'S READJUSTMENT ACT OF NINETEEN HUNDRED AND FORTY-FOUR.

Be it enacted, etc., as follows:

Chapter 46 of the acts of 1945 is hereby amended by striking out section 1, as most recently amended by chapter 325 of the acts of 1963, and inserting in place thereof the following section:—

Section 1. Subject to such regulations as the commissioner of banks deems to be necessary or advisable in respect to trust companies, banking companies, savings banks, co-operative banks or credit

unions, and to such regulations as the commissioner of insurance deems to be necessary or advisable in respect to insurance companies, any trust company, banking company, savings bank, co-operative bank, credit union or insurance company organized under the laws of the commonwealth is authorized to make and acquire such loans and advances of credit to qualified veterans of World War II, the Korean Emergency and to any veteran eligible by virtue of active service in the armed forces of the United States on or after February first, nineteen hundred and fifty-five, and prior to such date as shall be determined by presidential proclamation or concurrent resolution of the congress, as are guaranteed in whole or in part by the administrator of veterans' affairs or his successor or successors in such office under the act of congress known as the Servicemen's Readjustment Act of 1944, or any amendment thereof, to acquire any one or more such other loans as are guaranteed in whole or in part, or sold with the benefit of a repurchase agreement, by said administrator or his said successor or successors, pursuant to said act, or any amendment thereof, or pursuant to any regulation issued pursuant to said act, and to obtain such guarantees, insurance or repurchase agreements, to collect and apply payments due upon and otherwise to service any such mortgage loan so guaranteed, insured or having the benefit of such repurchase agreement, and with respect to such mortgage loan to make agreements with any mortgagees thereof to collect and apply payments due upon and otherwise to service any such mortgage loan. Mortgage loans acquired hereunder with the benefit of a repurchase agreement shall be on real estate located in the commonwealth.

Approved June 29, 1972.

Chap. 532. AN ACT PROHIBITING DISCRIMINATION IN EMPLOYMENT AGAINST REHABILITATED HANDICAPPED PERSONS.

Be it enacted, etc., as follows:

Chapter 149 of the General Laws is hereby amended by inserting after section 24J the following section:—

Section 24K. Whoever, personally or by an agent, shall dismiss from employment or refuse to hire, solely because of his handicap, any rehabilitated handicapped person who possesses the physical and mental capacity to perform the functions required by said employment shall be punished by a fine of not less than twenty-five nor more than two hundred dollars. *Approved June 29, 1972.*

Chap. 533. AN ACT DESIGNATING THE SQUANTUM STREET OVERPASS AND THE BOULEVARD STREET OVERPASS OVER THE SERGEANT WILLIAM G. WALSH MEMORIAL EXPRESSWAY IN THE TOWN OF MILTON AS THE LIEUTENANT COMMANDER LAWRENCE MCPEAKE, U.S.N. AND THE TECHNICAL SERGEANT GEORGE P. "PETE" BERTRAM, U.S.A. OVERPASS, RESPECTIVELY.

Be it enacted, etc., as follows:

SECTION 1. The overpass on Squantum street over the Sergeant William G. Walsh Memorial Expressway in the town of Milton shall

be known and designated as the Lieutenant Commander Lawrence McPeake, U.S.N. overpass, in memory of Lawrence McPeake who was killed in action in World War II while a member of the armed forces of the United States; and the overpass on Boulevard street over said Expressway in said town shall be known and designated as the Technical Sergeant George P. "Pete" Bertram, U.S.A. overpass, in memory of George P. Bertram who was killed in action in World War II while a member of the armed forces of the United States. Suitable markers bearing such designation shall be attached to each of said overpasses by the department of public works.

SECTION 2. Chapter six hundred and fifty-four of the acts of nineteen hundred and sixty-five is hereby repealed.

Approved June 29, 1972.

Chap. 534. AN ACT FURTHER REGULATING THE LIMITED REGISTRATION OF MEDICAL STUDENTS.

Be it enacted, etc., as follows:

Chapter 112 of the General Laws is hereby amended by striking out section 9A, as most recently amended by chapter 527 of the acts of 1966, and inserting in place thereof the following section:—

Section 9A. An applicant for limited registration under this section as an assistant in medicine, who shall furnish the board with satisfactory proof that he is of good moral character, that he has creditably completed not less than two years of study in a legally chartered medical school wherever located, and that he has been assigned to the care and observation of persons requiring medical service by an instructor in a legally chartered medical school in the commonwealth, which instructor shall be a registered physician, may, upon the payment of one dollar, be registered by the board as an assistant in medicine for such time as it may prescribe. Such registered assistant in medicine may practice medicine as authorized by this section, but only under the supervision of such instructor; he may, however, be assigned by such instructor to a hospital, recognized and approved by such instructor, of not less than twenty-five beds, and may practice medicine as aforesaid in said hospital, but only under the supervision of a registered physician who has been duly appointed a staff physician in said hospital. Registration under this section shall not authorize the signing of certificates of births or deaths; nor shall it authorize the prescribing or dispensing of any narcotic drug as defined in section one of chapter ninety-four C. Registration under this section may be revoked at any time by the board, and shall be revoked upon the request of the dean of the medical school in which such assistant in medicine is enrolled. Termination of such enrollment shall operate as a revocation of such registration.

Approved June 29, 1972.

Chap. 535. AN ACT CLARIFYING THE AUTHORITY OF THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY TO CONSTRUCT AND EQUIP A BUILDING FOR THE COURTS AND VARIOUS DEPARTMENTS OF THE COUNTY AND TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. Any limit contained in chapter eight hundred and fifty-one of the acts of nineteen hundred and sixty-nine notwithstanding, the county commissioners of Hampden county are hereby authorized to cause plans and specifications to be prepared for the construction project authorized by chapter one thousand one hundred and twelve of the acts of nineteen hundred and seventy-one, and to acquire land for said project within the area authorized by said chapter one thousand one hundred and twelve, the total cost of such project including the cost of such plans and specifications and the cost of land acquisition to be not more than the total amount of borrowings authorized by said chapters eight hundred and fifty-one and one thousand one hundred and twelve.

SECTION 2. Any amounts authorized to be borrowed by said chapter eight hundred and fifty-one not required for the preparation of plans and specifications and the acquisition of land and any amounts authorized to be borrowed by said chapter one thousand one hundred and twelve not required for the construction project authorized by said chapter one thousand one hundred and twelve may be used for the demolition and renovation, re-equipping and refurnishing projects authorized by said chapter one thousand one hundred and twelve.

SECTION 3. Nothing in this act shall increase the aggregate amount which may be borrowed by the county commissioners for the projects described in said chapters eight hundred and fifty-one and one thousand one hundred and twelve beyond the aggregate amounts authorized by those acts. *Approved June 29, 1972.*

Chap. 536. AN ACT DESIGNATING THE SWIMMING POOL TO BE CONSTRUCTED IN THE CITY OF BROCKTON AS THE FRANK A. MANNING SWIMMING POOL.

Be it enacted, etc., as follows:

The swimming pool to be constructed in the city of Brockton by the department of natural resources shall, upon completion, be known and designated as the Frank A. Manning swimming pool, in memory of Frank A. Manning, a former member of the house of representatives and a former mayor of the city of Brockton. A suitable marker bearing such designation shall be erected and maintained at said swimming pool by the department of natural resources.

Approved June 29, 1972.

Chap. 537. AN ACT FURTHER REGULATING THE ISSUANCE OF CERTIFICATES OF TITLES OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*b*) of section 7 of chapter 90D of the General Laws, as appearing in section 1 of chapter 754 of the acts of 1971, is hereby amended by striking out, in lines 5 and 6, the words ", and the dealer shall promptly mail or deliver the application to the registrar".

SECTION 2. Paragraph (*a*) of section 10 of said chapter 90D, as so appearing, is hereby amended by striking out, in lines 5 to 8, inclusive, the words "; 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". *Approved June 29, 1972.*

Chap. 538. AN ACT DESIGNATING THE BRIDGE ON DEDHAM STREET IN THE TOWN OF WRENTHAM AS THE A. WHITMAN JAMIESON BRIDGE.

Be it enacted, etc., as follows:

The bridge on Dedham street, state highway route 1-A, in the town of Wrentham shall be known and designated as the A. Whitman Jamieson Bridge, in memory of A. Whitman Jamieson, a former fire fighter and police officer in said town. A suitable marker bearing said designation shall be attached thereto by the department of public works. *Approved June 29, 1972.*

Chap. 539. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO DREDGE THE EAST BRANCH OF THE WESTPORT RIVER IN THE TOWN OF WESTPORT.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to dredge the east branch of the Westport river in the vicinity of the northerly end of the state highway route 88 bridge in the town of Westport and easterly and westerly of the state highway route 88 embankment in said town. *Approved June 29, 1972.*

Chap. 540. AN ACT AUTHORIZING THE CITY OF HOLYOKE TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Holyoke is hereby authorized to appropriate money for the payment of and after such appropriation the treasurer of said city is hereby authorized to pay an unpaid bill, incurred by said city in the amount of thirty-two thousand six hundred and sixty-three dollars and fifty cents to Daniel O'Connell's Sons, Inc. for materials supplied to said city in the year nineteen

hundred and seventy-one, said bill being legally unenforceable against said city.

SECTION 2. Said bill shall not 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 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 which were not received by said city shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both. *Approved June 29, 1972.*

Chap. 541. AN ACT PROVIDING FOR NOTICE TO THE ATTORNEY GENERAL OF CERTAIN UNCLAIMED BANK ACCOUNTS.

Be it enacted, etc., as follows:

The first paragraph of section 31 of chapter 168 of the General Laws, as appearing in section 1 of chapter 432 of the acts of 1955, is hereby amended by adding the following sentence:—The registers and the clerks of said courts shall annually submit to the attorney general a list of all said deposits over twenty years old, setting forth the docket numbers, the names of the estates, depositors, depositories, the bank book numbers and the balances. *Approved June 29, 1972.*

Chap. 542. AN ACT PROVIDING THAT RETAIL STORES SHALL NOT DISCRIMINATE BECAUSE OF AGE IN EXTENDING CREDIT OR CHARGE ACCOUNT PRIVILEGES TO CERTAIN CUSTOMERS.

Be it enacted, etc., as follows:

Section 4 of chapter 151B of the General Laws is hereby amended by inserting after subsection (11), inserted by section 3 of chapter 874 of the acts of 1971, the following subsection:—

(12) For any retail store which provides credit or charge account privileges to refuse to extend such privileges to a customer solely because said customer had attained age sixty-two or over.

Approved June 29, 1972.

Chap. 543. AN ACT RELATING TO UNFAIR METHODS OF COMPETITION AND UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN THE BUSINESS OF INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter 176D and inserting in place thereof the following chapter:—

CHAPTER 176D.

UNFAIR METHODS OF COMPETITION AND UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN THE BUSINESS OF INSURANCE.

Section 1. When used in this chapter, the following words shall have the following meanings except as otherwise specifically provided:

(*a*) "Person", any individual, corporation, association, partnership, reciprocal exchange, inter-insurer, Lloyds insurer, fraternal benefit society, operators of any medical service plan and hospital service plan as defined in chapters one hundred seventy-six B, one hundred seventy-six C, one hundred seventy-six E, and one hundred seventy-six F, and any other legal entity engaged in the business of insurance, including agents, brokers, and adjusters. For purposes of this chapter, operators of any medical and hospital service plans shall be deemed to be engaged in the business of insurance.

(*b*) "Commissioner", the commissioner of insurance.

(*c*) "Insurance policy" or "insurance contract", any contract or insurance, indemnity, medical or hospital service, dental or optometric, suretyship, or annuity issued, proposed for issuance or intended for issuance by any person.

Section 2. No person shall engage in this commonwealth in any trade practice which is defined in this chapter as, or determined pursuant to section six of this chapter to be, an unfair method of competition or an unfair or deceptive act or practice in the business of insurance.

Section 3. The following are hereby defined as unfair methods of competition and unfair or deceptive acts or practices in the business of insurance:—

(1) Misrepresentations and false advertising of insurance policies: making, issuing, circulating, or causing to be made, issued or circulated, any estimate, illustration, circular or statement which:—

(*a*) Misrepresents the benefits, advantages, conditions, or terms of any insurance policy;

(*b*) Misrepresents the dividends or shares of the surplus to be received on any insurance policy;

(*c*) Makes any false or misleading statements as to the dividends or share or surplus previously paid on any insurance policy;

(*d*) Misleads or misrepresents the financial condition of any person or the legal reserve system upon which any life insurer operates;

(*e*) Uses any name or title of any insurance policy or class of insurance policies misrepresenting the true nature thereof;

(*f*) Misrepresents for the purpose of inducing or tending to induce the lapse, forfeiture, exchange, conversion, or surrender of any insurance policy;

(*g*) Misrepresents for the purpose of effecting a pledge or assignment of or effecting a loan against any insurance policy; or

(*h*) Misrepresents any insurance policy as being shares of stock.

(2) False information and advertising generally: making, publishing, disseminating, circulating, or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in newspaper, magazine or other

publication, or in the form of a notice, circular, pamphlet, letter or poster or over any radio or television station, or in any other way, an advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of his insurance business, which is untrue, deceptive or misleading.

(3) Defamation: making, publishing, disseminating, or circulating, directly or indirectly, or aiding, abetting or encouraging the making, publishing, disseminating or circulating of any oral or written statement or any pamphlet, circular, article or literature which is false, or maliciously critical of or derogatory to the financial condition of any person, and which is calculated to injure such person.

(4) Boycott, coercion and intimidation: entering into any agreement to commit, or by any concerted action committing any act of boycott, coercion or intimidation resulting in or tending to result in unreasonable restraint of, or monopoly in, the business of insurance.

(5) False statements and entries: (*a*) knowingly filing with any supervisory or other public official, or knowingly making, publishing, disseminating, circulating or delivering to any person, or placing before the public, or knowingly causing directly or indirectly, to be made, published, disseminated, circulated, delivered to any person, or placed before the public, any false material statement of fact as to the financial condition of a person; or (*b*) knowingly making any false entry of a material fact in any book, report or statement of any person or knowingly omitting to make a true entry of any material fact pertaining to the business of such person in any book, report or statement of such person.

(6) Stock operations and advisory board contracts: issuing or delivering or permitting agents, officers or employees to issue or deliver, agency company stock or other capital stock, or benefit certificates or shares in any common-law corporation, securities or any special or advisory board contracts or other contracts of any kind promising returns and profits as an inducement to insurance.

(7) Unfair discrimination: (*a*) making or permitting any unfair discrimination between individuals of the same class and equal expectation of life in the rates charged for any contract of life insurance or of life annuity or in the dividends or other benefits payable thereon, or in any other of the terms and conditions of such contract; or (*b*) making or permitting any unfair discrimination between individuals of the same class and of essentially the same hazard in the amount of premium, policy fees, or rates charged for any policy or contract of accident or health insurance or in the benefits payable thereunder, or in any of the terms or conditions of such contract, or in any other manner whatever.

(8) Rebates: Except as otherwise expressly provided by law, knowingly permitting or offering to make or making any insurance contract, including but not limited to a contract for life insurance, life annuity or accident and health insurance, or agreement as to such contract other than as plainly expressed in the insurance contract issued thereon, or paying or allowing, or giving or offering to pay, allow, or give, directly or indirectly, as inducement to such insurance or annuity any rebate of premiums payable on the contract, or any

special favor or advantage in the dividends or other benefits thereon, or any valuable consideration or inducement whatever not specified in the contract; or giving, or selling, or purchasing or offering to give, sell, or purchase as inducement to such insurance contract, or annuity or in connection therewith, any stocks, bonds, or other securities of any insurance company or other corporation, association, or partnership, or any dividends or profits accrued thereon, or anything of value whatsoever not specified in the contract.

Nothing in clauses (7) or (8) of this subsection shall be construed as including within the definition of discrimination or rebates any of the following practices:—(i) in the case of any contract of life insurance or life annuity, paying bonuses to policyholders or otherwise abating their premiums in whole or in part out of surplus accumulated from nonparticipating insurance, provided that any such bonuses or abatement of premiums shall be fair and equitable to policyholders and for the best interests of the company and its policyholders; (ii) in the case of life insurance policies issued on the industrial debit plan, making allowance to policyholders who have continuously for a specified period made premium payment directly to an office of the insurer in the amount which fairly represents the saving in collection expenses; (iii) readjustment of the rate of premium for a group insurance policy based on the loss or expense experienced thereunder, at the end of the first or any subsequent policy year of insurance thereunder, which may be made retroactive only for such policy year.

(9) Unfair claim settlement practices: An unfair claim settlement practice shall consist of any of the following acts or omissions:

(*a*) Misrepresenting pertinent facts or insurance policy provisions relating to coverages at issue;

(*b*) Failing to acknowledge and act reasonably promptly upon communications with respect to claims arising under insurance policies;

(*c*) Failing to adopt and implement reasonable standards for the prompt investigation of claims arising under insurance policies;

(*d*) Refusing to pay claims without conducting a reasonable investigation based upon all available information;

(*e*) Failing to affirm or deny coverage of claims within a reasonable time after proof of loss statements have been completed;

(*f*) Failing to effectuate prompt, fair and equitable settlements of claims in which liability has become reasonably clear;

(*g*) Compelling insureds to institute litigation to recover amounts due under an insurance policy by offering substantially less than the amounts ultimately recovered in actions brought by such insureds;

(*h*) Attempting to settle a claim for less than the amount to which a reasonable man would have believed he was entitled by reference to written or printed advertising material accompanying or made part of an application;

(*i*) Attempting to settle claims on the basis of an application which was altered without notice to, or knowledge or consent of the insured;

(*j*) Making claims payments to insured or beneficiaries not accompanied by a statement setting forth the coverage under which payments are being made;

(*k*) Making known to insured or claimants a policy of appealing from arbitration awards in favor of insureds or claimants for the

purpose of compelling them to accept settlements of compromises less than the amount awarded in arbitration;

(*l*) Delaying the investigation or payment of claims by requiring that an insured or claimant, or the physician of either, submit a preliminary claim report and then requiring the subsequent submission of formal proof of loss forms, both of which submissions contain substantially the same information;

(*m*) Failing to settle claims promptly, where liability has become reasonably clear, under one portion of the insurance policy coverage in order to influence settlements under other portions of the insurance policy coverage; or

(*n*) Failing to provide promptly a reasonable explanation of the basis in the insurance policy in relation to the facts or applicable law for denial of a claim or for the offer of a compromise settlement.

(10) Failure to maintain complaint handling procedures; failure of any person to maintain a complete record of all the complaints which it has received since the date of its last examination, which record shall indicate in such form and detail as the commissioner may from time to time prescribe, the total number of complaints, their classification by line of insurance, and the nature, disposition, and time of processing of each complaint. For purposes of this subsection, "complaint" shall mean any written communication primarily expressing a grievance. Agents, brokers and adjusters shall maintain any written communications received by them which express a grievance for a period of two years from receipt, with a record of their disposition, which shall be available for examination by the commissioner at any time.

(11) Misrepresentation in insurance applications: making false or fraudulent statements or representations on or relative to an application for an insurance policy, for the purpose of obtaining a fee, commission, money, or other benefit from any insurers, agent, broker, or individual.

(12) Any violation of sections one hundred eighty-one, one hundred eighty-two, one hundred eighty-three, one hundred eighty-seven B, one hundred eighty-seven C, one hundred eighty-seven D, one hundred eighty-nine, one hundred ninety-three E, or one hundred ninety-three K of chapter one hundred seventy-five.

Section 4. No person may: (*a*) require, as a condition precedent to the lending of money or extension of credit, or any renewal thereof, that the person to whom such money or credit is extended or whose obligation the creditor is to acquire or finance, negotiate any policy or contract of insurance through a particular insurer or group of insurers or agent or broker or group of agents or brokers;

(*b*) unreasonably disapprove an insurance policy provided by a borrower for the protection of property securing a credit or lien. Such disapproval shall be deemed unreasonable if it is not based solely on reasonable standards uniformly applied, relating to the extent of coverage required and the financial soundness and the services of an insurer. Such standards shall not discriminate against any particular type of insurer, nor shall such standards call for the disapproval of an insurance policy because such policy contains coverage in addition to that required;

(*c*) require, directly or indirectly, that any borrower, mortgagor, purchaser, insurer, broker, or agent pay a separate charge to substitute the insurance policy of one insurer for that of another. Interest on premium loans or premium advancements in accordance with a security instrument shall not be considered such a separate charge; or

(*d*) use or disclose information resulting from a requirement that a borrower, mortgagor or purchaser furnish insurance of any kind or real property being conveyed or used as collateral security to a loan, when such information is to the advantage of the mortgagee, vendor, or lender, or is to the detriment of the borrower, mortgagor, purchaser, insurer, or the agent or broker complying with such a requirement.

For the purposes of this section, "person" includes any individual, corporation, association, partnership, or other legal entity whatsoever.

Section 5. The commissioner shall have the power to examine and investigate into the affairs of every person engaged in the business of insurance in this commonwealth in order to determine whether such person has been or is engaged in any unfair method of competition or in any unfair or deceptive act or practice prohibited by section two.

Section 6. Whenever the commissioner shall have reason to believe that any such person has engaged or is engaging in this commonwealth in any unfair method of competition or any unfair or deceptive act or practice whether or not defined in sections three or four and that a proceeding by him in respect thereto would be to the interest of the public, he shall issue and serve upon such person a statement of the charges in that respect and a notice of a hearing thereon to be held at a time and place fixed in the notice, which shall not be less than twenty-one days after the date of the service thereof.

At the time and place fixed for such hearing, such person shall have an opportunity to be heard and to show cause why an order should not be made by the commissioner requiring such person to cease and desist from the acts, methods or practices so complained of. Upon good cause shown, the commissioner shall permit any person to intervene, appear and be heard by counsel or in person.

Nothing contained in this chapter shall require the observance at any such hearing of formal rules of pleading or evidence.

The commissioner, upon such hearing, may administer oaths, examine and crossexamine witnesses, receive oral and documentary evidence, and shall have the power to subpoena witnesses, compel their attendance, and require the production of books, papers, records, correspondence, or other documents which he deems relevant to the inquiry. The commissioner upon such hearings, may, and upon the request of any party shall, cause to be made a stenographic record of all the evidence and all the proceedings had at such hearing. If no stenographic record is made and if a judicial review is sought, the commissioner shall prepare a statement of the evidence and proceeding for use on review. In case of a refusal of any person to comply with any subpoena issued hereunder or to testify with respect to any matter concerning which he may be lawfully interrogated, the superior court of Suffolk county or the county where such party resides, on

application of the commissioner, may issue an order requiring such person to comply with such subpoena and to testify; and any failure to obey any such order of the court may be punished by the court as a contempt thereof.

Statements of charges, notices, orders, and other processes of the commissioner under this chapter may be served by anyone duly authorized by the commissioner, either in the manner provided by law for service of process in civil actions, or by registering and mailing a copy thereof to the person affected by such statement, notice, order, or other process at his or its residence or principal office or place of business. The verified return by the person so serving such statement, notice, order, or other process, setting forth the manner of such services, shall be proof of the same, and the return postcard receipt for such statement, notice, order or other process, registered and mailed as aforesaid, shall be proof of the service of the same.

Section 7. If after such hearing, the commissioner shall determine that the person charged has engaged in an unfair or deceptive act or practice he shall reduce his findings to writing and shall issue and cause to be served upon the person charged with the violation a copy of such findings and an order requiring such person to cease and desist from engaging in such method of competition, act or practice and if the act or practice is a violation of sections three or four, the commissioner may suspend or in the case of repeated violations revoke the license of such a party and impose conditions for the reinstatement thereof. In addition whoever commits such an act or practice shall be punished by a fine of not more than one thousand dollars for each and every act or practice.

In any action to recover on an insurance policy, a court may award punitive damages, in addition to the amount of the claim, not to exceed twenty-five per cent of said claim if the court finds that the party seeking to recover on the insurance policy has been damaged by a violation of sections three or four that has been determined such by the commissioner.

Until the expiration of the time allowed under section eight for filing a petition for review if no such petition has been filed within such time or, if a petition for review has been filed within such time, then until the transcript of the record in the proceeding has been filed in the supreme judicial court, as hereinafter provided, the commissioner may at any time, upon such notice and in such manner as he shall deem proper, modify or set aside in whole or in part any order issued by him under this section.

After the expiration of the time allowed for filing such a petition for review if no petition has been duly filed within such time, the commissioner may at any time, after notice and opportunity for hearing, reopen and alter, modify or set aside, in whole or in part, any order issued by him under this section, whenever in his opinion conditions of fact or of law have so changed as to require such action or if the public interest shall so require.

Section 8. Any person required by an order of the commissioner under section six to cease and desist from engaging in any unfair method of competition or any unfair or deceptive act or practice may obtain a review of such order by filing in the supreme judicial court,

within thirty days from the date of the service of such order, a written petition praying that the order of the commissioner be set aside. A copy of such petition shall be forthwith served upon the commissioner, and thereupon the commissioner forthwith shall certify and file in such court a transcript of the entire record in the proceeding, including all the evidence taken and the report and order of the commissioner. Upon such filing of the petition and transcript such court shall have jurisdiction of the proceeding and of the question determined therein, shall determine whether the filing of such petition shall operate as a stay of such order of the commissioner, and shall have power to make and enter upon the pleadings, evidence, and proceedings set forth in such transcript a decree modifying, affirming or reversing the order of the commissioner, in whole or in part. The findings of the commissioner as to the facts, if supported by a fair preponderance of the evidence, shall be conclusive.

To the extent that the order of the commissioner is affirmed the court shall thereupon issue its own order commanding obedience to the terms of such order of the commissioner. If either party shall apply to the court for leave to adduce additional evidence, and shall show to the satisfaction of the court that such additional evidence is material and that there were reasonable grounds for the failure to adduce such evidence in the proceeding before the commissioner, the court may order such additional evidence to be taken before the commissioner and to be adduced upon the hearing in such manner and upon such terms and conditions as to the court may seem proper. The commissioner may modify his findings of fact, or make new findings by reason of the additional evidence so taken, and he shall file such modified or new findings which if supported by a fair preponderance of the evidence, shall be conclusive, and his recommendation, if any, for the modification or setting aside of his original order, with the return of such additional evidence.

A cease and desist order issued by the commissioner under section six shall become final:—

(1) Upon the expiration of the time allowed for filing a petition for review if no such petition has been duly filed within such time; except that the commissioner may thereafter modify or set aside his order to the extent provided in section six; or

(2) Upon the final decision of the court if the court directs that the order of the commissioner be affirmed or the petition for review dismissed.

No order of the commissioner under this chapter or order of a court to enforce the same shall in any way relieve or absolve any person affected by such order from any liability under any other laws of this commonwealth.

Section 9. If after any hearing under sections six or ten the report of the commissioner does not charge a violation of this chapter, then any intervenor in the proceedings may within thirty days after the service of such report, cause a petition to be filed in the supreme judicial court for a review of such report. Upon such review, the court shall have authority to issue appropriate orders and decrees in connection therewith, including, if the court finds that it is to the interest of the public, orders enjoining and restraining the

continuance of any method of competition, act or practice which it finds, notwithstanding such report of the commissioner, constitutes a violation of this chapter and containing penalties pursuant to section seven.

Section 10. Any person who violates a cease and desist order of the commissioner under section seven after it has become final, and while such order is in effect, shall forfeit and pay to the commonwealth a sum not to exceed ten thousand dollars for each violation, which sum may be recovered in a civil action. Upon order of the commissioner such person shall be subject to suspension or revocation of such person's license or such other relief as is reasonable and appropriate.

Section 11. The commissioner may in accordance with provisions of chapter thirty A, after notice and hearing, promulgate reasonable rules and regulations, as are necessary or proper to identify specific methods of competition or acts or practices which are prohibited by sections three or four but the regulations shall not enlarge upon or extend the provisions of said sections.

Section 12. The powers vested in the commissioner by this chapter, shall be additional to any other powers to enforce any penalties, fines or forfeitures authorized by law with respect to the methods, acts, and practices hereby declared to be unfair or deceptive.

Section 13. If any person shall ask to be excused from attending and testifying or from producing any books, papers, records, correspondence or other documents at any hearing on the ground that the testimony or evidence required of him may tend to incriminate him or subject him to a penalty or forfeiture, and shall notwithstanding be directed to give such testimony or produce such evidence, he must nonetheless comply with such direction, but he shall not thereafter be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he may testify or produce evidence thereto, and no testimony so given or evidence produced shall be recived against him upon any criminal action, investigation or proceeding, provided, however, that no such individual so testifying shall be exempt from prosecution or punishment for any perjury committed by him while so testifying and the testimony or evidence so given or produced shall be admissible against him upon any criminal action, investigation or proceeding concerning such perjury, nor shall he be exempt from the refusal, revocation or suspension of any license, permission or authority conferred, or to be conferred, pursuant to the insurance law of this commonwealth. Any such individual may execute, acknowledge and file in the office of the commissioner a statement expressly waiving such immunity or privilege in respect to any transaction, matter or thing specified in such statement and thereupon the testimony of such person or such evidence in relation to such transaction, matter or thing may be received or produced before any judge or justice, court, tribunal, grand jury or otherwise, and if so received or produced such individual shall not be entitled to any immunity or privilege on account of any testimony he may so give or evidence so produced.

Section 14. If any provision of this chapter, or the application of such provision to any person or circumstances, shall be held invalid,

the remainder of the chapter, and the application of such provision to person or circumstances other than those as to which it is held invalid, shall not be affected thereby.

SECTION 2. Section one hundred and ninety-three O of chapter one hundred and seventy-five of the General Laws is hereby repealed.

Approved June 29, 1972.

Chap. 544. AN ACT AUTHORIZING THE ATTORNEY GENERAL TO SEEK WITHOUT NOTICE TEMPORARY RESTRAINING ORDERS AGAINST UNFAIR TRADE PRACTICES.

Be it enacted, etc., as follows:

Section 4 of chapter 93A of the General Laws is hereby amended by striking out the first two paragraphs and inserting in place thereof the following two paragraphs:—

Whenever the attorney general has reason to believe that any person is using or is about to use any method, act, or practice declared by section two to be unlawful, and that proceedings would be in the public interest, he may bring an action in the name of the commonwealth against such person to restrain by temporary restraining order or preliminary or permanent injunction the use of such method, act or practice. The action may be brought in the superior court of the county in which such person resides or has his principal place of business, or the action may be brought in the superior court of Suffolk county with the consent of the parties or if the person has no place of business within the commonwealth. Said court may issue temporary restraining orders or preliminary or permanent injunctions and make such other orders or judgments as may be necessary to restore to any person who has suffered any ascertainable loss by reason of the use or employment of such unlawful method, act or practice any moneys or property, real or personal, which may have been acquired by means of such method, act, or practice.

At least five days prior to the commencement of any action brought under this section, except when a temporary restraining order is sought, the attorney general shall notify the person of his intended action, and give the person an opportunity to confer with the attorney general in person or by counsel or other representative as to the proposed action. Such notice shall be given the person by mail, postage prepaid, to his usual place of business, or if he has no usual place of business, to his last known address.

Approved June 29, 1972.

Chap. 545. AN ACT AUTHORIZING THE FORMATION OF A VOCATIONAL REGIONAL SCHOOL DISTRICT BY THE CITIES OF BEVERLY, GLOUCESTER, PEABODY AND SALEM, AND THE TOWNS OF BOXFORD, DANVERS, ESSEX, HAMILTON, LYNNFIELD, MANCHESTER, MARBLEHEAD, MIDDLETON, ROCKPORT, SWAMPSCOTT, TOPSFIELD AND WENHAM.

Be it enacted, etc., as follows:

SECTION 1. Each of the cities of Beverly, Gloucester, Peabody and Salem, by vote of its city council, and each of the towns of Boxford,

Danvers, Essex, Hamilton, Lynnfield, Manchester, Marblehead, Middleton, Rockport, Swampscott, Topsfield and Wenham, by vote in a town meeting, may create a special unpaid committee to be known as a vocational regional school district planning committee, to consist of three members from each such municipality, one of whom shall be a member of the school committee, to be appointed by the mayor or the moderator as the case may be. Each of said municipalities may appropriate at any time for the expense 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 each of said cities and from any three 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 cities of Beverly, Gloucester, Peabody and Salem, and the towns of Boxford, Danvers, Essex, Hamilton, Lynnfield, Manchester, Marblehead, Middleton, Rockport, Swampscott, Topsfield and Wenham, whereby said municipalities purported to create committees for the purpose of planning a vocational regional school district, and the proceedings heretofore taken by such committee 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 board whose creation and organization are authorized by this section.

SECTION 2. It shall be the duty of the vocational regional school district planning board to study the advisability of establishing a vocational regional school district, hereinafter called the regional school district or the district, its organization, operation and control, and of constructing, maintaining and operating a vocational-technical school or schools to serve the needs of such district; to estimate the construction and operating costs thereof; to investigate the methods of financing such vocational-technical school or schools, and any other matters pertaining to the organization and operation of a regional school district; and to submit a report of its findings and recommendations to the city clerk of each of said cities and, at the same time, to the town clerk of each of said towns.

SECTION 3. The said vocational regional school district planning board may recommend that there shall be established a vocational regional school district which may include all the municipalities represented by its membership, or any combination of four or more such municipalities whose aggregate public school enrollment in grades nine to twelve, inclusive, on October first, nineteen hundred and seventy-one was at least seven thousand five hundred. 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; pro-

vided that the agreement may also set forth the number of votes, or formulas for determining such number of votes, which may be cast by a member of the committee in order to give weight to the population or secondary-school enrollment in or the regional vocational school enrollment from the municipality which such member represents, in which case a majority shall mean a majority of the members and also a majority of the votes which such members are entitled to cast.

(b) The municipality or municipalities in which, or the general area within the regional school district where, the regional district school or schools are to be located.

(c) The method of apportioning the expenses of the regional school district, and the method of apportioning the costs of school construction, including any interest and retirement of principal of any bonds or other obligations issued by the district among the several municipalities comprising the district, and the time and manner of payment of the shares of said municipalities of any such expense.

(d) The method by which school transportation shall be provided.

(e) The terms by which any municipality may be admitted to or separated from the regional school district.

(f) The method by which the agreement may be amended.

(g) The detailed procedure for the preparation and adoption of an annual budget.

(h) Any other matters, not incompatible with law, which the said board may deem advisable, including the method of approving or disapproving the incurrence of debt, as set forth in clause (d) of section six of this act.

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 this 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, however, that any such city, town or district which offers vocational education prior to the acceptance of this act, as provided in section five, may continue to offer vocational education of such types as are not offered by the district established by this act or for such persons who cannot be accommodated by the schools established by said district.

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 clerk or town clerk of each of the cities and towns set forth in section one of a recommendation that a regional vocational 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, such city clerk and town clerk shall cause the question of accepting the provisions of this act to be placed on the ballot to be used at the state election in the year nineteen hundred and seventy-two, 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-two, providing for the establishment of a regional vocational school district by the cities of Beverly, Gloucester, Salem and Peabody and the towns of Boxford, Danvers, Essex, Hamilton, Lynnfield, Manchester, Marblehead, Middleton, Rockport, Swampscott, Topsfield and Wenham, and the construction, maintenance, and operation of a vocational regional school or schools by the said district in accordance with a proposed agreement filed with the clerks of said cities and towns?"

If a majority of the registered voters in four or more of the municipalities voting on this question shall vote in the affirmative, this act shall become fully effective, and the proposed regional vocational school district comprising the cities and towns which accepted this act as herein provided, shall be deemed to be established forthwith in accordance with the terms of the agreement so adopted, notwithstanding any defect or omission in the creation or organization of any vocational regional school district planning committee or of the vocational regional school district planning board; provided, however, that this act shall not take effect and said district shall not be deemed to be established unless the four or more municipalities voting to accept this act had an aggregate public school enrollment in grades nine to twelve, inclusive, on October first, nineteen hundred and seventy-one of at least seven thousand five hundred.

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 necssary 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 or for sewage disposal or for any other purpose for which a school district may borrow money 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 no such indebtedness shall be incurred unless approved by the procedure described in either paragraph (1) or paragraph (2) of this clause, as selected by the district committee, in accordance with and subject to the agreement made under section three:

(1) Written notice of the amount of the debt and of the general purposes for which it was authorized shall be given to the city council of each member city and to the board of selectmen in each of the member towns comprising the district not later than seven days after the date on which said debt was authorized by the district committee; and no debt may be incurred until the expiration of thirty days from the date said debt was authorized by the district committee. If, prior to the expiration of said period, the city council of any member city expresses disapproval of the amount authorized by the district committee, or any member town expresses such disapproval by vote of a majority of the voters present and voting on the matter at a town meeting, 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.

(2) The vote of the district committee authorizing the debt may be approved by a majority of the registered voters in the member municipalities voting on the question at an election called and held in the manner prescribed herein. The election shall be called by a warrant addressed to the registered voters in the member cities and towns and signed by a majority of the members of the district committee which shall set forth the date of the election, the polling place or places in each city and town, 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 the committee in at least one public place in each city and town 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 city and town shall be determined by the district committee after consultation with the city clerk or town clerk of each said city or town; and the hours during which all the polls in the district are open shall be uniform throughout the district and shall be not less than four nor more than eight consecutive hours. The district committee shall prepare the ballots used at the election. The city clerk or town clerk of each city and town shall certify the results of the election to the district committee. The expenses of the election shall be paid by the regional school district as an operating expense of the district; and if provision for said payment is not included in the budget for the year in which it is incurred, the district 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.

(e) To issue bonds and notes in the name and upon the full faith and credit of said district; said bonds or notes shall be signed by the chairman and treasurer of the district committee, except that said chairman by a writing bearing his written signature and filed in the office of said treasurer, which writing shall be open to public inspection, may authorize said treasurer to cause to be engraved or printed on said bonds or notes a facsimile of said chairman's signature, and such facsimile so engraved or printed shall have the same validity and effect as said chairman's written signature, and each issue of bonds or notes shall be a separate loan.

(f) To receive and disburse funds for any district purpose.

(g) To incur temporary debt in anticipation of revenue to be received from member municipalities.

(h) To assess member municipalities for any expenses of the district.

(i) To receive any grants or gifts for the purposes of the regional district school or schools.

(j) To engage legal counsel.

(k) To submit an annual report to each of the member municipalities, containing a detailed financial statement, and a statement showing the method by which the annual charges assessed against each municipality were computed, together with such additional information relating to the operation and maintenance of such school or schools as may be deemed necessary by the district school committee or by the city council of any member city or by the selectmen of any member town.

(l) To employ an administrator who meets the qualifications for a director of a state aided vocational school as established by the division of vocational education of the department of education, and

said administrator shall have all the powers and duties imposed upon school superintendents by law.

(m) To adopt an annual operating and maintenance budget, not later than December first.

SECTION 7. The powers, duties and liabilities of the regional school district shall be vested in and exercised by a regional district school committee organized in accordance with the agreement. The committee shall choose a chairman and a vice chairman by ballot from its membership. The vice chairman shall, in the absence of the chairman, exercise the powers and perform the duties of said chairman. It shall appoint a secretary and a treasurer who may be the same person, but who need not be members of said committee. The treasurer shall receive and take charge of all money belonging to the district, and shall pay any bill of the district which shall have been approved by the committee. The committee may appoint an assistant treasurer who need not be a member of the committee, and who shall, in the absence of the treasurer, perform his duties and shall have the powers and be subject to the requirements and penalties applicable to him. The treasurer and assistant treasurer may, by vote of said committee, be compensated for their services. The treasurer and assistant treasurer of said district shall be subject to the provisions of section thirty-five, fifty-two and one hundred and nine A of chapter forty-one of the General Laws, to the extent applicable.

SECTION 8. The regional district school committee shall annually determine the amounts necessary to be raised to maintain and operate the district school or schools during the ensuing calendar year, and the amount required for payment of debt and interest incurred by the district which will be due in the said year, and shall apportion the amount so determined among the several municipalities in accordance with the terms of the agreement. The amounts so apportioned for each municipality shall, prior to December thirty-first in each year, be certified by the regional district treasurer to the treasurers of the several municipalities. Each municipality shall appropriate the amounts so certified, and in case any such municipality fails to pay over to the treasurer of said district the amount of its apportionment within the time specified in said agreement for such payment, the district school committee shall invoke the provisions of section thirty-four of chapter seventy-one of the General Laws. The city or town treasurer, as the case may be, shall pay the amount so appropriated or any amount ordered to be assisted by court decree to said district at the time or times specified in the agreement.

SECTION 9. The regional school district shall be subject to all laws pertaining to school transportation; and when the agreement provides for the furnishing of transportation by the regional school district, the commonwealth shall reimburse such district to the full extent of the amounts expended for such transportation, except that no such reimbursement shall be made for transportation of any pupil who resides less than one and one half miles, measured by a commonly traveled route, from the district school which he attends. The state treasurer shall annually, on or before November twentieth, pay to the regional school district from the Local Aid Fund, subject to appropriation, the sums required for such reimbursement and ap-

proved by the commissioner of education. There shall be allocated from the Local Aid Fund such sums as said commissioner shall certify as necessary for the payment of such reimbursement.

SECTION 10. Each municipality comprising the regional school district shall continue to receive state aid for educational purposes in the amount to which it would be entitled if such district had not been formed, and such regional school district shall be entitled to receive state aid for construction of regional schools.

SECTION 11. The director of accounts in the department of corporations and taxation shall annually cause an audit to be made of the accounts of the regional district school committee, and for this purpose he, and his duly accredited agents, shall have access to all necessary papers, books and records. Upon the completion of each audit, a report thereon shall be made to the chairman of the district committee, and a copy thereof shall be sent to the mayor of each city and to the chairman of the board of selectmen of each town and the chairman of the school committee of each municipality which is a member of the district. The director shall apportion the cost among the several municipalities which are members of the district on the basis provided by section three, and submit the amounts of each apportionment to the state treasurer who shall issue his warrant requiring the assessors of the municipalities which are members of the district to assess a tax to the amount of the expense, and such amounts shall be collected and paid to the state treasurer as provided by section twenty of chapter fifty-nine of the General Laws.

SECTION 12. No municipality in the regional school district shall be liable for any obligation imposed on any other municipality in said district by authority of this act, or of any agreement thereunder, any other provision of law to the contrary notwithstanding.

SECTION 13. The members of the aforesaid emergency finance board when acting under this act shall receive from the commonwealth compensation to the same extent as provided under section eighty-seven of chapter eight hundred and one of the acts of nineteen hundred and sixty-three.

SECTION 14. The provisions of sections sixteen to twenty-eight, inclusive, of chapter forty-four of the General Laws shall, so far as pertinent, apply to the regional school district, but the provisions of said section sixteen relating to the countersigning of bonds and notes and the provisions of section twenty-four of said chapter forty-four relating to the countersigning and approval of notes and the certificates of the clerk relating thereto shall not apply to said district.

SECTION 15. This act shall take effect upon its passage.

Approved June 29, 1972.

Chap. 546. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO ACQUIRE, MAINTAIN AND PRESERVE CERTAIN LAND IN THE CITY OF CAMBRIDGE AND TOWN OF BELMONT.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission is hereby authorized and directed to acquire by eminent domain under the pro-

visions of chapter seventy-nine of the General Laws, or by purchase, gift or otherwise, and thereafter develop and maintain for park and recreation purposes certain land in the city of Cambridge and the town of Belmont, bounded and described as follows:—

NORTHWESTERLY by land of owners unknown, Flanders Road as extended and other land of owners unknown by three courses 163.30 ft., 36.29 feet and 70.01 feet respectively;

SOUTHWESTERLY by land of owners unknown, shown as Land Court #14234, 349.65 ft.;

SOUTHERLY by land of owners unknown, shown as Land Court #5481, 281.81 ft.;

EASTERLY by Lot B as shown on a plan hereinafter referred to, 451.39 ft.;

NORTHERLY by land now or formerly of the Boston & Maine Railroad, 193.06 ft.;

Containing 155,259 square feet as shown on said plan. Said premises are shown as Lot A on a Plan by Fred R. Joyce, Surveyor, dated September 18, 1968, recorded in Middlesex South District Registry of Deeds, Book 11578, page 176, 178. The above described lot contains 56628 square feet pond area, and 98631 square feet land area.

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 the said area.

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

Approved June 29, 1972.

Chap. 547. AN ACT FURTHER REGULATING THE PAYMENT OF THE LEGAL FEES OF THE ATTORNEY FOR THE MORTGAGEE BY THE MORTGAGOR IN A MORTGAGE TRANSACTION.

Be it enacted, etc., as follows:

SECTION 1. Chapter 93 of the General Laws is hereby amended by inserting after section 69, added by chapter 1025 of the acts of 1971, the following section:—

Section 70. Whenever, in connection with the granting of any loan or credit to be secured by a mortgage on real estate improved with a dwelling designed to be occupied by not more than four families and occupied or to be occupied in whole or in part by the mortgagor, the mortgagor is required or agrees to pay or to be responsible for any fee or expense charged or incurred by any attorney acting for or on behalf of the mortgagee, the mortgagor or his attorney shall be given a copy of any certification of title to the mortgaged property rendered by the mortgagee's attorney, and such certification shall be deemed to have been rendered for the benefit of the mortgagor to the same extent as it is for the mortgagee. Failure to comply with the provisions of this section shall constitute an unfair or deceptive act or practice under the provisions of chapter ninety-three A.

The provisions of this section shall not apply to loans which are subject to the provisions of sections ninety A to ninety E, inclusive, of chapter one hundred and forty.

SECTION 2. Chapter 184 of the General Laws is hereby amended by striking out section 17B, as most recently amended by section 1 of chapter 824 of the acts of 1970, and inserting in place thereof the following section:—

Section 17B. Every application for a mortgage loan on real estate consisting of a dwelling house with accommodations for four or less separate households and occupied or to be occupied in whole or in part by the obligor on the mortgage debt shall be made on a printed form which shall contain the following two statements in type of at least two points larger than the other type used on said application:

(1) The responsibility of the attorney for the mortgagee is to protect the interest of the mortgagee.

(2) The mortgagor may, at his own expense, engage an attorney of his own selection to represent his own interests in the transaction.

In addition to the foregoing, every application and copy thereof shall, if applicable, in type of at least the same size as the above required statements, disclose information relative to the following:

(*a*) The approximate expiration date of the note.

(*b*) The rate of interest charged.

(*c*) A statement that as of the expiration date of said note, the mortgagee may demand payment of said note, may rewrite the note by agreement at a greater or lesser rate of interest, or may, by agreement, allow payments to be made on said note at the same, or a lesser, or a greater rate of interest.

A printed copy of the above statements and information shall be given to the mortgagor at the time of making the application.

Approved June 29, 1972.

Chap. 548. AN ACT AUTHORIZING THE TOWN OF BARNSTABLE TO ACQUIRE CERTAIN LAND IN SAID TOWN.

Be it enacted, etc., as follows:

The town of Barnstable may acquire by purchase six and forty hundredths acres, more or less, of beach land, containing approximately six hundred and thirty feet frontage on Nantucket sound, from John J. Pendergast and Sylvia Pendergast, said land being more particularly described on a plan entitled, "Plan of Land in Barnstable, being a subdivision of land (Lot 2), shown on Land Court Plan 12134B, Scale 1 in. = 50 ft., April 1972, Town of Barnstable Engineering Department". Said town may expend for the purpose of this act a sum not exceeding, in the aggregate, four hundred thousand dollars, which shall be paid over a term of twenty years in equal annual installments, without interest. *Approved June 29, 1972.*

Chap. 549. AN ACT FURTHER REGULATING THE REGISTRATION AND VOTING OF PERSONS IN CERTAIN ELECTIONS AND PRIMARIES.

Be it enacted, etc., as follows:

Section 3 of chapter 51 of the General Laws is hereby amended by striking out the first sentence, as appearing in section 11 of chapter 453

of the acts of 1943, and inserting in place thereof the following sentence:—For all elections and primaries held prior to June first in any year, a person who moves from his place of residence after January first in any year into another ward or precinct in the same city or town shall be registered and may vote in such ward or precinct.

Approved June 29, 1972.

Chap. 550. AN ACT PROVIDING FOR ADMISSION OF CERTAIN FIREFIGHTERS TO STATE COLLEGES ON A COOPERATIVE PLAN.

Be it enacted, etc., as follows:

Chapter 73 of the General Laws is hereby amended by striking out section 20, added by chapter 834 of the acts of 1970, and inserting in place thereof the following section:—

Section 20. A state college shall admit as a candidate for a four year degree any person who is a regular member of the police department or fire department of a city or town of the commonwealth within commuting distance of the college, who is recommended by his superior officers and demonstrates sufficient capacity in a competitive admissions examination. A police officer or firefighter who is so admitted shall, while enrolled as a student in good standing at such college, have his tuition paid by the commonwealth. While so enrolled, the city or town by whom he is employed shall pay him his full weekly salary during the thirty-two weeks of each college year; provided, he is enrolled for sixteen semester hours of collegiate instruction, works twenty-four hours a week on regular duty as a police officer or firefighter, as the case may be, in said city or town and during college vacation period works his regular weekly tour of duty in his department. Each police officer and firefighter who enrolls at a state college under the provisions of this section shall sign an agreement that he shall remain in full time employment as a police officer or firefighter, as the case may be, in such city or town after he completes such college work for as many years as he has been aided by such city or town under this section.

Approved June 29, 1972.

Chap. 551. AN ACT PLACING THE OFFICE OF CHIEF OF THE FIRE DEPARTMENT OF THE CITY OF REVERE UNDER THE CIVIL SERVICE LAW.

Be it enacted, etc., as follows:

The office of chief of the fire department of the city of Revere, shall, upon the termination of the employment of the present incumbent of said office, become subject to the civil service law and rules, and said office shall thereupon be filled by a competitive promotional examination to be held by the director of civil service in accordance with the provisions of said law and rules. *Approved June 29, 1972.*

Chap. 552. AN ACT IMPOSING CERTAIN PENALTIES FOR THE DESTRUCTION, MUTILATION, DEFACING, INJURING OR REMOVING OF VETERANS' GRAVE MARKERS OR METAL PLAQUES AND DAMAGE TO CEMETERY PROPERTY BY CERTAIN MINOR CHILDREN.

Be it enacted, etc., as follows:

SECTION 1. Chapter 231 of the General Laws is hereby amended by striking out section 85G, inserted by chapter 453 of the acts of 1969, and inserting in place thereof the following section:—

Section 85G. Parents of an unemancipated child under the age of seventeen and over the age of seven years shall be liable in a civil action for any willful act committed by said child which results in injury or death to another person or damage to the property of another or to cemetery property. This section shall not apply to a parent who, as a result of a decree of any court of competent jurisdiction, does not have custody of such a child at the time of the commission of the tort. Recovery under this section shall not exceed three hundred dollars for any such cause of action for injury, death or damage to the property of another, or one thousand dollars for any such cause of action for damage to cemetery property.

SECTION 2. Section 73 of chapter 272 of the General Laws, as most recently amended by chapter 312 of the acts of 1966, is hereby amended by inserting after the word "gravestone", in line 2, the words:—, veteran's grave marker or metal plaque.

Approved June 29, 1972.

Chap. 553. AN ACT AUTHORIZING CITIES AND TOWNS TO PROVIDE HOSPITAL, MEDICAL AND SURGICAL INSURANCE COVERAGE FOR INJURIES SUSTAINED BY STUDENTS IN CERTAIN PUBLIC SCHOOL ACTIVITIES.

Be it enacted, etc., as follows:

Section 5 of chapter 40 of the General Laws is hereby amended by striking out clause (40B), inserted by section 1 of chapter 247 of the acts of 1952, and inserting in place thereof the following clause:—

(40B) For the payment, by providing insurance coverage or otherwise, of the reasonable hospital, medical and surgical expenses incurred by or in behalf of any student in any of its public schools by reason of injury sustained by him while engaged in shop or laboratory work or any authorized activity or assignment at or away from such school. Money so appropriated shall be expended under the direction of the school committee.

Approved June 29, 1972.

Chap. 554. AN ACT CHANGING AND ESTABLISHING THE BOUNDARY LINE BETWEEN THE CITY OF LAWRENCE AND THE TOWN OF NORTH ANDOVER.

Be it enacted, etc., as follows:

The following described lines shall hereafter be the boundary line between the city of Lawrence and the town of North Andover:—

Beginning at L-NA-1A, an unmarked point on the existing boundary line between the city of Lawrence and the town of North Andover, said

point being on the easterly bank of the Shawsheen river and on the easterly location line of the June 6, 1961 State Highway Layout of Interstate Route 495, in latitude 42°42'17.525" north and longitude 71°08' 16.894" west and bearing north 36°06'08.0" west and being 188.44 feet distant from L-NA-1B hereinafter described, thence, leaving said river and said boundary line and in part following said location line and crossing Sutton street, south 36°06'09.0" east, 188.44 feet to L-NA-1B on said easterly location line, in latitude 42°42'16.021" north and longitude 71°08'15.407" west; thence following said location line south 54°19' 20.7" west, 99.88 feet to L-NA-1C in latitude 42°42'15.445" north and longitude 71°08'16.493" west; thence south 55°47'32.2" west, 111.02 feet to L-NA-1D in latitude 42°42'14.829" north and longitude 71°08' 17.723" west; thence south 57°28'48.9" west, 102.60 feet to L-NA-1E in latitude 42°42'14.284" north and longitude 71°08'18.881" west; thence south 58°43'29.1" west, 80.20 feet to L-NA-1F in latitude 42°42' 13.873" north and longitude 71°08'19.799" west; thence south 60°43' 57.5" west, 140.40 feet to L-NA-1G in latitude 42°42'13.195" north and longitude 71°08'21.440" west; thence south 62°38'18.2" west, 94.00 feet to L-NA-1H in latitude 42°42'12.768" north and longitude 71°08' 22.558" west; thence by a curve to the right, not tangent to the line back, of 3170.02 feet radius, 67.11 feet to L-NA-1J in latitude 42°42' 12.477" north and longitude 71°08'23.365" west; thence leaving said easterly location line and crossing said state highway south 87°07'13.0" west, 421.38 feet to L-NA-1K on the westerly location line of said state highway in latitude 42°42'12.268" north and longitude 71°08'29.001" west; thence following said westerly location line south 15°26'57.3" west, 1498.41 feet to L-NA-1L in latitude 42°41'58.001" north and longitude 71°08'34.346" west; thence south 33°05'58.7" west, 200.00 feet to L-NA-1M in latitude 42°41'56.347" north and longitude 71°08'35.809" west; thence leaving said westerly location line north 76°45'38.0" west, 248.00 feet to L-NA-1N, an unmarked point on the easterly bank of the Shawsheen river in latitude 42°41'56.908" north and longitude 71°08' 39.042" west; thence westerly, southerly and easterly by said easterly bank to L-NA-1P an unmarked point in latitude 42°41'52.064" north and longitude 71°08'43.296" west and bearing north 56°54'03.0" west and being 470.00 feet distant from L-NA-1Q hereinafter described; thence leaving said easterly bank south 56°54'06.5" east, 470.00 feet to L-NA-1Q on the westerly location line of the aforesaid state highway in latitude 42°41'49.529" north and longitude 71°08'38.024" west; thence following said westerly location line south 3°41'35.0" east, 1034.33 feet to L-NA-1R in latitude 42°41'39.333" north and longitude 71°08'37.131" west; thence leaving said westerly location line and crossing said state highway north 83°41'51.5" east, 390.89 feet to L-NA-1S on the easterly location line of said state highway in latitude 42°41'39.757" north and longitude 71°08'31.929" west; thence following said easterly location line south 6°18'02.3" east 71.19 feet to L-NA-1T an unmarked point on the easterly bank of the Shawsheen river in latitude 42°41'39.058" north and longitude 71°08'31.824" west; thence leaving said easterly location line and following said easterly bank, easterly and southerly to L-NA-1U an unmarked point in latitude 42°41'14.082" north and longitude 71°08' 25.112" west and bearing south 32°38'11.9" east and being 81.00 feet distant from L-NA-1U (W.M.) to be set in latitude 42°41'14.756" north and longitude 71°08'25.697" west; thence leaving said easterly bank

south 32°38'09.4" east, 174.94 feet to L-NA-1V an unmarked point on the easterly bank of the Shawsheen river in latitude 42°41'12.627" north and longitude 71°08'23.849" west and bearing north 32°38'09.6" west and being 76.00 feet distant from L-NA-1V (M.W.) to be set in latitude 42°41'11.995" north and longitude 71°08'23.300" west; thence following said easterly bank, easterly and southerly to L-NA-1W on the northeasterly location line of the 1924 State Highway Layout of Route 114 in latitude 42°41'04.346" north and longitude 71°08'23.573" west and bearing north 54°07'33.4" west and being 18.85 feet distant from L-NA-2 hereinafter described; thence leaving the easterly bank of the Shawsheen river and following said location line south 54°07'33.5" east, 18.85 feet to L-NA-2 an unmarked point at the end of this alteration on the existing boundary line between the city of Lawrence and the town of North Andover in latitude 42°41'04.237" north and longitude 71°08' 23.369" west and bearing north 54°07'32.5" west and being 34.00 feet distance from L-NA-2 (W.M.), a granite monument marked A-L in latitude 42°41'04.040" north and longitude 71°08'23.000" west. All of the foregoing positions and bearings refer to the North American Datum established prior to nineteen hundred and twenty-seven.

Approved June 29, 1972.

Chap. 555. AN ACT AUTHORIZING THE TOWN OF DARTMOUTH TO APPROPRIATE MONEY FOR AND TO PAY CAREER INCENTIVE PAY INCREASES TO MEMBERS OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the town of Dartmouth is hereby authorized to appropriate the sum of three thousand seven hundred seventeen dollars and twenty-three cents and to pay from said sum any amounts due officers of the police department for career incentive pay increases earned in the year nineteen hundred and seventy-one and qualified for reimbursement by the commonwealth under section one hundred and eight L of chapter forty-one of the General Laws.

SECTION 2. Any action taken by the town of Dartmouth at the annual town meeting held on April fourth, nineteen hundred and seventy-two, shall be 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 June 29, 1972.

Chap. 556. AN ACT PROVIDING THAT CITIES AND TOWNS FORMULATE PLANS TO ASSIST PERSONS WHO HAVE BEEN DEPRIVED OF LIVING QUARTERS BECAUSE OF FIRE OR PHYSICAL DISASTER.

Be it enacted, etc., as follows:

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

Section 125. The city manager in cities having a plan D or E charter, the mayor in all other cities, and the board of selectmen in towns shall co-ordinate a plan in conjunction with the housing authority, if any, to assist persons who have been deprived of living quarters because of fire or other disaster to obtain temporary living quarters.

Approved June 29, 1972.

Chap. 557. AN ACT REMOVING THE OFFICE OF CHIEF OF POLICE OF THE TOWN OF MEDFIELD FROM THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

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

SECTION 2. Notwithstanding the provisions of section one of this act, the present incumbent of the office of chief of police of the town of Medfield shall continue to serve subject to the provisions of chapter thirty-one of the General Laws.

SECTION 3. This act shall be submitted to the voters of said town at the 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-two, entitled 'An Act removing the office of chief of police of the town of Medfield from the civil service law and rules', be accepted?" If a majority of the votes in answer to said question is in the affirmative, then this act shall thereupon take effect, but not otherwise. *Approved June 29, 1972.*

Chap. 558. AN ACT RELATIVE TO THE LICENSING REQUIREMENTS UNDER THE LAW REGULATING CONTROLLED SUBSTANCES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to regulate forthwith the law relative to licenses relative to controlled substances, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Section 9 of chapter 1071 of the acts of 1971, as amended by chapter 2 of the acts of 1972, is hereby further amended by inserting after the word "under", in line 2, the words: — sections one hundred and eighty-seven E, one hundred and ninety-eight A, and two hundred and eleven of. *Approved June 30, 1972.*

Chap. 559. AN ACT VALIDATING THE ACTS AND PROCEEDINGS OF A CERTAIN TOWN MEETING OF THE TOWN OF EASTHAMPTON IN ESTABLISHING A PARK AND RECREATION COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 5 of the acts of 1952 is hereby amended by striking out, in lines 20 to 23, inclusive, the words "shall be exercised, performed and incurred by the park commission; and those relating to playgrounds shall be exercised, performed and incurred by the recreation committee" and inserting in place thereof the words: — and those relating to playgrounds shall be exercised, performed and incurred by the park and recreation commission.

SECTION 2. There is hereby established in the town of Easthampton a park and recreation commission consisting of five members to be ap-

pointed by the moderator, subject to the approval of the town meeting members, who shall serve for a term of three years. Of the members initially appointed two shall be appointed for a term of three years, two for a term of two years and one for a term of one year.

SECTION 3. The acts and proceedings taken at the town meeting of the town of Easthampton on March twenty-fifth of the current year and contained in Article 9 of the warrant for said meeting, and all acts done in pursuance thereof are hereby confirmed and declared valid.

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

Approved July 6, 1972.

Chap. 560. 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 purposes of discharging a moral obligation, the city of Taunton is hereby authorized to pay to Taunton Medical Associates, Inc. the sum of fifty-seven dollars; to C. Nason Burden, M.D. the sum of thirty-five dollars; to Morton Hospital the sum of forty-two dollars and seventy-five cents; and to Hanson & Company, Inc. the sum of forty-three dollars and seventy cents for medical care, attendance, and medication furnished to George Caras in nineteen hundred and seventy-one for the treatment of injuries sustained in the course of his employment with said city, said bill being legally unenforceable against said city.

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

Approved July 6, 1972.

Chap. 561. AN ACT AUTHORIZING THE TOWN OF MERRIMAC TO SELL AND CONVEY CERTAIN LAND TO THE MERRIMAC HOUSING AUTHORITY FOR THE CONSTRUCTION OF HOUSING FOR THE ELDERLY.

Be it enacted, etc., as follows:

SECTION 1. The selectmen of the town of Merrimac may sell and convey to the Merrimac housing authority for the construction of housing for the elderly certain parcels of park land and school land and school property in said town, together with buildings thereon, bounded by Walnut and Middle streets, and more particularly bounded and described as follows: —

Parcel 1: Beginning at the Northwest corner thereof by Middle Street and by a proposed way from said Middle Street, southerly to a new street parallel with Middle Street, thence running Easterly by Middle Street (North 81¾° East) 125 feet to land now or formerly of Larkin; thence South 8° East by said land now or formerly of Larkin and by land of the heirs of John Ransom, 240 feet to said new street; thence South 81⅛° West on said new street 125 feet to said proposed way; thence North 8° West on said proposed way 241 feet to Middle Street and the place of beginning.

Being the same premises conveyed to the Inhabitants of the Town of Merrimac by deed of George G. Larkin recorded in Essex South Registry of Deeds Book 1233, Page 62.

Parcel 2: Beginning at the Northeast corner thereof by Middle Street, and by the High School Lot and thence running Southerly by the High School Lot to Walnut Street; thence Westerly by Walnut Street to the center of a Brook; thence Northerly by the center of the brook to Middle Street; and thence Easterly by Middle Street to the High School Lot and point of beginning.

Being the same premises conveyed to the Inhabitants of Merrimac by deed of George G. Larkin recorded in Essex South Registry of Deeds Book 2325, Page 518.

Parcel 3: Beginning at the Northwesterly corner thereof at a stone bound by Middle Street and by land of Mrs. Dearborn, thence running Southerly by said land of Dearborn and by land of F. B. Porter to Walnut Street; thence Easterly by Walnut Street to the center of a brook; thence northerly by the center of the brook to Middle Street; and thence Westerly by Middle Street to the point of beginning.

Being the same premises conveyed to the Inhabitants of Merrimac by deed of Charles A. Lancaster recorded in Essex South Registry of Deeds Book 2325, Page 519.

SECTION 2. The deed conveying the land shall be upon the express condition that if construction of housing for the elderly is not commenced within three years from the effective date of this act, title to said land shall revert to the town of Merrimac.

SECTION 3. Any proceedings heretofore or hereinafter taken by any town meeting in the town of Merrimac authorizing the conveyance of the above described land shall be deemed valid to the same extent as if this act had been in effect at the time of the posting of the warrant for such meeting.

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

Approved July 6, 1972.

Chap. 562. AN ACT RELATIVE TO THE MEMBERSHIP OF THE BOARD OF SELECTMEN OF THE TOWN OF NANTUCKET AND VALIDATING CERTAIN PROCEEDINGS TAKEN AT THE ANNUAL ELECTION OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 169 of the acts of 1965 is hereby amended by striking out the last sentence.

SECTION 2. There shall be five selectmen in the town of Nantucket. At the town election in nineteen hundred and seventy-two, the registered voters of the town of Nantucket shall elect five selectmen of whom two shall serve for a term of three years, two shall serve for a term of two years and one for a term of one year. At each annual town election thereafter the voters shall elect in place of those selectmen whose terms are about to expire a like number of selectmen to serve for terms of three years.

SECTION 3. Any action taken by the town of Nantucket at its annual town meeting and election held in the current year, pursuant to the authority contained in sections one and two, 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 4. All acts and proceedings of the board of selectmen of said town from March fourteenth, nineteen hundred and seventy-two to the effective date of this act are hereby ratified and confirmed and shall have the same effect and validity as if the provisions of this act had been in effect at the time of such acts and proceedings.

SECTION 5. This act shall take effect upon its passage.

Approved July 6, 1972.

Chap. 563. AN ACT AUTHORIZING THE CITY OF MARLBOROUGH TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY A CERTAIN UNPAID BILL.

Be it enacted, etc., as follows:

SECTION 1. The city of Marlborough 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 ten thousand dollars to Louis Monti and Sons, Inc. for two war memorials, to honor the deceased veterans of World War II and the Korean emergency, which bill is legally unenforceable against the city, having been incurred in violation of section twenty-eight of chapter forty-three of the General Laws; 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 goods, materials or services for which the bill was submitted were ordered by an official or an employee of said city and that such goods and materials were delivered and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby received 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 July 6, 1972.

Chap. 564. AN ACT AUTHORIZING THE CITY OF LYNN TO MAKE CERTAIN ORDINANCES GRANTING SALARY INCREASES RETROACTIVE TO THE FIRST DAY OF THE CALENDAR YEAR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provision of any law and until section forty-four of chapter eight hundred and forty-nine of the acts of nineteen hundred and sixty-nine takes effect, anything in section one hundred and eight of chapter forty-one of the General Laws to the contrary notwithstanding, the city of Lynn may, subject to the provisions

of section thirty-one of chapter forty-four of the General Laws, make effective from January the first any salary or compensation which is fixed by an ordinance as soon as may be after the passage of the annual budget but in no event later than September the first in the same year.

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

Approved July 6, 1972.

Chap. 565. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW SUCH SUMS AS MAY BE NECESSARY TO REPLACE FUNDS WHICH ARE LOST OR UNAVAILABLE DUE TO THE INSOLVENCY OR LIQUIDATION OF A BANK WHEREIN ITS FUNDS WERE ON DEPOSIT.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the borrowing by cities and towns of certain sums to replace funds on deposit with a bank which have been lost or unavailable due to insolvency or liquidation of such bank, 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 44 of the General Laws is hereby amended by inserting after section 8A the following section: —

Section 8B. The treasurer of any city, if authorized by vote of the city council with the approval of the mayor, and the treasurer of any town if authorized by vote of the town may borrow from time to time such sums as may be necessary to replace funds of such city or town which have been lost or are unavailable as a result of the insolvency, failure or liquidation of a bank or other depository wherein its funds have been deposited. Any such treasurer may issue notes of such city or town payable in or within not more than five years. Indebtedness incurred by a city or town under the provisions of this section shall be outside its limit of indebtedness as fixed by this chapter.

Any sums received by any such city or town paid out of the assets of said bank by way of dividend or distribution to depositors shall first be applied to the repayment of any notes issued under the authority of this section which remain unpaid at the time such sums are received, and any balance remaining shall be paid into the treasury of such city or town.

Approved July 6, 1972.

Chap. 566. AN ACT PROVIDING ADDITIONAL FUNDS FOR THE CONSTRUCTION OF THE JOHN W. MCCORMACK BUILDING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith additional funds for the construction of an additional state office building, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Chapter 976 of the acts of 1971 is hereby amended by striking out section 8 and inserting in place thereof the following section: —

Section 8.

Government Center Commission.

John W. McCormack 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	$34,250,000

SECTION 2. Section 9 of said chapter 976 is hereby amended by striking out, in lines 6 and 7, the words "thirty-two million four hundred thousand" and inserting in place thereof the words: — thirty-four million two hundred fifty thousand. *Approved July 6, 1972.*

Chap. 567. AN ACT DIRECTING THE BOARD OF REGISTRATION IN MEDICINE TO GRANT A CERTIFICATE OF REGISTRATION TO PRACTICE MEDICINE TO ALAIN B. ROSSIER.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to grant forthwith a certificate of registration to practice medicine to Alain B. Rossier, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law or of any rule or regulation of the board of registration in medicine, said board shall grant a certificate of registration as a qualified physician to practice medicine within the commonwealth to Alain B. Rossier for a period of five years from the effective date of this act and if, within said five-year period, the said Alain B. Rossier becomes a permanent resident of the commonwealth and evidences his intention to the board to become a citizen of the United States, said board shall grant a certificate of registration to practice medicine within the commonwealth to the said Alain B. Rossier without limitation as to time. *Approved July 6, 1972.*

Chap. 568. AN ACT ESTABLISHING THE FRENCH-QUINEBAUG REGIONAL REFUSE DISPOSAL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The towns of Charlton, Dudley, Oxford, Southbridge, Sturbridge and Webster by vote in a town meeting may, subject to conditions hereinafter enumerated, establish a regional refuse disposal district which shall be a body corporate and be known as the French-Quinebaug 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 French-Quinebaug Regional Refuse Disposal Board, provided as in section two, additional eligible members shall require a two-thirds vote of said 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 established and shall be known as the French-Quinebaug Regional Refuse Disposal Board, hereinafter called the board.

The board shall consist of members from and representing each town that has voted to accept the provisions of this act and is a member of the district. Membership shall be determined on the basis of population. These shall be one board member for each four thousand persons or fraction exceeding fifty per cent thereof for each member community according to the latest federal census. Official actions shall require an affirmative vote of at least two-thirds of the board.

The members of the board from the towns shall be appointed by a board of selectmen, or the town manager in those towns 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. Members of the board shall be appointed by the appointing authorities as follows: the first representative from any member town shall be appointed for a term of three years, the second, if required, for a term of two years, the third, if required, for a term of one year. Any additional representatives required shall be appointed for terms of three years. Each member shall serve until the qualification of a successor. Board members may be reappointed once to a three year term, but may not serve more than six consecutive years. 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, French-Quinebaug 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 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 first, 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. The board, acting for and on behalf of said district, may take by eminent domain under chapter seventy-nine of the General Laws, or aquire by purchase or otherwise, any land, property, rights-of-way or easements, public or private in said district, necessary for accomplishing any purpose mentioned in 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 inter-community 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 may also 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 the 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 revaluation of the assessed valuation of real property in any 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 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 payment in any year on account of such debts, so far 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 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 two-thirds 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 in the year 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 at and 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 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 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, and other works as may be required, and said amount shall be apportioned among the participating member towns as calculated by formulas and standards established by the board.

Upon acceptance of the provisions 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 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 the three calendar years, the board shall apportion costs of maintenance and operation to the member 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 town. The assessors of each member 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 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 town which has been assessed shall raise the amounts certified annually by the district to the assessors of each 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 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 town of any assessment as determined and apportioned above, 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 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 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 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 two-thirds vote may agree to sell,

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 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 to 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 or said chapter thirty-one and persons appointed after the effective date of this act shall not be subject to said section nine A of chapter thirty or to any 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 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 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 town 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 towns would deduct and pay over if such person were an employee of the commonwealth 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 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 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 listed 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-two entitled 'An Act establishing the French-Quinebaug 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 shall not take effect until acceptance by at least 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 town meetings 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 town in the district.

Approved July 6, 1972.

Chap. 569. AN ACT PROVIDING PUBLIC WELFARE AID TO CERTAIN POOR AND INDIGENT PERSONS UPON RECEIPT OF CERTIFICATIONS FROM THE PROVIDERS OF MEDICAL, DENTAL OR CHIROPRACTIC SERVICES TO SUCH PERSONS.

Be it enacted, etc., as follows:

Section 1 of chapter 117 of the General Laws, as appearing in chapter 908 of the acts of 1971, is hereby amended by inserting after the word "physician", in line 13, the words:—, dentist, podiatrist, optometrist or chiropractor.

Approved July 6, 1972.

Chap. 570. AN ACT AUTHORIZING THE TOWN OF NAHANT TO SELL AND CONVEY CERTAIN PARK LAND TO MASSACHUSETTS ELECTRIC COMPANY.

Be it enacted, etc., as follows:

SECTION 1. The town of Nahant is hereby authorized to sell and convey a certain parcel of park land in said town to Massachusetts Electric Company, upon such terms and conditions as the selectmen of said town deem advisable, being bounded and described as follows:

WESTERLY by Ward Road, 124.99 feet;
SOUTHERLY 60 feet by land of said town;
EASTERLY 120.32 feet by land of said town; and
NORTHERLY 60 feet by land of said town.

Said parcel is shown as a lot of land containing 7,380 square feet of land on a plan entitled "New England Power Service Company part of New England Electric System Westboro, Mass. plan showing land in Nahant, Massachusetts to be conveyed to Massachusetts Electric Company by inhabitants of the town of Nahant scale 1" = 40' date December 7, 1970 L–8881–1".

SECTION 2. The vote passed by said town under Article thirty-four of the warrant of its annual town meeting held in the current year is hereby validated and confirmed as though this act were in effect at the time of the posting of the warrant for said meeting.

Approved July 6, 1972.

Chap. 571. AN ACT AUTHORIZING THE CITY OF BOSTON TO CONVEY CERTAIN LANDS IN THE NORTH END DISTRICT OF SAID CITY TO THE METROPOLITAN DISTRICT COMMISSION FOR RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The city of Boston, acting by and through its Public Facilities Commission, with approval of the mayor of said city, is hereby authorized to convey to the metropolitan district commission, for recreational purposes, the following described parcels of land containing approximately three and ninety-four thousandths acres:

Parcel 1

A certain parcel of land situated on the northwesterly side of Causeway street in the city of Boston, bounded and described as follows:

Beginning at the junction of Causeway Street and Prince Street Extension, formerly known as the Charles River Bridge and thence running

Northwesterly by Prince Street Extension and said Charles River Bridge, about two hundred sixty-three and ten hundredths (263.10) feet to the Harbor Commissioner's line; thence running

Southwesterly on or near said Harbor Commissioner's line about seventy and ninety-five hundredths (70.95) feet; thence running

Southwesterly by land of the City of Boston, North Washington Street (known as the Charlestown Bridge) about two hundred sixteen and ninety-eight hundredths (216.98) feet; thence running

Easterly by same by a curved line with a radius of eighty-one (81) feet about one hundred seven and fifty-eight hundredths (107.58) feet to said Causeway Street; thence running

Northerly on said Causeway Street about forty-two and eighty-one hundredths (42.81) feet to the point of beginning.

The above-described parcel of land is shown on a plan marked "City of Boston, North Washington Street, Boston Proper, October 30, 1970, Frederick L. Garvin, Division Engineer".

Parcel 2

A certain parcel of land, formerly known as Prince Street Ext., in the city of Boston, bounded and described as follows:

Northeasterly by the northeasterly line of Prince Street Ext., as it existed prior to its discontinuance, one hundred and twenty-six feet; southwesterly by Charles River Bridge, forty-eight and 48/100 feet; southwesterly by the southwesterly line of Prince Street Ext., as it existed prior to its discontinuance, by two measurements, one hundred feet and twenty-eight and 78/100 feet; northeasterly by Causeway Street, sixty-three and 97/100 feet.

The above-described parcel of land is shown on a plan marked "City of Boston, Public Works Department, Discontinuance Plan, Prince Street Ext., Boston Proper, June 22, 1972, Frederick L. Garvin, Division Engineer".

Parcel 3

A certain parcel of land situated on the northwesterly side of Commercial street in the city of Boston, bounded and described as follows:

Beginning at a point on the northwesterly side of Commercial Street which is the easterly corner of land now or late of the Manchester Mortgage Corporation; thence running

Northwesterly by land now or formerly of the Manchester Mortgage Corporation one hundred and thirty-nine and 27/100 (139.27) feet to a point; thence turning and running

Southwesterly by land of said Manchester Mortgage Corporation two hundred and nineteen and 77/100 (219.77) feet to the northeasterly side of Prince Street; thence running

Northwesterly along said northeasterly side of Prince Street one hundred and twenty-seven and 24/100 (127.24) feet to the Harbor Commissioner's line on the Charles River; thence running

Northeasterly by the Charles River five hundred and fifty-four and 54/100 (554.54) feet; thence running

Southeasterly by land now or late of Lillian Sampson, Trustee, two hundred and forty-nine and 45/100 (249.45) feet to the northwesterly side of Commercial Street; thence running

Southwesterly along the northwesterly side of Commercial Street two hundred and eighty-one (281) feet to the point of beginning.

Containing 107,206 square feet, more or less.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved July 6, 1972.*

Chap. 572. AN ACT RELATIVE TO THE JURISDICTION OF THE SPRINGFIELD JUVENILE COURT.

Be it enacted, etc., as follows:

Section 57 of chapter 218 of the General Laws is hereby amended by striking out the last sentence, added by section 15 of chapter 859 of the acts of 1969, and inserting in place thereof the following sentence: —

The Springfield juvenile court shall exercise jurisdiction within the same territorial limits as are prescribed for the criminal jurisdiction of the district court of Springfield. *Approved July 6, 1972.*

Chap. 573. AN ACT FURTHER REGULATING THE LICENSING OF PROPAGATORS AND DEALERS OF CERTAIN BIRDS AND MAMMALS AND INCREASING THE LICENSE FEES THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 23 of chapter 131 of the General Laws, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by adding the following two sentences: — For the purposes of this section, birds and mammals shall refer to undomesticated birds and mammals that are wild by nature. Nothing in this section shall be construed to prohibit the propagation, disposition, sale, possession or maintenance of domesticated species.

SECTION 2. Said section 23 of said chapter 131 is hereby further amended by striking out the last paragraph, as so appearing, and inserting in place thereof the following paragraph: —

The initial fee for a license issued in accordance with this section under clauses (1), (3) and (4) shall be seven dollars and fifty cents, and for each annual renewal thereof, five dollars; the initial fee for a license issued under clause (6) shall be seven dollars and fifty cents for one place of business and one dollar and fifty cents for each additional place of business of the same individual, and for each annual renewal thereof, the fee shall be five dollars for one place of business and one dollar and fifty cents for each additional place of business of the same individual; the initial fee for a license issued under clause (7) shall be three dollars, and for each annual renewal thereof, one dollar; and the initial fee for a license issued under clause (8) shall be seven dollars and fifty cents, and for each annual renewal thereof, five dollars.

Approved July 6, 1972.

Chap. 574. AN ACT REPEALING CERTAIN PROVISIONS OF LAW REQUIRING STATEMENTS IN PETITIONS FOR PROBATE OF A WILL AS TO THE COMPETENCY OF THE SURVIVING SPOUSE OR OF CHILDREN OF A TESTATOR WHO ARE OMITTED FROM HIS WILL.

Be it enacted, etc., as follows:

Section one D of chapter one hundred and ninety-two of the General Laws is hereby repealed. *Approved July 6, 1972.*

Chap. 575. AN ACT ENCOURAGING LANDOWNERS TO MAKE LAND AVAILABLE TO THE PUBLIC FOR RECREATIONAL PURPOSES BY LIMITING LIABILITY IN CONNECTION WITH SUCH USE.

Be it enacted, etc., as follows:

Chapter 21 of the General Laws is hereby amended by inserting after section 17B the following section: —

Section 17C. An owner of land who permits the public to use such land for recreational purposes without imposing a charge or fee there-

for, or who leases his land for said purposes to the commonwealth or any political subdivision thereof shall not be liable to any member of the public who uses said land for the aforesaid purposes for injuries to person or property sustained by him while on said land in the absence of wilful, wanton or reckless conduct by such owner, nor shall such permission be deemed to confer upon any person so using said land the status of an invitee or licensee to whom any duty would be owed by said owner. The liability of an owner who imposes a charge or fee for the use of his land by the public for recreational purposes shall not be limited by any provision of this section. *Approved July 6, 1972.*

Chap. 576. AN ACT REMOVING THE RESTRICTION ON CERTAIN ADOPTION SUBSIDIES.

Be it enacted, etc., as follows:

Chapter 963 of the acts of 1971 is hereby amended by striking out section 3. *Approved July 6, 1972.*

Chap. 577. AN ACT RELATIVE TO GRANTING LICENSES FOR THE SALE OF ALCOHOLIC BEVERAGES TO WAR VETERANS' ORGANIZATIONS LOCATED 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:

F. Shall licenses be granted in the town of Milton for the sale therein of all alcoholic beverages to be consumed on the premises by members and guests of war veterans' organizations located within the boundaries of the Town.

YES.	
NO.	

If a majority of the votes cast in such town in answer to subdivision F is in the affirmative, such town shall, irrespective of the result of the votes in answer to subdivisions A, 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 consumed on the premises by members and guests of war veterans' organizations in accordance with the provisions of said chapter one hundred and thirty-eight.

Approved July 6, 1972.

Chap. 578. AN ACT RELATIVE TO THE MEMBERSHIP OF THE CENTRAL MASSACHUSETTS REGIONAL PLANNING DISTRICT 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 Central Massachusetts Regional Planning District Commission, commonly known as the Central Massachusetts Regional Planning Commission shall consist

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 commission. 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.

SECTION 2. 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 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 a town with a manager form of government, by the town manager, confirmed by the board of selectmen, who may attend meetings of the commission, and who shall assume the rights and duties of any duly named delegate who shall be absent from that meeting. The alternate designee shall be named annually in writing to the commission in order that he may perform the duties and exercise the powers authorized in this section.

SECTION 3. The commissioner of community affairs or his designee, the city manager of the city of Worcester and the town managers of the towns of Holden and Shrewsbury shall be ex officio members of the commission without the right to vote.

SECTION 4. In addition those member municipalities with a population over eight thousand, as enumerated in the most recent federal census, shall be eligible to name a second voting delegate. Said delegate shall be appointed by the board of selectmen in a town, or by the town manager, subject to approval of the board of selectmen, in a town with a manager form of government, and by the mayor in a city, subject to the approval of the city council, or by the city manager, in a city with a Plan E form of government. Said delegate shall be a resident of the municipality which he represents and shall serve a term of one year from the date of his appointment.

SECTION 5. In addition to the delegates appointed in the manner stipulated previously, those member municipalities with a population over fifteen thousand, as enumerated in the most recent federal census shall be eligible to name a third voting delegate. Said delegate shall be appointed by the planning board for a term of one year from the date of appointment, be a resident of the municipality he represents and shall represent whenever possible such special interest or minority groups as are prevalent in the municipality he represents.

SECTION 6. In addition to the delegates appointed in the manner stipulated previously, those member municipalities with a population over fifty thousand, as enumerated in the most recent federal census shall be eligible to name a fourth voting delegate. Said delegate shall be appointed by the board of selectmen in a town, or by the town manager, subject to the approval of the board of selectmen, in a town with a manager form of government, and by the mayor in a city, subject to the approval of the city council, or by the city manager in a city with a Plan E form of government. Said delegate shall be a resident of the

municipality which he represents and shall serve a term of one year from the date of his appointment. He shall represent whenever possible such special interest or minority groups as are prevalent in the municipality he represents. *Approved July 6, 1972.*

Chap. 579. AN ACT AUTHORIZING THE TOWN OF NATICK TO APPROPRIATE AND 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 two hundred and eighty-five 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 6, 1972.

Chap. 580. AN ACT TRANSFERRING CERTAIN LAND IN THE TOWN OF WESTBOROUGH FROM THE DEPARTMENT OF MENTAL HEALTH AND THE TRUSTEES OF WESTBOROUGH STATE HOSPITAL TO THE DIVISION OF FISHERIES AND GAME.

Be it enacted, etc., as follows:

The certain parcel of land located in that section of the town of Westborough referred to as the "Warren Colony" and described in a deed from "Merriam to the Trustees of the Westborough Insane Hospital", recorded in the Worcester county registry of deeds in Book 1687, page 442, dated July 3, 1901, and under the control of the commissioner of the department of mental health and the trustees of Westborough state hospital is hereby transferred to the control of the division of fisheries and game. Said transfer shall be subject to the approval of the commissioner of administration. *Approved July 6, 1972.*

Chap. 581. AN ACT AUTHORIZING THE COMMONWEALTH TO CONVEY A CERTAIN PARCEL OF LAND TO ERVIN S. AND FRANCES C. KERN IN THE TOWN OF SANDISFIELD IN CONSIDERATION OF THE CONVEYANCE BY THEM OF CERTAIN LAND TO THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the conveyance to the commonwealth by Ervin S. and Frances C. Kern of certain land as provided in section two the water resources commission on behalf of the commonwealth, is hereby authorized to convey to Ervin S. and Frances C. Kern, by a deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in a certain parcel of land in the town of Sandisfield, bounded and described as follows:—

Beginning at a concrete bound on northerly side of West Street and running northerly N 2 degrees, 39 minutes 15 seconds W, 1409.36 feet to concrete bound; thence running westerly 62.28 feet by land of the Commonwealth to concrete bound; thence running southerly S 2 degrees 39 minutes 15 seconds E, 1392.52 feet to concrete bound on the northerly side of West Street; thence easterly 68.75 feet to concrete bound on West Street, the point of beginning being parcel marked 117, 60 foot right of way 1.929 acres of a plan entitled "West Lake and Abbey Pond area, Commonwealth of Massachusetts Water Resources Commission, plan of land in the town of Sandisfield taken under the authority of Chapter 565 Acts of 1963, Scale 200 feet to one inch" on file with the Water Resources Commission.

SECTION 2. In consideration of the conveyance to Ervin S. and Frances C. Kern by the commonwealth of a certain parcel of land as provided in section one, the said Ervin S. and Frances C. Kern are hereby authorized to convey to the commonwealth the following parcel of land in the town of Sandisfield: —

Beginning on the north side of West Street at a cross on the east wing wall of bridge crossing Morley Swamp Brook, thence running easterly 93.78 feet along the north side of West Street; thence running northerly N 25 degrees 36 minutes 40 seconds E, 418.14 feet; thence running northerly N 28 degrees 14 minutes 35 seconds E, 539.52 feet; thence running northerly N 12 degrees 50 minutes 20 seconds E, 300.94 feet to a stone pile adjacent to the Buck River; thence running westerly along land of the Commonwealth formerly Harold H. Soldan N 88 degrees 27 minutes 40 seconds W, 881.0 feet to a concrete bound; thence running westerly N 69 degrees 31 minutes 10 seconds W, 186.91 feet along land of the Commonwealth formerly Harold H. Soldan; thence running southerly S 30 degrees 02 minutes 45 seconds W, 404.64 feet; thence running easterly S 62 degrees 33 minutes 25 seconds E, 126.67 feet; thence running southerly S 23 degrees 17 minutes 25 seconds W, 261.0 feet to iron pipe; thence running southeasterly S 68 degrees 44 minutes 55 seconds E, 168.15 feet to a stone wall; thence running southeasterly S 41 degrees 38 minutes 00 seconds E along stone wall 168.57 feet; thence running southeasterly S 21 degrees 24 minutes 25 seconds E, 179.64 feet; thence running southeasterly S 62 degrees 31 minutes 45 seconds E, 188.64 feet; thence running southeasterly S 51 degrees 25 minutes 40 seconds E; 198.62 feet by land now or formerly Harold H. Soldan to the point of beginning. Being parcel marked Ervin S. and Frances C. Kern 22.003 acres of a plan entitled "West Lake and Abbey Pond area Commonwealth of Massachusetts Water Resources Commission, plan of land in the town of Sandisfield taken under the authority of Chapter 565 Acts of 1963, Scale 200 feet to 1 inch" on file with the Water Resources Commission. *Approved July 6, 1972.*

Chap. 582. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO REINSTATE RUDOLPH IODICE AS A PATROLMAN IN THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any contrary provision of law or of any rule or regulation to the contrary, the town of Watertown may reinstate Rudolph

Iodice, a former member of the police department of said town, who resigned voluntarily as a patrolman from said department in the year nineteen hundred and fifty-three, upon the occurrence of the next vacancy in the rank of patrolman after the effective date of this act, provided that he passes a physical examination to which he shall be subjected by the division of civil service. In the event of such reinstatement, the said Rudolph Iodice shall not be entitled to any seniority rights which he may have acquired as a result of his previous service.

Approved July 6, 1972.

Chap. 583. AN ACT AUTHORIZING THE TOWN OF WEYMOUTH TO DEVELOP ALL GROUND WATER AND SURFACE WATER SOURCES WITHIN THE BOUNDARIES OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of section sixteen of chapter ninety-two of the General Laws, the town of Weymouth may develop all ground and surface water sources regardless of the date of such development within the boundaries of said town as a source of water for use for domestic purposes without restriction. *Approved July 6, 1972.*

Chap. 584. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO MAKE CERTAIN IMPROVEMENTS OF THE WATER QUALITY OF THE CHARLES RIVER.

Be it enacted, etc., as follows:

SECTION 1. The metropolitan district commission, hereinafter called the commission is hereby authorized and directed to construct treatment plants, baffles, fish ladders and other projects and works, and to dredge and improve the channel configuration, including the shores and banks of the Charles river, and to control and treat the waters of and such overflows, inflows and drainage into, said Charles river as may be required to improve the quality of the water therein and improve, protect and restore the natural environment of the river. The commission may make application for federal assistance in the construction of any project authorized by this act and any federal funds to be received shall be credited to the metropolitan district commission park funds and be used to pay debt service costs incurred as authorized by this act.

SECTION 2. The commission, for the purposes of this act, may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, waters, water rights, watercourses, rights of way, easements, or other property or interest in property, and shall have all the rights, powers and duties and be subject to the limitations of section thirty-two of chapter ninety-two of the General Laws; provided, however, that cities and towns in the area or areas within which construction may occur shall grant to the commission the right to enter upon any public land and to construct such facilities as may be necessary without recourse to damages therefor. The commission, however, shall, as provided in said section thirty-two, heed all reasonable requests of officials

of said cities and towns to restore such public property to its present condition as far as is practicable.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of seven million dollars. Such bonds shall be designated on the face, Charles River Water Quality Loan Act of 1972, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section three of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-seven. All interest payments and payments on account of principal on such obligations shall be paid from the metropolitan district commission park funds, to be assessed by methods fixed by law.

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

Approved July 7, 1972.

Chap. 585. AN ACT RELATIVE TO THE BORROWING OF FUNDS BY THE SOUTH ESSEX SEWERAGE DISTRICT FOR THE CONSTRUCTION OF NEW AND ENLARGED INTERCEPTING SEWERS, SEWAGE TREATMENT FACILITIES, PUMPING STATIONS AND OTHER WORKS TO ABATE POLLUTION OF NORTH AND DANVERS RIVERS AND SALEM AND BEVERLY HARBORS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 516 of the acts of 1969 is hereby amended by striking out section 5 and inserting in place thereof the following section: —

Section 5. To meet the cost of such construction and other works, including such interest, less the amount received for such purposes from the federal and state governments, and to fund temporary loans issued to meet such cost as hereinafter authorized, the treasurer of the South Essex sewerage district, with the approval of the board, may issue serial bonds of the district to an amount not exceeding, in the aggregate, the sum of fifteen million dollars. Said bonds shall bear on their face the words South Essex Sewerage District Loan, Act of 1969, shall bear the district seal, shall be authorized by vote of two thirds of the board, shall bear such rate or rates of interest as shall be fixed by the treasurer with the approval of the board, shall be signed by the treasurer of said district and countersigned by at least a majority of the board, and shall be payable in not more than thirty years from their respective dates, provided that the term of such bonds need not be reduced by the period of

any temporary loans funded thereby and the first annual payment thereof shall be made not later than two years from the dates thereof. Each issue of the bonds herein authorized shall constitute a separate issue. Until such construction and other work is completed and the total cost thereof ascertained, to meet the cost of such construction and other work, said treasurer, with the approval of the board, may from time to time borrow temporarily for periods of not more than two years, and may renew said temporary loans from time to time. To the extent they are not renewed, said temporary loans may be repaid from the proceeds of bonds issued hereunder, from the proceeds of federal or state grants or from other available funds of the district. The treasurer of said district in any year may also from time to time borrow to meet interest payments coming due in such year and to meet payments of principal on bonds issued hereunder when such payments must be met before the apportionment of costs for such year to the city or cities or town, or institutions responsible therefor, has been made as hereinafter provided, but the amounts of any such loans shall be added to and included in the next year's apportionment to said city or cities or town, or institutions of the cost of construction and other work hereunder, and the term of such loans shall not extend beyond the time limited for the making of such next year's apportionment. For any borrowings herein authorized, the treasurer of said district may from time to time issue notes of said district, which need not bear the district seal, but shall be authorized, signed and countersigned, and bear interest as is herein provided for in the case of bonds, or may be sold at a discount fixed in the same manner that interest on bonds may be fixed hereunder, and such discount shall be treated as interest paid in advance. Except as otherwise provided herein, all indebtedness incurred in carrying out the provisions of this act shall be subject to such of the applicable provisions of chapter forty-four of the General Laws as relate to loans made by districts, including sections sixteen B and sixteen C thereof.

SECTION 2. Section 7 of said chapter 516 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The board shall determine annually, on or before the fifteenth day of February in each year, the total amount of the principal retirement and interest payments falling due in that year on bonds and notes issued under this act for the payment of which other funds are not to be provided, including notes issued to pay annual interest on bonds or notes previously issued, and any and all other sums to be apportioned as a cost of construction and other work authorized by this act.

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

Approved July 7, 1972.

Chap. 586. AN ACT FURTHER REGULATING THE EXPENDITURE OF MONEY FROM THE UNEMPLOYMENT TRUST FUND UNDER THE EMPLOYMENT SECURITY LAW, AND RELATIVE TO THE PAYMENT OF EMERGENCY STATE SUPPLEMENTARY UNEMPLOYMENT BENEFITS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to make available immediately federal funds for the use of the division of employment security, 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 53A of chapter 151A of the General Laws is hereby amended by striking out the first paragraph, as appearing in chapter 602 of the acts of 1969, and inserting in place thereof the following paragraph: —

Money credited to the commonwealth's account in the unemployment trust fund by the secretary of the treasury of the United States, pursuant to section nine hundred and three of the federal social security act, as amended, may be (1) withdrawn for the payment of benefits under this chapter and (2) requisitioned and used for the payment of expenses incurred for the administration of this chapter and for public employment offices pursuant to a specific legislative appropriation; provided, that the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which: — (a) specifies the purposes for which such money is appropriated and the amounts appropriated therefor; (b) limits the period within which such money may be expended to a period ending not more than two years after the date of the enactment of the appropriation law; and (c) limits the amount which may be used during a twelve-month period beginning on July first and ending on the next June thirtieth to an amount which does not exceed the amount by which the aggregate of the amounts credited to the commonwealth's account pursuant to section nine hundred and three of the federal social security act, as amended, during the same twelve-month period and the twenty-four preceding twelve-month periods, or such greater number of preceding twelve-month periods as may be established by amendment of section nine hundred and three of the federal social security act, exceeds the aggregate of the amounts used pursuant to this subsection and charged against the amounts credited to the commonwealth's account during any of such twenty-five twelve-month periods or such greater number of twelve-month periods as may be established by amendment of section nine hundred and three of the federal social security act. For the purposes of this subsection, amounts used during any such twelve-month period shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated during any such twelve-month period may be charged against any amount credited during such a twelve-month period earlier than the twenty-fourth preceding such period or such earlier preceding period as may be established by amendment of section nine hundred and three of the federal social security act.

SECTION 2. Chapter 483 of the acts of 1972 is hereby amended by striking out section 3 and inserting in place thereof the following section: —

Section 3. Notwithstanding any provisions of this act to the contrary, payments shall be made under section thirty C of chapter one hundred and fifty-one A of the General Laws, inserted by section two of this act, for weeks beginning after the last week for which extended benefits are payable under the provisions of section thirty A of said chapter, and after the last week for which benefits are payable under the Emergency Unemployment Compensation Act of 1971 (P.L. 92–224) and no pay-

ments shall be made under said section thirty C for any week which begins after March twenty-fourth, nineteen hundred and seventy-three; provided, that any reimbursable or wholly granted funds which may be made available by an act of Congress for benefits paid to an individual under said section thirty C shall be retroactively applied to the period for which such benefits were paid to the full extent permitted by such act of Congress and shall be credited to the solvency account; and, provided further, that no individual shall be eligible for benefits under said section thirty C during any period for which he is eligible for further benefits made available to the commonwealth by any subsequent act of Congress. *Approved July 7, 1972.*

Chap. 587. AN ACT FURTHER REGULATING THE RESIDENCY REQUIREMENTS FOR VOTER REGISTRATION AND ABSENTEE VOTING.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for certain changes in the residency requirements for voter registration and absentee voting, 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 1 of chapter 51 of the General Laws, as most recently amended by section 1 of chapter 28 of the acts of 1972, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Except as otherwise provided in section one A, every citizen eighteen years of age or older, not being a person under guardianship and not being temporarily or permanently disqualified by law because of corrupt practices in respect to elections, who is a resident in the city or town where he claims the right to vote at the time he registers, 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.

SECTION 2. The first paragraph of section 103J of chapter 54 of the General Laws is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 511 of the acts of 1962, and inserting in place thereof the following sentence: — The person making such application shall state thereon his name and that of the city or town in which he is registered as a voter, with the street and number of his address, if any; the name of the person in whose behalf the application is made, his place of legal residence when he entered the service, on January first of the preceding year, on January first of the current year or on such later date when he first became a legal resident of such city or town, and at the time of making such application, and the place and date of his birth, and shall make a declaration that such resident legally resides in the city or town in which his right to vote is claimed next preceding the election at which such right is claimed.

SECTION 3. Paragraph (*c*) of section 103 O of said chapter 54, as appearing in said section 1 of said chapter 511, is hereby amended by striking out, in lines 14 and 15, the words "Commonwealth of Massa-

chusetts one year and of the city or town of ..... six months" and inserting in place thereof the words: — city or town of ..... *Approved July 7, 1972.*

Chap. 588. AN ACT AUTHORIZING THE COUNTY TREASURER OF MIDDLESEX COUNTY TO PAY A SUM OF MONEY TO PAUL E. SMITH.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any general or special law to the contrary, the county treasurer of Middlesex county is hereby authorized, subject to appropriation, to pay to Paul E. Smith the sum of four hundred and eighty dollars for injuries incurred by him in the year nineteen hundred and sixty-seven, while an employee of said county of the Middlesex county training school.

Approved July 7, 1972.

Chap. 589. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Plymouth county are hereby authorized to pay from any available funds certain unpaid bills to Eli E. Leeder, M.D., totalling one thousand, six hundred six dollars and forty cents, all for goods and services supplied or rendered to said county during the years nineteen hundred sixty-eight, nineteen hundred sixty-nine and nineteen hundred seventy and which are legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioner of said county or paid by treasurer thereof under authority of this act unless and until a certificate has been signed and filed with said treasurer stating under the penalties of perjury that the goods and services for which such bill was submitted were ordered by an official or an employee of said county and that such goods were delivered and actually received by said county or that such services were rendered to said county, or both. *Approved July 7, 1972.*

Chap. 590. AN ACT REPEALING CERTAIN PROVISIONS OF LAW WHICH PROVIDE FOR A SIMPLIFIED METHOD OF COMPUTING INDIVIDUAL INCOME TAXES.

Be it enacted, etc., as follows:

Chapter sixty-two A of the General Laws is hereby repealed.

Approved July 7, 1972.

Chap. 591. AN ACT CONFORMING THE WITHHOLDING OF THE STATE INCOME TAX ON WAGES AND CERTAIN PENSIONS AND ANNUITIES WITH THE INTERNAL REVENUE CODE.

Be it enacted, etc., as follows:

Section 1 of chapter 62B of the General Laws is hereby amended by striking out the definition of "Wages", as appearing in section 1 of

chapter 17 of the acts of 1959, and inserting in place thereof the following definition: —

"Wages", for withholding purposes only, wages as defined in section thirty-four hundred and one (*a*) of the Internal Revenue Code and pension or annuity payments with respect to which there is a withholding agreement as provided in section thirty-four hundred and two (*o*) of said code.

Approved July 7, 1972.

Chap. 592. AN ACT CLARIFYING THE RIGHTS IN THE COMMONWEALTH OF A CHILD ADOPTED IN ANOTHER STATE OR COUNTRY.

Be it enacted, etc., as follows:

Chapter 210 of the General Laws is hereby amended by striking out section 9, as amended by chapter 113 of the acts of 1967, and inserting in place thereof the following section: —

Section 9. A person adopted in another state or country, in accordance with the laws thereof, shall upon proof of such fact be entitled in this commonwealth to the same rights of succession to property by grant, trust settlement, entail, devise, bequest, or by intestacy as he would have had if he had been adopted in the commonwealth.

Approved July 7, 1972.

Chap. 593. AN ACT PROVIDING FOR EDUCATIONAL PROGRAMS FOR JUDGES AND COURT PERSONNEL.

Be it enacted, etc., as follows:

Section 28A of chapter 7 of the General Laws, as most recently amended by section 1 of chapter 581 of the acts of 1964, is hereby further amended by adding the following paragraph: —

Said director may enter into agreements with the supreme judicial court, the chief justice of the superior court, the judge of the land court, the chief judge of the probate courts, the chief justice of the district courts, the chief justice of the municipal court of the city of Boston or with any other courts in the commonwealth for programs for the continuing education of judges and court personnel.

Approved July 7, 1972.

Chap. 594. AN ACT RELATIVE TO AN ASSESSMENT BASIS FOR COMPUTATION FOR NEW EMPLOYERS WITHIN THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 14 of chapter 151A of the General Laws is hereby amended by striking out subsection (*a*), as appearing in chapter 397 of the acts of 1953, and inserting in place thereof the following subsection: —

(*a*) The following words and phrases as used in this section shall have the following meanings, unless the context clearly requires otherwise: —

(1) "Experience rate", the contribution rate which conforms to the reserve percentage of an employer's account under subsection (*i*) of this section.

(2) "Reserve percentage", in relation to an employer's account, the net balance of such account on a computation date stated as a percentage of the employer's total taxable payroll for the period of twelve consecutive months ending on said computation date, and, in relation to the solvency account, the balance of said account on a computation date, as determined under subsection (*f*) of this section stated as a percentage of the total taxable pay rolls reported by all employers for the calendar year immediately preceding said computation date.

(3) "Computation date", except as provided in subsection (*n*) (4) of this section, the computation date will be September thirtieth of each year.

SECTION 2. Subsection (*i*) of said section 14 of said chapter 151A is hereby amended by adding after clause (9) the following clause: —

(10) Each employer newly subject to this chapter shall pay contributions at the rate of two per cent until he or it has been an employer for not less than the twelve consecutive months period specified in subsection (*b*) (1); thereafter, his or its contribution rate shall be determined in accordance with the preceding provisions of this subsection.

For the purposes of this subsection, an employer newly subject to this chapter is one which was never previously subject to this chapter or, if previously subject, ceased to be subject under the provisions of section eleven and, in either case, is not a transferee within the meaning of subsection (*n*) of this section and is not newly subject under the provisions of subsections (*d*), (*e*), (*g*), or (*h*) of section eight.

SECTION 3. This act shall take effect on January first, nineteen hundred and seventy-three. *Approved July 7, 1972.*

Chap. 595. AN ACT FURTHER DEFINING THE WORD "BUILDING" AS APPLIED TO A CONDOMINIUM.

Be it enacted, etc., as follows:

Section 1 of chapter 183A of the General Laws is hereby amended by striking out the definition of "Building", as most recently amended by section 1 of chapter 139 of the acts of 1970, and inserting in place thereof the following definition: —

"Building", a public or private building designed for office or dwelling space, including garage and storage space incidental to the dwelling, containing one or more units comprising a part of the condominium.

Approved July 7, 1972.

Chap. 596. AN ACT REPEALING THE LAW PROVIDING FOR THE ELECTION OF CERTAIN CITY AND TOWN OFFICERS BY PROPORTIONAL REPRESENTATION OR PREFERENTIAL VOTING.

Be it enacted, etc., as follows:

SECTION 1. Section one hundred and fifteen of chapter forty-three of the General Laws is hereby repealed.

SECTION 2. Chapter fifty-four A of the General Laws is hereby repealed.

SECTION 3. The state secretary shall cause the following question to be placed on the official ballot to be used at the biennial state election

in each city in which voting by proportional representation or preferential voting is in effect: —

"Shall the elective officers of this city be nominated by preliminary election and elected by ordinary plurality voting?"

YES.	
NO.	

The state secretary shall cause the following question to be placed on said ballot in each town in which voting by proportional representation or preferential voting is in effect: —

"Shall the elective officers of this town be elected by ordinary plurality voting?"

YES.	
NO.	

If a majority of the votes in answer to such question by any such city or town is in the affirmative elective officers in such city or town shall thereafter be nominated and elected in the manner provided in said question.

If a majority of the votes in answer to said question is in the negative those elective officers who, on the date of said election, were elected by proportional representation or preferential voting shall continue to be so elected.

(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, May 16, 1972, and, in concurrence, by the Senate, July 8, 1972, the objections of the governor notwithstanding, in the manner prescribed by the constitution; and thereby has "the force of a law".)

Chap. 597. AN ACT FURTHER REGULATING THE ISSUANCE OF CERTIFICATES OR MEMORANDA OF THE DELIVERY OF FUEL OIL.

Be it enacted, etc., as follows:

Section 303F of chapter 94 of the General Laws is hereby amended by striking out the first sentence, as appearing in chapter 92 of the acts of 1967, and inserting in place thereof the following sentence: — Whoever sells or delivers fuel oil in quantities of ten gallons or over for heating or cooking purposes shall cause a certificate or memorandum to be issued and delivered to the purchaser or his agent at the time of delivery of such oil unless the purchaser initiates a request in writing that the vendor deliver such certificate or memorandum to another person or location, or that the delivery be made at another time.

Approved July 8, 1972.

Chap. 598. AN ACT REQUIRING THE OPERATORS OF CERTAIN VEHICLES TO STOP THEIR MOTORS AFTER A CERTAIN PERIOD OF TIME.

Be it enacted, etc., as follows:

Chapter 90 of the General Laws is hereby amended by inserting after section 16 the following section: —

Section 16A. No person shall cause, suffer, allow or permit the unnecessary operation of the engine of a motor vehicle while said vehicle is stopped for a foreseeable period of time in excess of five minutes. This section shall not apply to (*a*) vehicles being serviced, provided that

operation of the engine is essential to the proper repair thereof, or (*b*) vehicles engaged in the delivery or acceptance of goods, wares, or merchandise for which engine assisted power is necessary and substitute alternate means cannot be made available, or (*c*) vehicles engaged in an operation for which the engine power is necessary for an associate power need other than movement and substitute alternate power means cannot be made available provided that such operation does not cause or contribute to a condition of air pollution. Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars for the first offense, nor more than five hundred dollars for each succeeding offense. *Approved July 8, 1972.*

Chap. 599. AN ACT AUTHORIZING THE TOWN OF WELLFLEET TO HOLD TOWN MEETINGS IN THE NAUSET REGIONAL HIGH SCHOOL IN THE TOWN OF EASTHAM.

Be it enacted, etc., as follows:

SECTION 1. The town of Wellfleet may, with the approval of the Nauset Regional School District committee, hold town meetings or any adjournment thereof at the Nauset Regional High School building in the town of Eastham; provided, that any meeting for the election by official ballot of federal, state or other officials shall be held within the town of Wellfleet.

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

Approved July 9, 1972.

Chap. 600. 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 755 of the acts of 1971, and inserting in place thereof the following schedule: —

SALARY SCHEDULE.

Effective January 1, 1972.

JOB GROUP.	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment.
1	$5,080.40	$5,244.20	$5,408.00	$5,571.80	$5,735.60	$5,899.40	$6,063.20	$163.80
2	5,226.00	5,389.80	5,553.60	5,717.40	5,881.20	6,045.00	6,208.80	163.80
3	5,395.00	5,579.60	5,764.20	5,948.80	6,133.40	6,318.00	6,502.60	184.60
4	5,610.80	5,795.40	5,980.00	6,164.60	6,349.20	6,533.80	6,718.40	184.60
5	5,777.20	5,977.40	6,177.60	6,377.80	6,578.00	6,778.20	6,978.40	200.20

JOB GROUP.	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment.
6	$6,068.40	$6,268.60	$6,468.80	$6,669.00	$6,869.20	$7,069.40	$7,269.60	$200.20
7	6,323.20	6,541.60	6,760.00	6,978.40	7,196.80	7,415.20	7,633.60	218.40
8	6,562.40	6,801.60	7,040.80	7,280.00	7,519.20	7,758.40	7,997.60	239.20
9	6,944.60	7,199.40	7,454.20	7,709.00	7,963.80	8,218.60	8,473.40	254.80
10	7,329.40	7,602.40	7,875.40	8,148.40	8,421.40	8,694.40	8,967.40	273.00
11	7,711.60	8,005.40	8,299.20	8,593.00	8,886,80	9,180.60	9,474.40	293.80
12	8,171.80	8,481.20	8,790.60	9,100.00	9,409.40	9,718.80	10,028.20	309.40
13	8,772.40	9,100.00	9,427.60	9,755.20	10,082.80	10,410.40	10,738.00	327.60
14	9,323.60	9,705.80	10,088.00	10,470.20	10,852.40	11,234.60	11,616.80	382.20
15	9,924.20	10,342.80	10,761.40	11,180.00	11,598.60	12,017.20	12,435.80	418.60
16	10,545.60	11,013.60	11,481.60	11,949.60	12,417.60	12,885.60	13,353.60	468.00
17	11,278.80	11,770.20	12,261.60	12,753.00	13,244.40	13,735.80	14,227.20	491.40
18	11,895.00	12,425.40	12,955.80	13,486.20	14,016,60	14,547.00	15,077.40	530.40
19	12,591.80	13,163.80	13,735.80	14,307.80	14,879.80	15,451.80	16,023.80	572.00
20	13,353.60	13,943.80	14,534.00	15,124.20	15,714.40	16,304.60	16,894.80	590.20
21	14,047.80	14,682.20	15,316.60	15,951.00	16,585.40	17,219.80	17,854.20	634.40
22	14,825.20	15,501.20	16,177.20	16,853.20	17,529.20	18,205.20	18,881.20	676.00

SECTION 1A. Section 99B of chapter 276 of the General Laws is hereby amended by striking out subdivision (2), as most recently amended by section 2 of chapter 909 of the acts of 1971, 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.

Effective January 1, 1972.

JOB GROUP.	Step 1.	Step 2.	Step 3.	Step 4.	Step 5.	Step 6.	Step 7.	Increment.
1	$11,278.80	$11,770.20	$12,261.60	$12,753.00	$13,244.40	$13,735.80	$14,227.20	$491.40
2	11,895.00	12,425.40	12,955.80	13,486.20	14,016.60	14,547.00	15,077.40	530.40
3	12,591.80	13,163.80	13,735.80	14,307.80	14,879.80	15,451.80	16,023.80	572.00
4	13,353.60	13,943.80	14,534.00	15,124.20	15,714.40	16,304.60	16,894.80	590.20
5	14,047.80	14,682.20	15,316.60	15,951.00	16,585.40	17,219.80	17,854.20	634.40
6	14,825.20	15,501.20	16,177.20	16,853.20	17,529.20	18,205.20	18,881.20	676.00
7	15,662.40	16,359.20	17,056.00	17,752.80	18,449.60	19,146.40	19,843.20	696.80
8	16,442.40	17,178.20	17,914.00	18,649.80	19,385.60	20,121.40	20,857.20	735.80
9	17,219.80	17,997.20	18,774.60	19,552.00	20,329.40	21,106.80	21,884.20	777.40
10	17,916.60	18,733.00	19,549.40	20,365.80	21,182.20	21,998.60	22,815.00	816.40
11	18,756.40	19,596.20	20,436.00	21,275.80	22,115.60	22,955.40	23,795.20	839.80

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-one by an amount equal to four and three-tenths per cent thereof.

SECTION 3. This act shall take effect as of January first, nineteen hundred and seventy-two. *Approved July 9, 1972.*

Chap. 601. AN ACT FURTHER REGULATING WATER POLLUTION ABATEMENT DISTRICT COMMISSIONS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to further regulate the approval of plans for water pollution abatement, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 29 of chapter 21 of the General Laws, as appearing in chapter 150 of the acts of 1970, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

The district commission shall consist of two members from each town included in whole or in part in the district selected by the board of selectmen of such town and two members from each city included in the district selected by the city council. If only part of a town is included in the district, at least one of the two members so selected shall, unless impracticable, be a resident in the part so included; provided, however, that whenever a town or city has a population exceeding twenty thousand persons resident within such district, the board of selectmen or the mayor, but in the case of the city having a Plan D or Plan E charter the city manager, shall, if the resident population does not exceed fifty thousand persons, designate one additional person, or, if it exceeds fifty thousand persons, two additional persons, to serve as members of the district commission.

SECTION 2. Said chapter 21 is hereby further amended by striking out section 30, as amended by section 4 of chapter 873 of the acts of 1967, and inserting in place thereof the following section: —

Section 30. A district commission (1) may act by a majority vote of the full commission, (2) shall adopt by-laws and regulations for the conduct of its affairs, (3) shall adopt a name and a corporate seal, (4) may sue and be sued, (5) may enter into contracts, (6) may incur expenses in order to carry out its purposes, (7) may issue bonds and notes as hereinafter provided, (8) may acquire, dispose of and encumber real and personal property for the purposes of the district, (9) may manage, control and supervise abatement facilities, (10) may construct, acquire, improve and maintain and operate abatement facilities, (11) may exercise the power of eminent domain under chapter seventy-nine, (12) shall provide revenue to carry out the purposes of the district, in accordance with sections thirty-five and thirty-six, (13) may apply for, accept and receive financial assistance from the federal government and from the commonwealth. Abatement facilities, hereinafter called facilities, shall include facilities for the purpose of treating, neutralizing, or stabilizing sewage and such industrial and other wastes as are disposed of by means of the facilities, including treatment or disposal plants, the necessary intercepting, outfall and outlet sewers, pumping stations integral to such facilities and sewers, equipment and furnishings thereof and their appurtenances.

SECTION 3. Section 32 of said chapter 21, as amended by section 6 of said chapter 873, is hereby further amended by adding the following paragraph: —

The division shall not approve a plan unless it finds that such plan includes a method or formula for apportioning among the several cities

and towns and parts of towns in the district the amounts required by the district for payment of both capital outlay costs and maintenance and operating costs which the division deems just and equitable. Such a formula may consist in whole or in part of fixed percentages assigned to each city, town or part of a town within the district as their respective shares of the amounts required by the district or may be based in whole or in part upon any one or a combination of two or more of the following factors: (*a*) population; (*b*) equalized valuation; (*c*) flow and characteristics of the wastes contributed; (*d*) any other factor deemed appropriate for the purpose by the division. *Approved July 9, 1972.*

Chap. 602. AN ACT ESTABLISHING EDUCATION SCHOLARSHIPS FOR CERTAIN CHILDREN OF PRISONERS OF WAR OR SERVICEMEN MISSING IN ACTION IN SOUTHEAST ASIA.

Be it enacted, etc., as follows:

Chapter 69 of the General Laws is hereby amended by inserting after section 7E, inserted by section 1 of chapter 712 of the acts of 1966, the following section: —

Section 7F. There are hereby established education scholarships to be given to the children of prisoners of war or servicemen missing in action in Southeast Asia whose wartime service is credited to the commonwealth, and whose service was between February first, nineteen hundred and fifty-five and the termination of the Vietnam campaign.

Said scholarships shall be awarded by the board of higher education from sums appropriated for scholarship programs to each such child who is a graduate of a high school within the commonwealth and who qualifies for entrance to the Lowell Technological Institute, Southeastern Massachusetts Technological Institute, the University of Massachusetts, the state colleges, or the regional community colleges. The amount of such scholarship shall be equal to the amount of tuition charged by the institution attended. Said scholarship shall continue for such time as the recipient thereof remains a student in good standing at such institution, but in no event shall any student receive such scholarship aid for more than four years. *Approved July 9, 1972.*

Chap. 603. AN ACT ESTABLISHING THE UPPER WARE RIVER REGIONAL REFUSE DISPOSAL DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The towns of Barre, Hardwick, New Braintree, Oakham, and Petersham by vote in a town meeting, may, subject to conditions hereinafter enumerated, establish a regional refuse disposal district which shall be a body corporate and be known as the Upper Ware River 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 Upper Ware River Regional Refuse Disposal Board, as provided in section two, additional eligible members shall require a majority vote of the board in order to become participating members.

SECTION 2. The district shall be under the management and control of a board which is hereby established and shall be known as the Upper Ware River Regional Refuse Disposal Board, hereinafter called the board.

The board shall consist of members from and representing each town that has voted to accept the provisions of this act and is a member of the district. Membership shall be determined on the basis of population. There shall be one board member for each community and one additional member for each population increment of fifteen hundred over an initial base of one thousand, according to the latest federal census. Official actions shall require an affirmative vote of at least three-fourths of the board members.

The members of the board from the towns shall be appointed by a board of selectmen or the town manager in those towns 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. Members of the board shall be appointed by the appointing authorities as follows: the first representative from any member town shall be appointed for a term of three years, the second, if required, for a term of two years, the third, if required, for a term of one year. Any additional representatives required shall each be appointed for terms of three years. Each member shall serve until the qualification of a successor. After 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 Ware

River 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, 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 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 first, 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. The board, acting for and on behalf of said district, may take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, property, rights-of-way or easements, public or private, in said district, necessary for accomplishing any purpose mentioned in 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 such 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 inter-community 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. In no case shall two successive sanitary landfill site selections be made in the same town. The district shall be required to rotate the location of such sites among its member communities when a prior site has been filled to capacity and has been in use for a minimum of ten years.

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 acquired by purchase or otherwise, the right to temporarily occupy any land necessary for the carrying out of the 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 such refuse may interfere with or damage the disposal facility or otherwise interfere with its maintenance or operation. 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 revaluation of the assessed valuation of real property in any 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 town are increased or decreased.

SECTION 9. The district by a three quarters 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, so far 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 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 a three quarters 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 in the year 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 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 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 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 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 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 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 town. The assessors of each member 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 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 town which has been assessed shall raise the amounts certified annually by the district to the assessors of each 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 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 town of any assessment as determined and apportioned above, the appropriate legislative body 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 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 requests.

The board or the aggrieved 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 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 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 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 town would deduct and pay over if such person were an employee of the commonwealth 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 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 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-two entitled 'An Act Establishing the Upper Ware River 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 shall not take effect until acceptance by at least 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 town meetings 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 town in the district. *Approved July 9, 1972.*

Chap. 604. AN ACT CREATING THE INDUSTRIAL AND COMMERCIAL ECONOMIC DEVELOPMENT CORPORATION OF HAVERHILL.

Be it enacted, etc., as follows:

SECTION 1. In this act, unless a contrary intention clearly appears, the following words shall have the following meanings: —

(*a*) "City", the city of Haverhill.

(*b*) "Corporation", the Industrial and Commercial Economic Development Corporation of Haverhill 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 completion or estimate completion date of any project, planning, engineering and legal service, administrative expense, the funding of notes issued for capital purposes, such reserve 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*) "Department", the department of commerce and development.

(*e*) "Economic development plan", a detailed plan, as it may be approved from time to time by the mayor and the city council 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 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, provided, however, that such plan must be approved by the department and the secretary prior to the exercise of eminent domain.

(*f*) "Economic development area", any unused or blighted open area or any decadent area, as respectively defined in section one of chapter one hundred twenty-one B of the General Laws, which is located in the city, and is zoned for general or restricted manufacturing or commercial uses whether restricted or not, and within which there are not exceeding forty-five dwelling units; provided, however, that such area must be certified by the department and the secretary as conforming to said chapter.

(*g*) "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 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, commercial, or manufacturing uses in accordance with the 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, commercial or manufacturing uses contemplated by the 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, provided, however, that such plan

must be approved by the department and the secretary prior to the exercise of eminent domain.

(*h*) "Pollution control facilities", facilities for the prevention, avoidance, reduction, control, abatement or elimination of pollution by any means of air or waters by industrial establishments.

(*i*) "Secretary", the secretary of the executive office of communities and development.

SECTION 2. It is hereby declared that unused, decadent or blighted open areas exist in parts of the city of Haverhill zoned for industrial, commercial 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 such area 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, attract new industries, and commercial development and promote the sound economic growth of the city; that the menace of such unused, 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 unused, 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 unused, decadent and blighted open areas for industrial, commercial, 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 cause hardship to many individuals and families, waste vital human resources, increase the public assistance burdens, impair the security of family life, impede the economic and physical development of the city and adversely affect the welfare and prosperity of the people; that unemployment and under-employment have been caused in part by industrial, commercial and manufacturing companies moving from the city; that many existing industrial, commercial and manufacturing facilities within the city are obsolete and inefficient; that such facilities are under-utilized 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, commercial and industrial sector of the economy provides the best opportunity for better jobs at higher wages for inhabitants of the city; that new industrial, commercial and manufacturing sites are required to attract and house new industries and commercial developments, 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 and commercial 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. There is hereby created a public body politic and corporate, to be known as the Industrial and Commercial Economic Development Corporation of Haverhill, 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. 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 representative of low income people and shall be chosen from a list of three submitted by the local or regional community action agency where such exists, and from a list of three submitted by the commissioner of the department of community affairs where no community action agency exists. 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, and after approval by the department. For the purposes of chapter two hundred 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 city solicitor 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.

SECTION 4. 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, the city clerk of the city, and the department and the secretary 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 of the corporation 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. Chapter thirty-one of the General Laws or any rule made thereunder shall not apply to any person employed or engaged by the corporation.

SECTION 5. 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. The city may borrow outside its debt limit to obtain money for grants to the corporation, with the approval of the department and the secretary.

(*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, except that the city may, upon request by the corporation, decide to pledge its full faith and credit to the solvency of a corporation.

(*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 an economic development project and from time to time modify such plans, designs, drawings, specifications, and estimates.

(*j*) To finance pollution control facilities in the same manner provided by this chapter for economic development projects, in which event all provisions of this chapter which are applicable to economic development projects apply to the pollution control facilities, insofar as such provisions are apt, except as otherwise provided.

(*k*) To designate areas of the city as economic development areas, subject to the approval of the city council, the mayor, the department and the secretary.

(*l*) 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 in so far as such provisions may be applicable following approval by the department and the secretary, 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, the mayor, the department and the secretary, the corporation shall niether 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 of eminent domain of lands particularly described therein, and if the said plan is approved by the city council, the mayor, the department and the secretary, the date as of which the value of such lands shall be determined for eminent domain purposes shall be the date on which the said economic development plan was first submitted to the city council.

(*m*) 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.

(*n*) 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.

(*o*) 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.

(*p*) 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.

(*q*) 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.

(*r*) 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.

(*s*) 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.

(*t*) To act with respect to one or more projects as a corporation organized under section three or section eighteen B of chapter one hundred 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 be expended upon or for the benefit of any project.

(*u*) To borrow money for the purposes of aiding in the construction of equipment required by the commonwealth or the United States to abate air or water pollution.

(*v*) 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 (*m*); 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. No economic development project shall be undertaken until (*a*) a public hearing relating to the development plan covering such project has been held by the corporation after due notice, and (*b*) the development plan has been approved by the mayor and the city council, 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, and (*c*) the department and secretary have approved the development plan. 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) the department and the secretary 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 development plan, and (3) the state senator and the state representatives for every representative district of the city. In the course of preparing a development plan, the corporation shall consult with each of the aforesaid so far 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. Except as provided herein, 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 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; provided, however, that the secretary may from time to time promulgate rules and regulations governing the conduct of business and affairs of the corporation, in accordance with the provisions of chapter thirty A of the General Laws.

SECTION 8. 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 of Essex 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 fifty-four of the General Laws, but the provisions of sections twenty-eight and twenty-nine of chapter one hundred forty-nine of the General Laws shall be applicable to any construction work by the corporation.

SECTION 9. 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, so far 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 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 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. 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 unless specifically approved by the department and the secretary. Such debentures unless otherwise authorized by law 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 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 debenture holders 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 debenture holders and of the trustee, and may restrict the individual right of action by debenture holders. 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 debenture holders. All expenses incurred in carrying out the provisions of such trust agreement may be treated as an item of current expense. Debentures issued under the provisions of this act must be first approved by the department and the secretary.

SECTION 11. 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 or all of the develop-

ment, 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, if approved by the Department and the Secretary 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 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 twenty-one B in like manner as indebtedness incurred under said section twenty.

SECTION 12. The corporation, subject to approval by the department and the secretary, 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 bonds. The corporation, subject to approval by the department and the secretary, 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 simile 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 the 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, subject to the approval of the department and the secretary, 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 subject only to those preceedings, conditions or things which are specifically required by this act.

The corporation, subject to the approval by the department and the secretary, 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 bond 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 in so far 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 funding bonds issued under the provisions of this section, unless otherwise authorized by law, 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. In the event that the corporation, or municipality or commonwealth is not obliged to pay said revenue and revenue refunding bonds, then, and in that event, 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 municipality shall be obliged to pay the same or the interest thereon except from revenues and that neither the faith and credit nor taxing power of the commonwealth or of the municipality is pledged to the payment of the principal or of the interest on such bonds.

All 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 Commercial Code.

SECTION 13. 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 revenue 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 protection and enforcing 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 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; provided, however, that any such resolution or trust agreement must have the approval of the department and the secretary.

SECTION 14. 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 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 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 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. 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. Insofar as the provisions of this act are inconsistent with the provisions of any other law, general or special, excluding the local zoning code, the provisions of this act shall be controlling.

SECTION 17. 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. 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 July 9, 1972.*

Chap. 605. AN ACT DESIGNATING A COURT OFFICER IN THE DISTRICT COURT OF CHELSEA AS CHIEF COURT OFFICER.

Be it enacted, etc., as follows:

SECTION 1. The second paragraph of section 62 of chapter 218 of the General Laws, as appearing in chapter 211 of the acts of 1972, is hereby amended by inserting after the word "the", in line 4, the words: — district court of Chelsea and in the.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston in the current year, but not otherwise.

Approved July 9, 1972.

Chap. 606. AN ACT AUTHORIZING THE CONSOLIDATION OF PILGRIM CONGREGATIONAL CHURCH OF TAUNTON, INC. AND WINSLOW CONGREGATIONAL CHURCH OF TAUNTON, MASSACHUSETTS.

Be it enacted, etc., as follows:

SECTION 1. Pilgrim Congregational Church of Taunton, Inc. and Winslow Congregational Church of Taunton, Massachusetts, each of which is a charitable corporation organized and existing under the laws of the commonwealth, are hereby authorized to consolidate and shall thereafter become and be one corporation under the name of Pilgrim Congregational Church of Taunton, 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 conferred by this act 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 Pilgrim Congregational Church of Taunton, Inc. and Winslow Congregational Church of Taunton, Massachusetts, 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 Pilgrim Congregational Church of Taunton, Inc. and Winslow Congregational Church of Taunton, Massachusetts 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 Pilgrim Congregational Church of Taunton, Inc. and Winslow Congregational Church of Taunton, Massachusetts.

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 state secretary 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 July 9, 1972.*

Chap. 607. AN ACT TO ASCERTAIN THE WILL OF THE PEOPLE WITH REFERENCE TO ALLOWING THE VOLUNTARY RECITAL OF PRAYERS IN THE PUBLIC SCHOOLS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

For the purpose of ascertaining the will of the people with reference to allowing the voluntary recital of prayers in the public schools of the commonwealth, the state secretary shall cause to be placed on the official ballot to be used at the biennial state election in the year nineteen hundred and seventy-two the following question: — "Shall the voluntary recitation of prayer be authorized in the public schools of the commonwealth?" The votes upon said question shall be received, sorted, counted and declared, and copies of records thereof transmitted to the state secretary, laid before the governor and council, and by them opened and examined, in accordance with the laws relating to votes for state officers and copies of records thereof, so far as such laws are applicable. The governor shall make known the result by declaring the number of votes in the affirmative and the number in the negative, and shall transmit a statement of such result, in writing, to the clerk of the senate. If a majority of said votes is in the affirmative, it shall be deemed and taken to be the will of the people that the voluntary recital of prayer should be allowed in the public schools of the commonwealth. If a majority of said votes is in the negative, it shall be deemed and taken to be the will of the people that the voluntary recital of prayer should not be allowed in the public schools of the commonwealth. If a majority of the votes upon the question submitted to the voters is in

the affirmative, the state secretary of the commonwealth shall file such report with the clerk of the house of representatives and shall also send copies of such report to the President of the United States, the presiding officer of each branch of the Congress, and to each member thereof from the commonwealth. *Approved July 9, 1972.*

Chap. 608. AN ACT PROVIDING THAT THE COMMISSIONER OF PUBLIC HEALTH MAY DIRECT LOCAL BOARDS OF HEALTH TO ENFORCE THE PESTICIDE LAWS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of the second paragraph of section 21B of chapter 94B of the General Laws, as appearing in section 7 of chapter 521 of the acts of 1962, is hereby amended by inserting after the word "pesticides", in line 2, the words: — and the commissioner shall have authority to authorize and direct any local board of health, or other legal authority constituted for such purposes.

SECTION 2. The first sentence of the second paragraph of section 21C of said chapter 94B, as amended by section 7 of chapter 874 of the acts of 1970, is hereby amended by inserting after the word "use", in line 2, the word: —, sale. Any local board of health or other legal authority constituted for such purposes which, as a result of the commissioner directing it to perform certain activities pursuant to this section, incurs additional expense, may apply to the department for reimbursement. The department shall reimburse such board or legal authority for any such additional expense reasonably incurred under this section from such funds as may be appropriated therefor. *Approved July 9, 1972.*

Chap. 609. AN ACT ESTABLISHING A FEE FOR THE ISSUANCE OF CERTAIN DOCUMENTS RELATIVE TO CORPORATIONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 63 of the General Laws is hereby amended by inserting after section 76 the following section: —

Section 76A. The commissioner or commission, as the case may be, is hereby authorized to issue to any corporation, upon written request of its treasurer or other principal officer, a waiver of the lien under section seventy-six or a certificate evidencing that such corporation is in good standing with respect to any and all returns due and taxes payable to the commissioner as of the date of issuance of said certificate. There shall be charged and collected a fee of five dollars for each such waiver or certificate issued and two dollars for each duplicate copy thereof.

SECTION 2. Section 3 of chapter 461 of the acts of 1954 is hereby amended by striking out the fourth sentence and inserting in place thereof the following sentence: — The commissioner shall charge five dollars for each certificate so issued, and the money so received shall be paid into the treasury of the commonwealth.

SECTION 3. This act shall apply to requests for waivers and certificates of good standing received on and after its effective date.

Approved July 9, 1972.

Chap. 610. AN ACT EXTENDING THE TIME WITHIN WHICH FINANCIAL AID MAY BE PROVIDED TO CERTAIN NEEDY DEPENDENTS OF CERTAIN PERSONS IN THE SERVICE OF THE ARMED FORCES OF THE UNITED STATES.

Be it enacted, etc., as follows:

Section 7 of Chapter 483 of the acts of 1965 is hereby amended by striking out the word "seventy-two," inserted by chapter 457 of the acts of 1968, and inserting in place thereof the word: — seventy-six.

Approved July 9, 1972.

Chap. 611. AN ACT FURTHER REGULATING THE AWARDING OF CERTAIN SCHOLARSHIPS.

Be it enacted, etc., as follows:

SECTION 1. The second sentence of the twentieth paragraph of section 1D of chapter 15 of the General Laws, as appearing in section 2 of chapter 572 of the acts of 1965, is hereby amended by striking out, in line 2, the words "one quarter, one half, or full" and inserting in place thereof the words: — full or partial.

SECTION 2. The first sentence of the twenty-first paragraph of said section 1D of said chapter 15, as so appearing, is hereby amended by striking out, in line 1, the words "one quarter, one half or full" and inserting in place thereof the words: — full or partial,.

Approved July 9, 1972.

Chap. 612. AN ACT AUTHORIZING THE DIRECTOR OF CIVIL SERVICE TO PROMOTE OPPORTUNITIES FOR THE EMPLOYMENT OF THE DISADVANTAGED AND PERSONS FORMERLY CONVICTED OF A CRIME IN ESTABLISHING STANDARDS FOR OFFICES AND POSITIONS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph (*f*) of section 2A of chapter 31 of the General Laws is hereby further amended by inserting after the word "handicapped", added by chapter 4 of the acts of 1970, the words: — , disadvantaged persons and persons formerly convicted of a crime.

SECTION 2. Paragraph (*n*) of said section 2A of said chapter 31, as most recently amended by chapter 289 of the acts of 1971, is hereby further amended by inserting after the word "handicapped", in line 2, the words: — , persons determined by the director to be disadvantaged.

Approved July 9, 1972.

Chap. 613. AN ACT RELATIVE TO PROFESSIONAL FUND-RAISING FOR CHARITABLE ORGANIZATIONS.

Be it enacted, etc., as follows:

SECTION 1. Subsection (*c*) of section 21 of chapter 68 of the General Laws, as appearing in section 1 of chapter 718 of the acts of 1964, is hereby amended by striking out, in line 8, the words "is concluded"

and inserting in place thereof the words: — is entered into or within ten days after performance by said professional fund-raising counsel or said professional solicitor begins pursuant to such contract or written arrangement, whichever time is earlier.

SECTION 2. Section 24 of said chapter 68, as so appearing, is hereby amended by striking out, in line 6, the words "and under such conditions". *Approved July 9, 1972.*

Chap. 614. AN ACT FURTHER REGULATING UNFAIR TRADE PRACTICES.

Be it enacted, etc., as follows:

SECTION 1. Section 10 of chapter 93A of the General Laws, added by chapter 690 of the acts of 1969, is hereby amended by inserting after the word "nine", in line 2 and in line 8, in each instance, the words: — or section eleven.

SECTION 2. Said chapter 93A is hereby further amended by inserting after section 10 the following section: —

Section 11. Any person who engages in the conduct of any trade or commerce and who suffers any loss of money or property, real or personal, as a result of the use or employment by another person who engages in any trade or commerce of an unfair method of competition or an unfair or deceptive act or practice declared unlawful by section two or by any rule or regulation issued under paragraph (*c*) of section two may, as hereinafter provided, bring an action in the superior court in equity for damages and such equitable relief, including an injunction, as the court deems to be necessary and proper.

Such person, if he has not suffered any loss of money or property, may obtain such an injunction if it can be shown that the aforementioned unfair method of competition, act or practice may have the effect of causing such loss of money or property.

Any persons entitled to bring such action may, if the use or employment of the unfair method of competition or the unfair or deceptive act or practice has caused similar injury to numerous other persons similarly situated and if the court finds in a preliminary hearing that he adequately and fairly represents such other persons, bring the action on behalf of himself and such other similarly injured and situated persons; the court shall require that notice of such action be given to unnamed petitioners in the most effective, practicable manner. Such action shall not be dismissed, settled or compromised without the approval of the court, and notice of any proposed dismissal, settlement or compromise shall be given to all members of the class of petitioners in such a manner as the court directs.

If the court finds for the petitioner, recovery shall be in the amount of actual damages; or up to three, but not less than two, times such amount if the court finds that the use or employment of the method of competition or the act or practice was a willful or knowing violation of said section two. In addition, the court shall award such other equitable relief, including an injunction, as it deems to be necessary and proper. The respondent may tender with his answer in any such action a written offer of settlement for single damages. If such tender or settlement is rejected by the petitioner, and if the court finds that the relief tendered was reasonable in relation to the injury actually

suffered by the petitioner, then the court shall not award more than single damages.

If the court finds in any action commenced hereunder, that there has been a violation of section two, the petitioner shall, in addition to other relief provided for by this section and irrespective of the amount in controversy, be awarded reasonable attorneys' fees and costs incurred in said action.

The provisions of clause (*b*) (ii) and clause (*c*) of paragraph (1) of section three shall not apply to actions brought pursuant to this section.

Approved July 9, 1972.

Chap. 615. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONVEY A CERTAIN PARCEL OF LAND TO THE TOWN OF MEDFIELD.

Be it enacted, etc., as follows:

The department of mental health, acting for and on behalf of the commonwealth, is hereby authorized and directed to sell and convey to the town of Medfield for the price of one dollar, for school, associated recreational and similar municipal purposes, by a deed approved as to form by the attorney general, all the right, title and interest in and to that portion of the premises of the Medfield state hospital in said town which is bounded and described as follows: —

Beginning at an iron pipe on the southerly sideline of Hospital Road, distant seven hundred forty-six and forty-one one hundredths feet northwesterly from the northwesterly end of a curve having a radius of twelve hundred feet; south seventy-six degrees forty-nine minutes fifty seconds east a distance of seven hundred forty-six and forty-one hundredths feet by Hospital Road, as laid out by the county of Norfolk on July seventeenth, nineteen hundred and twenty-eight, to a stone bound; thence south thirteen degrees fourteen minutes twenty-five seconds west a distance of seventy-eight and thirty-seven one hundredths feet to an iron pipe; thence south forty-five degrees thirty-three minutes fifty-eight seconds east a distance of five hundred eighty and thirty-three one hundredths feet to an iron pipe; thence north thirty-four degrees eighteen minutes twenty-five seconds east a distance of two hundred forty-eight and fifty one-hundredths feet to a stone bound, on the southerly sideline of Hospital Road; thence southeasterly by a curve having a radius of twelve hundred sixty feet a distance of three hundred twenty-two and forty-eight one-hundredths feet to a stone bound; thence south sixty-seven degrees ten minutes forty seconds east a distance of two hundred thirty-seven and one one-hundredth feet to a stone bound; thence southeasterly by a curve having a radius of eight hundred feet a distance of two hundred seventy-three and nine one-hundredths feet, the last three described lines being by Hospital Road as relocated by the county of Norfolk on March seventeenth, nineteen hundred and sixty-four; thence south forty-two degrees fifty-five minutes thirty-nine seconds west by land of Ernest E. Walton et ux and New England Merchants National Bank Trustee, a distance of eight hundred fifty and sixty-eight one hundredths feet; thence south sixty degrees thirty minutes thirty-nine seconds west by land of New England

Merchants National Bank Trustee a distance of eleven hundred fifty-six and ninety-two one hundredths feet to the northeasterly sideline of the location of the Penn Central Railroad; thence north forty-eight degrees thirty-six minutes fifty-six seconds west by the location of the Penn Central Railroad a distance of six hundred ninety and seventeen one-hundredths feet; thence north five degrees twenty-seven minutes six seconds east a distance of seven hundred eighty-two and seventy-two one hundredths feet to an iron pipe; thence north seventy-five degrees fourteen minutes seventeen seconds east a distance of seventy-two and fifty-three one hundredths feet to an iron pipe; thence north two degrees six minutes fifty-eight seconds west a distance of seven hundred eighty-six and twenty-three one hundredths feet to the point of beginning, the last three described lines being by land of the Commonwealth, containing fifty-six and three hundred fifty-six one thousandths acres more or less, as shown on a plan by Cheney Engineering Co., Inc. dated May 14, 1970; but excepting and excluding from the above-described premises all easements for sewer, drain and railroad purposes, if any, in existence on the effective date of this act.

Said conveyance shall be subject to the reservation of such easement or easements in the commonwealth as the commissioner of mental health may deem advisable for sewer and drain purposes, and to such further conditions and restrictions as he may deem advisable, including a provision that title to the aforesaid premises shall revert to the commonwealth if such conditions and restrictions are not complied with within a period of five years after the date of said conveyance.

Approved July 9, 1972.

Chap. 616. AN ACT PROVIDING THAT CERTAIN ORGANIZATIONS MAY OBTAIN A LICENSE TO CONDUCT A GAME COMMONLY CALLED BEANO, AND FURTHER REGULATING THE DAYS ON WHICH SAID GAME MAY BE PLAYED.

Be it enacted, etc., as follows:

SECTION 1. Section 52 of chapter 147 of the General Laws, as appearing in section 3 of chapter 486 of the acts of 1971, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

Any fraternal organization having chapters or branches in at least one other New England state, or any fraternal organization organized under the provisions of chapter one hundred and eighty and in existence for a minimum of ten years, 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, any voluntary association for promotion of the interests of retarded children, the Boston Firemen's Relief Fund, any volunteer, nonprofit organization furnishing a public ambulance service, and non-profit athletic associations, 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.

SECTION 2. The fourth paragraph of said section 52 of said chapter 147, as so appearing, is hereby amended by striking out the first sentence. *Approved July 9, 1972.*

Chap. 617. AN ACT AUTHORIZING THE CITY OF SOMERVILLE TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Somerville is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, such unpaid bills incurred by said city and totalling two hundred twenty-one thousand two hundred and seventy dollars, as are set forth in a list on file in the office of the director of accounts in the department of corporations and taxation, said bills being legally unenforceable against said city, by reason of having been incurred in excess of available appropriations and as are certified for payment by the following departments, by whom said bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation or made available from unappropriated surplus funds of the city: civil defense department, three hundred seventy-two dollars and sixty-six cents; fire department, six thousand one hundred ninety-six dollars and thirty-three cents; police department, eight thousand three hundred seventy-four dollars and thirty-three cents; public works department, two hundred six thousand three hundred twenty-six dollars and sixty-eight cents.

SECTION 2. No bill shall be approved by the city auditor of said city for payment or paid by the treasurer thereof under authority of the 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 bills have been submitted were ordered by an official or an employee of said city and that such goods and materials were delivered to and actually received by said city or that such services were rendered to said city, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars.

SECTION 4. This act shall take effect upon its acceptance during the current year by the city of Somerville. *Approved July 9, 1972.*

Chap. 618. AN ACT PROVIDING FOR MODIFICATIONS IN THE ELECTION OF TOWN MEETING MEMBERS IN THE TOWN OF WEST SPRINGFIELD.

Be it enacted, etc., as follows:

Chapter 311 of the acts of 1922 is hereby amended by striking out section 2 and inserting in place thereof the following section: —

Section 2. (*a*) Prior to any December thirty-first next following (*i*) the effective date of this section, or (*ii*) an effective revision of precinct boundaries, the town clerk shall, in accordance with paragraphs (*b*) and (*c*) of this section, determine the number of town meeting members to be elected from each precinct.

(*b*) The clerk shall initially compute for each precinct that number divisible by three which most nearly provides a representation for the precinct in the proportion which the number of inhabitants in the precinct bears to the total number of inhabitants in the town and which will cause the total town meeting membership elected from precincts to be as nearly two hundred forty as may be. In making this computation the clerk shall use the last state census.

(*c*) The clerk shall make the final determination of members to be elected from precincts as follows:

If the precinct's boundaries have been established or revised in the twelve months preceding the clerk's initial computation, then the voters of that precinct shall at the next town election elect by ballot the number of town meeting members provided for in paragraph (*b*) of this section. The first third in order of votes received of members so elected shall serve three years, the second third shall serve two years, and the remaining third shall serve one year, from the day of the next annual town meeting; in case of a tie vote affecting the division into thirds, the members elected from the precinct shall by ballot determine the division.

If a precinct's boundaries have not been revised in the twelve months preceding the clerk's initial computation, and if the initial computation requires an increase in a precinct's representation, all additional members shall be elected at the next town election, one third for three year terms, one third for a two year term and one third for a one year term. If the initial computation requires a decrease in a precinct's representation all town meeting members in the precinct may serve for the full term for which they were elected, and the decrease shall be brought about over a period of three years through the election for a three year term at each of the next three town elections for one third of the number of town meeting members to which the precinct is then entitled. During this interim period, vacancies created by retirement, death, removal or the like shall not be filled unless the remaining membership elected from the precinct for the same term would be below one third of the number to which the precinct is then entitled.

(*d*) Except as is otherwise specifically provided in this section, the registered voters of each precinct shall, at each annual town election elect for a term of three years one third of the number of town meeting members to which the precinct is then entitled, and shall at such elections fill for the unexpired term any vacancy then existing in the precinct. The term of office for all town meeting members elected from

precincts shall cease upon the election of their successors, including persons elected from newly revised precincts. The town clerk shall, after every election of town meeting members from precincts, forthwith notify each member by mail of his election. *Approved July 9, 1972.*

Chap. 619. AN ACT AUTHORIZING THE APPOINTMENT OF PARAPLEGIC PERSONS TO CERTAIN POSITIONS IN POLICE AND FIRE DEPARTMENTS.

Be it enacted, etc., as follows:

Chapter 31 of the General Laws is hereby amended by inserting after section 10 the following section: —

Section 10A. Notwithstanding the provision of any law whenever the appointing authority certifies to the director of civil service that in his opinion the operation of a position within the police or fire department can be performed by a paraplegic and makes a request for approval for the employment of a paraplegic in the position, the director may, notwithstanding the provisions of this chapter or any other law, approve such employment. The appointing authority shall forward the name of such paraplegic person to the director together with a certificate from his attending physician that said person is a paraplegic. The director may also require the appointing authority to submit a written agreement including the following: (1) a statement by the appointing authority as to the specific position, title, grade and duties to be assigned to the paraplegic person who is to be employed, and the title of the immediate supervisor of such position, (2) a statement by the appointing authority that prior to employing the paraplegic that the paraplegic person (*a*) can satisfactorily perform the duties of the position, (*b*) is qualified to do the work without hazard to himself or to others, and (*c*) is socially competent to maintain himself in a work environment. Thereupon, the director of civil service shall approve such appointment. The director may require any such paraplegic person to undergo such tests as in his opinion will test the fitness of the applicant to properly perform the duties of the position.

Upon the approval by the director of such employment in accordance with the provisions of this section, the paraplegic person may be appointed to the position and shall continue subject to the provisions of this chapter.

The position of any such paraplegic person who has been employed in a year-round temporary position in the commonwealth for a continuous period of three years or more for which compensation has been duly paid or authorized under the same or a like item in prior appropriation acts shall be deemed to be a permanent position. The director of personnel shall, by title and code number and subject to the approval of the executive office for administration and finance, certify to the budget director, the comptroller, the director of civil service, each appointing authority concerned, and the house and senate committees on ways and means, each such position to be included.

Approved July 9, 1972.

Chap. 620. AN ACT PROVIDING FOR TRIAL OF CERTAIN CRIMINAL CASES BY A JURY OF SIX IN CERTAIN DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 218 of the General Laws is hereby amended by inserting after section 27 the following section: —

Section 27A. Any defendant in a district court of Berkshire county found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the district court of Central Berkshire.

Any defendant in a district court of Bristol county found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the second or third district court of Bristol.

Any defendant in a district court of Essex county found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the first district court of Essex or the central district court of northern Essex.

Any defendant in a district court of Hampden county found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the district court of Springfield.

Any defendant in the first district court of northern Middlesex, the fourth district court of eastern Middlesex or the district court of Lowell found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the district court of Lowell.

Any defendant in the district court of Marlborough, the district court of Natick, first district court of southern Middlesex, the district court of central Middlesex or the second district court of eastern Middlesex found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the first district court of southern Middlesex.

Any defendant in the first district court of eastern Middlesex, the third district court of eastern Middlesex, the district court of Somerville, or the district court of Newton found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the third district court of eastern Middlesex.

Any defendant in a district court of Norfolk county found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the district court of northern Norfolk or the district court of East Norfolk.

Any defendant in a district court of Plymouth county found guilty of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six may appeal and claim a jury of six in the district court of Brockton.

Any defendant in a district court of Worcester county found guilty of an offense or crime over which the district courts have original jurisdic-

tion under the provisions of section twenty-six may appeal and claim a jury of six in the central district court of Worcester.

Such claim of appeal shall be in writing and shall constitute a waiver of any claim of appeal to a trial by jury in the superior court or other disposition in said superior court.

Any defendant found guilty in any of said district courts, of an offense or crime over which the district courts have original jurisdiction under the provisions of section twenty-six who has appealed to the superior court may, in the discretion of a justice of the superior court, at any time before trial on such appeal, claim a jury of six in the district court designated in paragraphs one through ten of this section. 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 has been made under the provisions of this paragraph, the clerk of the superior court shall forthwith forward to the clerk of the said district court all the papers in the case which have been filed in the superior court.

The justice presiding at such session over a jury of six 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 a district court shall be held in the courthouse of said court or a courthouse of the superior court within the same county, 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 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. The district attorney for the district in which the alleged offense or offenses occurred shall appear for the commonwealth in all cases. The chief justice of the district courts shall arrange for the jury sessions of the said district courts 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 a district court, review may be had directly by the supreme judicial court by a bill of exceptions, appeal, report or otherwise, in the same manner provided for trials by jury in the superior court. The defendant may elect to waive a jury of six in the manner provided by section six of chapter two hundred and sixty-three, 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 eleventh or twelfth paragraphs, of this section.

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. Said chief justice may make regulations not inconsistent with law relative to the assignments, duties and service of stenographers appointed for any district court, and any other matter relative to such stenographers. The compensation and expenses of said stenographer shall be paid by the county.

SECTION 2. The provisions of section twenty-seven A of chapter two hundred and eighteen of the General Laws, inserted by section one of this act, shall take effect on July first, nineteen hundred and seventy-two.

Approved July 9, 1972.

Chap. 621. AN ACT PLACING CERTAIN POSITIONS IN THE TOWN OF BELMONT UNDER THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

The provisions of chapter thirty-one of the General Laws shall, upon the effective date of this act, apply in the town of Belmont to the positions of assistant superintendent of highways and highway and incinerator foreman in the highway department of said town.

Approved July 9, 1972.

Chap. 622. AN ACT DESIGNATING THE ICE SKATING RINK LOCATED ON SOUTH STREET IN THE CITY OF HOLYOKE AS THE HENRY J. FITZPATRICK SKATING RINK.

Be it enacted, etc., as follows:

The ice skating rink located on South street in the city of Holyoke shall be known and designated as the Henry J. Fitzpatrick skating rink, in recognition of his interest in fostering the game of hockey in said city. A suitable marker bearing such designation shall be erected and maintained thereat by the department of natural resources.

Approved July 9, 1972.

Chap. 623. AN ACT DESIGNATING THE SKATING RINK IN THE TOWN OF PLYMOUTH AS THE JOHN A. ARMSTRONG MEMORIAL SKATING RINK.

Be it enacted, etc., as follows:

The skating rink under construction in the town of Plymouth by the department of public works, shall, when completed, be designated and known as the John A. Armstrong Memorial Skating Rink, in memory of John A. Armstrong, a former member of the general court. A suitable marker bearing said designation shall be attached thereto by the department of natural resources when control thereof is turned over to said department.

Approved July 9, 1972.

Chap. 624. AN ACT PROVIDING THAT THE OFFICE OF TOWN ENGINEER OF THE TOWN OF BILLERICA SHALL NIOT BE SUBJECT TO THE CIVIL SERVICE LAW AND RULES.

Be it enacted, etc., as follows:

SECTION 1. The office of town engineer of the town of Billerica shall not be subject to the provisions of chapter thirty-one of the General Laws on and after the effective date of this act.

SECTION 2. This act shall be submitted for acceptance to the voters of the town of Billerica at the biennial state election to be held 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 at said election: — "Shall an act passed by the General Court in the year nineteen hundred and seventy-two, entitled 'An Act providing that the office of town engineer of the town of Billerica shall not be subject to the civil service law and rules', be accepted?" If a majority of the votes in answer to said question is in the affirmative, this act shall thereupon take full effect, but not otherwise.

Approved July 9, 1972.

Chap. 625. AN ACT RELATIVE TO THE CONTINUANCE OF RENT CONTROL IN THE CITY OF LYNN.

Be it enacted, etc., as follows:

Notwithstanding the provisions of chapter eight hundred and forty-two of the acts of nineteen hundred and seventy, the following question shall be placed upon the official ballot to be used at the state election to be held in the current year: —

"Shall rent control be continued in the city of Lynn?

YES.	
NO.	

"

If a majority of the votes cast on said question is in the affirmative, rent control shall be continued in said city subject to the provisions of said chapter eight hundred and forty-two, and if a majority of the votes cast on said question is in the negative, rent control shall be discontinued in said city forthwith.

Approved July 9, 1972.

Chap. 626. AN ACT DESIGNATING THE SKATING RINK TO BE CONSTRUCTED BY THE DEPARTMENT OF NATURAL RESOURCES IN THE CITY OF LOWELL AS THE JOHN J. JANAS MEMORIAL SKATING RINK, AND THE SWIMMING POOL TO BE CONSTRUCTED BY SAID DEPARTMENT IN SAID CITY AS THE RAYMOND J. LORD MEMORIAL SWIMMING POOL.

Be it enacted, etc., as follows:

SECTION 1. The skating rink to be constructed by the department of natural resources in the city of Lowell shall upon completion be designated and known as the John J. Janas Memorial skating rink, in memory of John J. Janas, a former member of the house of representatives. A suitable marker bearing said designation shall be erected and maintained at said skating rink by said department.

SECTION 2. The swimming pool at North Common in said city to be constructed by said natural resources shall upon completion be

known and designated as the Raymond J. Lord Memorial Swimming Pool, in memory of Raymond J. Lord, a former member of the house of representatives. A suitable marker bearing said designation shall be erected at said swimming pool by said department.

Approved July 9, 1972.

Chap. 627. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO BORROW MONEY FOR PLANNING, CONSTRUCTING, EQUIPPING AND FURNISHING AN ADDITION TO AND FOR THE ALTERATION OF THE SECOND DISTRICT COURT OF PLYMOUTH.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of improving court house accommodations and facilities for the second district court of Plymouth, the county commissioners of Plymouth county may plan, erect, equip and furnish an addition to and provide for the alterations of said accommodations and facilities. Said commissioners may also contract with the Hingham Water Company to supply water to said court house facilities by the installation of water pipes from Rockland street, in the town of Hingham, along the George Washington boulevard in said town to such 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 are further authorized to cause plans and specifications to be prepared for the construction of such facilities; provided, that the total cost of such plans and specifications and the cost of acquisition of such land, including appraisal fees, shall not exceed one hundred and fifty thousand dollars; and provided, further, that such plans and specifications shall be so drawn that the total cost for the construction and originally equipping of said facilities shall not exceed one million five hundred thousand dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purposes authorized by section one, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, one million six hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Plymouth County Court House Loan, Second District Court of Plymouth, Act of 1972. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than ten years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

Approved July 9, 1972.

Chap. 628. AN ACT PROVIDING THAT CERTAIN QUESTIONS RELATIVE TO GROUP LIFE AND HEALTH INSURANCE FOR PRESENT AND RETIRED EMPLOYEES OF THE TOWN OF SAUGUS SHALL BE PLACED ON THE BALLOT TO BE USED IN SAID TOWN AT THE BIENNIAL STATE ELECTION IN THE CURRENT YEAR.

Be it enacted, etc., as follows:

In the town of Saugus there shall be placed upon the official ballot to be used at the biennial state election to be held in the current year the following two questions:

1. "Shall the town, in addition to the payment of fifty per cent of a premium for contributory group life and health insurance for employees in the service of the town and their dependents, pay a subsidiary or additional rate?" If a majority of the votes cast in answer to said question is in the affirmative, the proposal shall be deemed to be adopted, but not otherwise.

2. "Shall the town, in addition to the payment of fifty per cent of a premium for contributory group life and health insurance for employees retired from the service of the town, and their dependents, pay a subsidiary or additional rate?" If a majority of the votes cast in answer to said question is in the affirmative, the proposal shall be deemed to be adopted, but not otherwise. *Approved July 9, 1972.*

Chap. 629. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF WORCESTER COUNTY TO BORROW MONEY FOR THE PREPARATION OF PLANS AND SPECIFICATIONS AND FOR THE ACQUISITION OF LAND FOR A COURT HOUSE FOR THE FIRST DISTRICT COURT OF NORTHERN WORCESTER AND FOR A COURT HOUSE FOR THE DISTRICT COURT OF FITCHBURG.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Worcester county are hereby authorized to acquire by purchase, or take by eminent domain under chapter seventy-nine of the General Laws, sufficient land for the construction of suitable and adequate facilities, including parking facilities, for the first district court of northern Worcester and for the district court of Fitchburg.

Said county commissioners are further authorized to cause plans and specifications to be prepared for the construction of such facilities; provided, that the total cost of such plans and specifications and the cost of acquisition of such land, including appraisal fees, in each instance, shall not exceed two hundred and fifty thousand dollars; and provided, further, that such plans and specifications shall be so drawn that the total cost for the construction and original equipping of said facilities, in each instance, shall not exceed one and one half million dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder, in each instance.

SECTION 2. For the purposes authorized by section one, for the facilities of the first district court of northern Worcester, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary,

not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Worcester County Court House Planning and Land Acquisition, First District Court of Northern Worcester Loan, Act of 1972. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

SECTION 3. For the purposes authorized by section one, for the facilities of the district court of Fitchburg, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, two hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Worcester County Court House Planning and Land Acquisition, District Court of Fitchburg Loan, Act of 1972. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved July 10, 1972.

Chap. 630. AN ACT AUTHORIZING THE TOWN OF WINCHENDON TO GRANT PENSIONS TO CERTAIN MEMBERS OF THE POLICE AND FIRE DEPARTMENTS AND VALIDATING THE ACTION OF SAID TOWN IN GRANTING CERTAIN PENSIONS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of the fifth paragraph of section eighty-five E of chapter thirty-two of the General Laws, the town of Winchendon is hereby authorized to grant pensions to members of its police and fire departments of said town who have fourteen years or more of consecutive service prior to the effective date of this act and who otherwise qualify under the other provisions of said section eighty-five E. The provisions of this section shall apply to any member who has retired prior to the effective date of this act and who otherwise qualifies.

SECTION 2. Any action taken by the town of Winchendon in granting pensions to any members of the police or fire departments who qualified under the provisions of said section eighty-five E of chapter thirty-two of the General Laws prior to the effective date of this act are hereby

validated and confirmed as though this act were in full force and effect on the date of the posting of the warrant of the annual town meeting adjourned to April sixth, nineteen hundred and seventy-two.

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

Approved July 10, 1972.

Chap. 631. AN ACT AUTHORIZING THE PROBATE COURT TO GRANT VISITATION RIGHTS TO CERTAIN GRANDPARENTS OF UNMARRIED MINOR CHILDREN.

Be it enacted, etc., as follows:

Chapter 119 of the General Laws is hereby amended by inserting after section 39C the following section: —

Section 39D. If either the father or mother of an unmarried minor child is deceased, the parents of such deceased person may be granted reasonable visitation rights to the minor child during his minority by the probate court upon a finding that such visitation rights would be in the best interests of the minor child. No such visitation rights shall be granted if said child has been adopted by a person other than a stepparent and any visitation rights granted pursuant to this section prior to such an adoption of the child shall be automatically terminated by said adoption.

Approved July 10, 1972.

Chap. 632. AN ACT FURTHER REGULATING THE AWARD OF CONTRACTS TO THE LOWEST RESPONSIBLE AND ELIGIBLE BIDDER BY THE MASSACHUSETTS TURNPIKE AUTHORITY.

Be it enacted, etc., as follows:

SECTION 1. Clause (*g*) of section 5 of chapter 598 of the acts of 1958 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 598 is hereby further amended by adding the following clause: —

(*k*) 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 re-advertise 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, 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. This clause shall not be applicable to any sale of real property by the Authority to the commonwealth or any city, town or public instrumentality nor to any sale of real property which is determined by the Authority to have a fair market value of five thousand dollars or less.

SECTION 3. Section 22 of said chapter 598 is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph: —

All general or special laws, or parts thereof, inconsistent herewith, are hereby declared to be inapplicable to the provisions of this act.

SECTION 4. Clause (*q*) of section 5 of chapter 354 of the acts of 1952, inserted by section 2 of chapter 660 of the acts of 1971, is hereby amended by adding the following sentence: — This clause shall not be applicable to any sale of real property by the Authority to the commonwealth or any city, town or public instrumentality nor to a sale of real property which is determined by the Authority to have a fair market value of five thousand dollars or less. *Approved July 10, 1972.*

Chap. 633. AN ACT PROVIDING BENEFITS FOR WIDOWS OF JUDGES OF THE COMMONWEALTH WHO RESIGN FOR APPOINTMENTS AS FEDERAL JUDGES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section sixty-five C of chapter thirty-two of the General Laws and any provisions of law to the contrary, if a chief justice, justice, associate justice, judge or associate judge described in section sixty-five A of said chapter thirty-two, hereinafter called the judge, who, after having served in any such office or offices at least twenty years continuously, is under age sixty-five and would be entitled, upon resigning, to a pension for life under said section sixty-five A except for not having attained age sixty-five, resigns to accept appointment as a justice or judge of a court of the United States and who dies while in office as a justice or judge of such court, his widow who was his spouse at the time of his resignation shall receive a pension for life, said pension to be computed as provided in said section sixty-five C. On the date of resignation of such judge, the value of the prospective payments to such widow, shall be the actuarial equivalent of the value of the pension for life to which such judge would have been entitled upon resigning under said section sixty-five A. The computation of such actuarial equivalent shall be subject to supervision and verification of the actuary appointed by the commissioner of insurance in accordance with the provisions of section twenty-one of said chapter thirty-two. The annual rate of the pension payable to the widow shall be reduced by the amount of the annuity, if any, payable to her as the widow of a justice or judge of a court of the United States.

SECTION 2. This act shall apply to a widow of a judge who resigned after April first, nineteen hundred and sixty-seven.

Approved July 10, 1972.

Chap. 634. AN ACT AUTHORIZING THE COMMISSIONER OF MENTAL HEALTH TO LEASE CERTAIN LAND AT THE NORTHAMPTON STATE HOSPITAL TO THE CITY OF NORTHAMPTON FOR RECREATIONAL PURPOSES.

Be it enacted, etc., as follows:

The commissioner of mental health, in the name and on behalf of the commonwealth, is hereby authorized to lease to the city of Northampton for a term not to exceed fifty years with an option of renewal for a similar period, a certain tract of land comprising part of the grounds of Northampton state hospital in said city, containing fifteen acres, more or less, and being located on the northerly side of Burts Pit road. Except as otherwise herein provided, the lease shall be in such form and contain such provisions as said commissioner shall determine, subject, however, to the approval of the attorney general as to form. The lease shall be upon the express condition that the demised land shall be used as a recreational area, and shall limit the structures which may be erected thereon, and shall contain a provision for the indemnification and saving harmless of the commonwealth against any claims for injury to persons or damage to property. The lease shall further provide that if the demised land ceases to be used as a recreational area said lease shall terminate and the demised land shall revert to the commonwealth.

Approved July 10, 1972.

Chap. 635. AN ACT PROVIDING FOR THE DESIGNATION OF AN ASSISTANT CLERK OF COURTS FOR THE COUNTY OF BRISTOL TO PERFORM THE DUTIES OF CLERK PERTAINING TO THE CRIMINAL PROCEEDINGS IN THE SUPERIOR COURT FOR SAID COUNTY.

Be it enacted, etc., as follows:

Chapter 221 of the General Laws is hereby amended by inserting after section 6G, inserted by chapter 118 of the acts of 1971, the following section: —

Section 6H. The clerk of the courts for the county of Bristol 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.

Approved July 10, 1972.

Chap. 636. AN ACT PROVIDING FUNDS FOR THE ALLEVIATION OF FINANCIAL BURDENS IMPOSED ON CITIES AND TOWNS AS A RESULT OF THAWS, RAINS, FLOODS OR CERTAIN OTHER DISASTERS.

Be it enacted, etc., as follows:

SECTION 1. To provide funds for the purposes of chapter six hundred and twenty of the acts of nineteen hundred and seventy, chapters nine

hundred and six, one thousand and six, one thousand and fifty, one thousand and fifty-four of the acts of nineteen hundred and seventy-one there is hereby made available the sum of five million dollars.

SECTION 2. Chapter 620 of the acts of 1970 is hereby amended by striking out section 4.

SECTION 3. Chapter 906 of the acts of 1971 is hereby amended by striking out section 2.

SECTION 4. Chapter 1006 of the acts of 1971 is hereby amended by striking out section 2.

SECTION 5. Chapter 1050 of the acts of 1971 is hereby amended by striking out section 2.

SECTION 6. Chapter 1054 of the acts of 1971 is hereby amended by striking out section 2.

SECTION 7. To meet expenditures 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 five million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Disaster Relief Loan, Act of 1972, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-six.

Federal funds received as reimbursement on account of expenditures authorized by section one of this act shall reduce by an equal amount the total amount of bonds authorized to be issued by this section.

Approved July 10, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 11, 1972

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 636 of the Acts of 1972, entitled "AN ACT PROVIDING FUNDS FOR THE ALLEVIATION OF FINANCIAL BURDENS IMPOSED ON CITIES AND TOWNS AS A RESULT OF THAWS, RAINS, FLOODS OR CERTAIN OTHER DISASTERS." and the enactment of which received my approval on July 10, 1972, 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 immediate relief to those communities which have suffered damage due to the natural disasters referred to in the act.

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

OFFICE OF THE SECRETARY, BOSTON, July 11, 1972.

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 forty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and thirty-six of the acts of nineteen hundred and seventy-two.

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

Chap. 637. AN ACT EXPEDITING THE RIGHT OF CERTAIN PERSONS TO VOTE FOR PRESIDENTIAL ELECTORS.

Be it enacted, etc., as follows:

SECTION 1. Section 1A of chapter 51 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 382 of the acts of 1971, and inserting in place thereof the following sentence: — A person who has resided in the commonwealth and in the city or town where he claims the right to vote not less than twenty-nine days next preceding an election at which electors of president and vice-president are to be chosen, or a person not in active military service who lives on land within the commonwealth purchased by or ceded to the United States government and who will have resided thereon not less than twenty-nine days next preceding such election, may be qualified for voting only for such electors at such election; provided, he makes application therefor as hereinafter required and otherwise complies with the requirements of this chapter.

SECTION 2. Said chapter 51 is hereby amended by inserting after section 1D the following two sections: —

Section 1E. Any person who has changed his residence, and who is unable to register in his new residence because of the time of his move, may return to vote with respect to a presidential election in person at the polling place where he is a qualified voter, or may vote by absentee ballot. Said ballot shall be prepared and furnished by the state secretary in accordance with the provisions of sections eighty-six to one hundred and three A, inclusive, of chapter fifty-four so far as applicable.

Section 1F. Any person, otherwise qualified to vote under the provisions of section one A but whose name is not included in the current annual registrar of voters of the city or town where he claims the right to vote, may qualify for voting upon application to the registrars of voters of said city or town. Any form of written communication con-

taining the name, age, citizenship, former residence and present residence of such person shall cause the registrars to make an investigation relative to the qualifications of such person to vote and, for the purpose of such investigation, the officer in charge of the police force of each city and town shall give the registrars such assistance as they may require. Upon determining that such person is qualified to vote under the provisions of this section, the registrars shall forward an absentee ballot to him and shall include his name on a list of persons registered under this section which shall be sent to the city or town clerk. The provisions of sections ninety-four to ninety-six, inclusive, of chapter fifty-four shall apply to such ballots which shall be cast in the polling places designated under the provisions of section twenty-four.

Approved July 10, 1972.

EMERGENCY LETTER — September 7, 1972 at 3:55 P.M.

Chap. 638. An Act directing the registrar of motor vehicles to pay the cost of maintenance of uniforms of certain personnel.

Be it enacted, etc., as follows:

Chapter 16 of the General Laws is hereby amended by inserting after section 11 the following section: —

Section 11A. The registrar of motor vehicles shall, subject to appropriation, pay the cost of maintenance of the uniforms of employees in the registry of motor vehicles having police powers under section twenty-nine of chapter ninety.

Approved July 10, 1972.

Chap. 639. An Act relating to security deposits in rental housing.

Be it enacted, etc., as follows:

Section 1. Section 15B of chapter 186 of the General Laws, inserted by section 1 of chapter 666 of the acts of 1970, is hereby amended by striking out the second paragraph and inserting in place thereof the following three paragraphs: —

A landlord of residential real property who holds a security deposit pursuant to this section for a period of one year or longer from the commencement of the term of the tenancy shall, beginning with the first day of the tenancy, pay interest at the rate of five percent per year, payable to the tenant at the end of each year of the tenancy. The landlord shall, within thirty days after the termination of the lease or tenancy, return the security deposit or any balance thereof, and interest thereon, after deducting the amount of any damage caused by the tenant, or any person on the demised premises with his knowledge or consent, reasonable wear and tear excepted, and less any unpaid rent; provided, however, if any lease agreement contains a provision requiring the tenant to pay all or a proportional share of any increase in real estate taxes levied against the property of any increase in real estate taxes levied against the property and becoming due and payable during the term of the lease, the landlord shall not be required to return the security deposit or any balance thereof or pay any in-

terest thereon until the tenant has paid all or his proportional share of said increase or it has been deducted from said security deposit or balance thereof.

Any deduction for damage pursuant to this section shall be itemized by the landlord with particularity indicating the nature of the repair necessary to correct any damage and the actual or estimated cost thereof.

If the landlord fails to return to the tenant such deposit or the balance thereof as provided herein, he shall be liable in damages in an amount equal to twice the amount of such security deposit or balance thereof as provided herein, plus interest at the rate of five percent from the date which such payment become due. For purposes of this section the term "security deposit" applies to all funds received from the tenant in advance for any purpose whatsoever in excess of the monthly rent. Any funds required of a tenant or held by a landlord as a condition for continued occupancy of premises occupied by the tenant for one year immediately preceding commencement of the continued occupancy shall be deemed to be a security deposit held for a period of one year or longer. Any of the provisions of this section relative to security deposits which may be in conflict with the terms of a mortgage guaranteed by the United States or any authority or agency created under the laws thereof shall not apply to security deposits held by a landlord who appears as the mortgagor in such a mortgage.

SECTION 2. The provisions of section one of this act shall apply to security deposits received after January one, nineteen hundred and seventy-two, and to all security deposits held by a landlord on January one, nineteen hundred and seventy-three, provided, however that a landlord holding a security deposit received prior to January one, nineteen hundred and seventy-two, shall not be liable for interest which would have been accrued before January one, nineteen hundred and seventy-two.

Approved July 10, 1972.

Chap. 640. AN ACT REQUIRING PATIENTS IN INSTITUTIONS UNDER THE CONTROL OF THE DEPARTMENT OF MENTAL HEALTH BE GIVEN PHYSICAL EXAMINATIONS.

Be it enacted, etc., as follows:

The first paragraph of section 4 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 second sentence the following sentence: — Said person shall be given a physical examination by a physician licensed under the provisions of chapter one hundred and twelve at least once in every twelve-month period during which he is resident in said departmental facility or at the Bridgewater state hospital.

Approved July 10, 1972.

Chap. 641. AN ACT RELATIVE TO THE INSURANCE COVERAGE OF CERTAIN EMPLOYEES OF TOWNS.

Be it enacted, etc., as follows:

SECTION 1. Section 7A of chapter 32B of the General Laws is hereby amended by striking out paragraph (*d*), as appearing in section 1 of

chapter 100 of the acts of 1968, and inserting in place thereof the following paragraph: —

(*d*) 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; 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 either by vote of the town 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, in addition to the payment of fifty per cent of a premium for contributory group life and health insurance for employees in the service of the town and their dependents, pay a subsidiary or additional rate?" Section seven shall not apply in any governmental unit which accepts the provisions of this section.

SECTION 2. Section 9E of said chapter 32B, inserted by section 2 of said chapter 100, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — A town may provide for such payment by vote of the town or if a majority of the votes cast in answer to the following question which shall be printed on the official ballot to be used at an election in said town is in the affirmative: — "Shall the town, in addition to the payment of fifty per cent of a premium for contributory group life and health insurance for employees retired from the service of the town, and their dependents, pay a subsidiary or additional rate?".

SECTION 3. Section 11B of said chapter 32B, as appearing in section 3 of chapter 461 of the acts of 1964, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — This section shall take effect in a county, city, town or district upon its acceptance in the following manner: — In a county, by vote of the county commissioners: in a city having a Plan D or Plan E charter by majority vote of its city council; in any other city by vote of its city council, approved by the mayor; in a district by vote of the voters of the district at a district meeting; and in a town by vote of the town or if a majority of the votes cast in answer to the following question, which shall be printed on the official ballot to be used at an election in said town, is in the affirmative: — "Shall the town extend contributory group hospital, surgical and medical insurance to elderly persons retired from the service of the town and to their dependents with fifty per cent of the premium cost, a portion of administrative expense and the payment of a surcharge or subsidiary rate to be paid by the town?".

Approved July 10, 1972.

Chap. 642. AN ACT PROVIDING FOR THE APPOINTMENT OF AN ADDITIONAL COURT OFFICER FOR THE PROBATE COURT FOR PLYMOUTH 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 chapter 1092 of the acts of 1971, and inserting in place thereof the following section: —

Section 30. The judges of probate for the counties of Suffolk, Middlesex, Plymouth and Norfolk may appoint three officers, and the judges of probate for the counties of Essex 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 July 10, 1972.

Chap. 643. AN ACT ENLARGING THE SOUTH ESSEX SEWERAGE DISTRICT BY INCLUDING THE TOWN OF MARBLEHEAD AND PROVIDING FOR THE CONSTRUCTION OF NEW AND ENLARGED SEWERS, PUMPING STATIONS AND OTHER WORKS FOR THE TREATMENT OF SEWAGE TO BE CONVEYED FROM THE TOWN OF MARBLEHEAD TO SEWAGE TREATMENT FACILITIES OF THE DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 1 of chapter 339 of the acts of 1925 is hereby amended by striking out the words "town of", in line 4, and inserting in place thereof the words: — towns of Marblehead and.

SECTION 2. No other city or town shall be included in the South Essex sewerage district, as amended by section one of this act, until the sewage treatment facility, authorized by section five of this act, is completed and operating properly.

SECTION 3. Section 2 of chapter 339 of the acts of 1925 is hereby amended by striking out the first four paragraphs and inserting in place thereof the following three paragraphs: —

Said South Essex sewerage district shall be managed by a board, which is hereby created and which shall be known as the South Essex sewerage board, hereinafter called the board, and shall consist of six members.

The city engineer of Salem, the Commissioner of public works of Peabody, and the commissioner of public works of Beverly shall be members of said board, ex officiis. The fourth and fifth members, who shall be a person to represent the town of Danvers and a person to represent the town of Marblehead, shall be appointed every three years or whenever a vacancy may occur, by the board, committee of officer having charge of sewerage in said town. The sixth member, who shall not be a resident of Essex county nor hold property nor have a usual place of business therein, shall be appointed every three years by the governor and may in like manner be removed at any time for cause. He shall be chairman of said board and shall receive from said district such annual compensation as the governor may from time to time determine. Each of the other members of said board shall receive from said district, in addition to any compensation from any other source, such annual compensation, not exceeding six hundred dollars, as the governor may from time to time determine.

In case of a vacancy occurring in the office of chairman, it shall be filled by appointment for the unexpired term by the governor.

SECTION 3A. The member of the South Essex sewerage board representing the town of Marblehead shall be appointed within thirty days after the effective date of this act.

SECTION 4. The board member representing the town of Marblehead shall be entitled to the same rights and privileges as conferred and imposed upon other members of the board by chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five, as amended, and chapter five hundred and sixteen of the acts of nineteen hundred and sixty-nine, as amended.

SECTION 5. The board shall construct, maintain and operate for the town of Marblehead such main sewers, pumping stations and other related sewage works as shall be required to convey sewage of said town to the treatment plant of the district, constructed or to be constructed in the city of Salem; and for these purposes said board may make such contracts and other arrangements as it may deem necessary for the construction of the sewers, pumping stations and works as aforesaid and for carrying out the purposes of this act. No sewers or other works for the town of Marblehead, shall be constructed until federal and state grants for said construction, in an amount determined by said board, have been authorized, and until the board of selectmen in the town of Marblehead have held a public hearing and voted its approval of the sewer route to connect the present sewer system in Marblehead to the treatment plant in Salem. If the proposed sewer route is to go over a public way in the town of Marblehead, the abuttors of that public way shall be given legal notice of said public hearing. The sewer route through the town of Marblehead, as approved by the board of selectmen of said town, shall be final.

SECTION 6. Section 7 of chapter 339 of the acts of 1925 is hereby amended by inserting after the word "Danvers", in line 5, the words: — the town of Marblehead,.

SECTION 7. All property, real or personal, or any easements, owned by the town of Marblehead and located within said town, acquired or transferred to the district by said town for the purpose of conveying sewage, and constructed, maintained and operated for the sole use of said town, shall, when no longer needed for such purpose, be transferred

by said board to said town, and the board shall execute, acknowledge and deliver such instruments as the town, acting through its board of selectmen, may determine necessary to effect such transfer of title.

SECTION 8. The board shall control the sewage works provided for in section five of this act, including the pumping station and main sewers to be constructed by the district in the town of Marblehead and the main sewers in the city of Salem.

SECTION 9. The cost of construction, maintenance and operation of the main sewers, pumping station and other works from the town of Marblehead to the treatment plant of the district, including the cost of acquiring land and easements that may be necessary, shall be borne by the town of Marblehead.

SECTION 10. The cost of construction and other work authorized by this act shall not exceed the sum of seven million dollars, exclusive of interest on bonds and notes issued under the provisions of this act.

SECTION 11. To meet the cost of such construction and other works, the board shall file application for grants from the government of the United States of America and from the commonwealth, in accordance with federal and state laws.

SECTION 12. To meet the cost of such construction and other works, including such interest, less the amount received for such purposes from the federal and state governments, and to fund temporary loans issued to meet such cost as hereinafter authorized, the treasurer of the South Essex sewerage district with the approval of the board, may issue serial bonds of the district to an amount not exceeding in the aggregate, the sum of two million two hundred thousand dollars. Said bonds shall bear on their face the words South Essex Sewerage District Loan, Act of 1972, shall bear the district seal, shall be authorized by two thirds of the board, shall bear such rate or rates of interest as shall be fixed by the treasurer with the approval of the board, shall be signed by the treasurer of said district and countersigned by at least a majority of the board, and shall be payable in not more than twenty years from their dates. Each issue of bonds herein authorized shall constitute a separate issue. Until such construction and other work is completed and the total cost thereof ascertained, to meet the cost of such construction and other work, said treasurer, with the approval of the board, may from time to time borrow for periods of not more than two years, and may refund or may renew said loans from time to time. The treasurer of said district in any year may also from time to time borrow to meet interest payments coming due in such year and to meet payments of principal on bonds issued hereunder when such payments must be met before the assessment of costs for such year to the town of Marblehead has been made as hereinafter provided, but the amounts of any such loans shall be added to and included in the next year's assessment to said town of Marblehead of the cost of construction and other work hereunder, and the term of such loans shall not extend beyond the time limited for the making of such next year's assessment. For any borrowings herein authorized, the treasurer of said district may from time to time issue notes of said district, which need not bear the district seal, but shall be authorized, signed and countersigned, and bear interest as is herein provided for in the case of bonds, or may be sold at a discount fixed in the same manner that interest on bonds may be fixed hereunder, and such discount shall be treated as interest paid in advance. All

indebtedness incurred in carrying out the provisions of this act insofar as it relates to the town of Marblehead shall be subject to such of the applicable provisions of chapter forty-four of the General Laws as relate to loans made by districts.

SECTION 13. The board shall determine, on or before the fifteenth day of February in the year following the first full year of operation of works and facilities constructed hereunder for the town of Marblehead, and thereafter annually on or before the fifteenth day of February, the total amount of principal retirement and interest payments falling due in that year on bonds and notes issued and any and all sums to be assessed as a cost of construction or other work authorized by this act. The amount so determined shall be assessed to said town. The cost of maintenance and operation of the sewers and other works herein authorized for said town shall be estimated by the board for each year on or before the fifteenth day of February. Any balance remaining at the end of any year on account of assessments herein provided for shall be credited to said town, and any deficit on account of any year shall be assessed in the following year. The annual assessments so determined, both for the cost of construction and for maintenance and operation, shall be added together and before the fifteenth day of February, the treasurer of the district shall notify said town of the amount to be paid by it, and shall in writing demand that such amount be paid on or before the first day of November in that year, and said amount shall be so paid; and in case of failure to pay after written demand therefor, said district may recover such amount in contract from said town.

After the assessment has been made, and written demand made as aforesaid, the treasurer of the district, with approval of at least two thirds of the board, may borrow from time to time in anticipation of the payments of the amounts so assessed on the town of Marblehead and to be paid to it as aforesaid, but any such loan shall mature not later than the fifteenth day of November in the same year. In case said town for any reason shall not pay on or before the first day of November in any year the amount assessed to it as aforesaid, the board, on or after the first day of November in such year, through said treasurer and with approval as aforesaid, may borrow from time to time in anticipation of the payment of any and all unpaid assessments thereof, and may issue notes therefor and may refund or renew such notes from time to time until all of such assessments shall have been fully paid, and may pay interest on all such notes, which interest shall be included in the next subsequent assessment.

SECTION 14. All overhead charges of the district attributable to the town of Marblehead incurred prior to the completion of the construction herein authorized, not to exceed eight and one-half per cent of the existing "G" account of the district, shall be determined by the members of the board as they may agree and if they fail to do so, as may be determined by the state division of water pollution control, and, as finally determined, shall be paid by said town.

SECTION 15. Section 1 of chapter 516 of the acts of 1969 is hereby amended by striking out, in line 18, the words "and the waters of Salem and Beverly harbors" and inserting in place thereof the words: —, the waters of Salem and Beverly harbors, and the waters adjacent to the town of Marblehead sewer outfall.

SECTION 16. Subdivision (C) of section 6 of said chapter 516, is hereby amended by striking out, in line 4, the words "town of Danvers" and inserting in place thereof the words: — towns of Danvers and Marblehead,.

SECTION 17. Said section 6 of said chapter 516 is hereby further amended by adding the following subdivision: —

(F) There shall be a charge for the use of various existing facilities of the district which shall be apportioned by the board among the cities of Salem, Beverly and Peabody and the towns of Danvers and Marblehead, the Danvers state hospital, Essex county industrial farm, Essex county tuberculous hospital and Essex county agricultural and technical institute and Hathorne state school as they may agree and if they fail to so agree, as may be determined by said division of water pollution control; provided, however, the town of Marblehead shall not pay more than seven thousand two hundred dollars for its share of land presently owned by the district and eighty-one thousand nine hundred dollars for its share of the existing pumping station.

SECTION 18. The cost of construction, maintenance and operation of main sewers, pumping stations and other works as herein authorized and treatment of sewage by the South Essex sewerage district shall not be included as an item in determining the total cost of the system of sewerage and sewage disposal in the town of Marblehead constructed under the provisions of chapter three hundred and nine of the acts of 1916, as amended, for the purpose of assessing estates benefited thereby under the authority of said chapter three hundred and nine.

SECTION 19. Notwithstanding any contrary provision of law, the district, acting through its treasurer, is hereby authorized and directed to credit to the town of Marblehead any balance remaining from any loans after completion of the construction authorized by this act.

SECTION 20. Notwithstanding any contrary provision of law, the district is authorized to construct, operate and maintain, as it may deem necessary, such main sewers from the town of Marblehead to the city of Salem, beneath the waters of Salem harbor, for the purpose of carrying sewage to the treatment plant of the district, constructed or to be constructed in the city of Salem. The construction as herein authorized shall not require approval by or license from any agency of the commonwealth.

SECTION 21. The assessments made by the district upon the town of Marblehead may be financed by said town as a cost of constructing sewers and sewage treatment and disposal facilities.

SECTION 22. This act shall take effect upon its acceptance by the town of Marblehead. *Approved July 10, 1972.*

Chap. 644. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A COLLECTIVE PURCHASING BUREAU WITHIN THE PURCHASING AGENT'S DIVISION.

Be it enacted, etc., as follows:

Section 4A of chapter 7 of the General Laws is hereby amended by inserting after the first paragraph the following paragraph: —

There shall be within the purchasing agent's division a collective purchasing bureau headed by a director of collective purchasing who shall be appointed by the commissioner with the approval of the governor, and may be removed for cause in like manner. He shall receive such salary as may be established by the commissioner and may employ, subject to the approval of the commissioner, such assistants as he deems necessary. Said bureau shall make collective purchases for the political subdivisions of the commonwealth for the purpose of providing maximum purchasing power and effecting economies in the manner provided by section twenty-two A. *Approved July 10, 1972.*

Chap. 645. AN ACT GRANTING A REAL ESTATE TAX EXEMPTION DURING THE CALENDAR YEAR NINETEEN HUNDRED AND SEVENTY-TWO TO WIDOWS AND SURVIVING MINOR CHILDREN OF CERTAIN FIREFIGHTERS KILLED IN THE LINE OF DUTY.

Be it enacted, etc., as follows:

Notwithstanding any other general or special law to the contrary, the widow or surviving minor children, including adopted children, of a firefighter killed in the line of duty during the calendar year nineteen hundred and seventy-two shall be entitled to receive during said calendar year the real estate tax exemption provided for such widows or children by clauses Forty-second or Forty-third of section five of chapter fifty-nine of the General Laws, provided such widow or children would otherwise qualify for such exemption under the provisions of said clauses, and, provided further however, if the real estate for which said exemption is to be granted was acquired after January first of said calendar year, the amount of the real estate tax exemption to which his widow or children shall be entitled shall be the amount provided in said clauses multiplied by a fraction, the numerator of which shall be the number of months or major fraction thereof, in said calendar year after which said real estate was acquired and the denominator of which shall be twelve. *Approved July 10, 1972.*

Chap. 646. AN ACT AUTHORIZING THE BOARD OF DIRECTORS OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO RESTORE CERTAIN ITEMIZED REDUCTIONS TO ITS BUDGET FOR THE CALENDAR YEAR NINETEEN HUNDRED AND SEVENTY-TWO.

Be it enacted, etc., as follows:

Notwithstandng the provisions of subsection (*i*) of section five of chapter one hundred and sixty-one A of the General Laws, the board of directors of the Massachusetts Bay Transportation Authority may by an affirmative vote of not less than five directors, restore to the budget for the calendar year nineteen hundred and seventy-two any part of or all itemized reductions which the advisory board may make or may have made in any budget or supplementary budget submitted to it provided, however, that the amounts so restored to any such budgets shall not cause it to exceed the total sum of one hundred and fifty-four million, six hundred seventy-one thousand seven hundred dollars.

Approved July 10, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 11, 1972

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 646 of the Acts of 1972, entitled "AN ACT AUTHORIZING THE BOARD OF DIRECTORS OF THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY TO RESTORE CERTAIN ITEMIZED REDUCTIONS TO ITS BUDGET FOR THE CALENDAR YEAR NINETEEN HUNDRED AND SEVENTY-TWO." and the enactment of which receive my approval on July 10, 1972, 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 powers granted to the Board of Directors of the Massachusetts Bay Transportation Authority by this act may be utilized immediately to prevent disruption of transportation service.

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

OFFICE OF THE SECRETARY, BOSTON, July 11, 1972.

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 forty-seven minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and forty-six of the acts of nineteen hundred and seventy-two.

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

Chap. 647. AN ACT IN ADDITION TO THE GENERAL APPROPRIATION ACT MAKING APPROPRIATIONS TO SUPPLEMENT CERTAIN ITEMS CONTAINED THEREIN.

Be it enacted, etc., as follows:

SECTION 1. To provide for supplementing certain items in the general appropriation act, 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 five hundred and fourteen of the acts of the current year for the fiscal year ending June the thirtieth, nineteen hundred and seventy-three, 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 OFFICE OF HUMAN SERVICES.

Department of Public Welfare.

Item		
4402–5000 4405–2000 4407–2000	For a medical assistance program; provided, that all federal funds received for the purpose of this item shall be credited to the General Fund; provided further, that no expenditures or commitment made pursuant to this item or to any agreements authorized by chapter eight hundred of the acts of nineteen hundred and sixty-nine 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; provided further, that the sum of fifteen million dollars in item 4405–2000 and the sum of five million dollars in item 4407–2000 are hereby transferred and made available for the purpose of this item; and provided further, that expenses incurred in the months of April, May and June, nineteen hundred and seventy-two, may be paid from this item . .	$9,200,000

SECTION 3. The second sentence of section 16D of chapter 514 of the acts of the current year is hereby amended by striking out the word "twenty-five" and inserting in place thereof the word: — thirty.

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

Approved July 10, 1972.

Chap. 648. AN ACT INCREASING THE AMOUNT OF MONEY WHICH THE METROPOLITAN DISTRICT COMMISSION MAY EXPEND FOR THE CONSTRUCTION OF CERTAIN FLOOD CONTROL FACILITIES IN THE CITIES OF MELROSE, MALDEN, EVERETT AND REVERE AND THE TOWNS OF SAUGUS, STONEHAM AND WAKEFIELD.

Be it enacted, etc., as follows:

SECTION 1. For the purpose of further carrying out the drainage and flood control works authorized by chapter five hundred and seventy-four of the acts of nineteen hundred and fifty-five, as amended by chapter three hundred and thirty-two of the acts of nineteen hundred and fifty-six, chapter six hundred and fifty-three of the acts of nineteen hundred and fifty-seven, chapter six hundred and forty of the acts of nineteen hundred and sixty-seven, and further authorized by chapter five hundred and nineteen of the acts of nineteen hundred and sixty-one, by chapter five hundred and ninety-five of the acts of nineteen hundred and sixty-three, by chapter six hundred and eighty-three of the acts of nineteen hundred and sixty-eight, by chapter five hundred and twenty-seven of the acts of nineteen hundred and sixty-nine, and by chapter six hundred and seventy-one of the acts of nineteen hundred and seventy, the metropolitan district commission may expend, in addition to the amounts authorized by said chapter five hundred and seventy-four, as amended, and by said chapter five hundred and nineteen, by said chapter five hundred and ninety-five, by said chapter six hundred and eighty-three, by said chapter five hundred and twenty-seven, and by said chapter six hundred and seventy-one, a sum not to exceed one million seven hundred and fifty thousand dollars.

Engineering and administrative expenses, including, but not limited to, personnel, materials, supplies, motor vehicles and other transportation costs incurred under this act and all aforesaid prior acts shall be construed as part of the direct costs of the projects and works for which they are incurred.

SECTION 2. Said commission, for the purpose of this act, may on behalf of the commonwealth take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, water courses, rights-of-way or easements, and shall have all the rights, powers and duties and be subject to the limitations of section thirty-two of Chapter ninety-two of the General Laws; provided, however, that cities and towns in the area or areas within which construction may occur shall grant to the commission the right to enter upon any public land and to construct such facilities as may be necessary without recourse to damages therefor. The commission, however, shall, as provided in said section thirty-two, heed all reasonable requests of officials of said cities and towns to restore such public property to its present condition insofar as is practical.

SECTION 3. To meet the expenditures necessary in carrying out the provisions of this act, the state treasurer shall upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount specified by the governor from time to time, but not exceeding in the aggregate, the sum of one million seven hundred and fifty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Drainage and Flood Control Loan, Act of 1972 and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-seven.

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

Approved July 10, 1972.

Chap. 649. AN ACT PROVIDING FOR ADDITIONAL COURT OFFICERS IN CERTAIN DISTRICT COURTS.

Be it enacted, etc., as follows:

SECTION 1. Section 62 of chapter 218 of the General Laws is hereby amended by striking out clause (1), as appearing in chapter 211 of the acts of 1972, and inserting in place thereof the following clause: —

(1) Thirteen court officers: —

municipal court of the Roxbury district.

SECTION 2. Clause (6) of said section 62 of said chapter 218, as so appearing, is hereby amended by inserting after the line reading "Four court officers: — " the following line: —

East Boston district court,.

SECTION 3. Clause (7) of said section 62 of said chapter 218, as so appearing, is hereby amended by striking out the line reading "East Boston district court,".

SECTION 4. Clause (8) of said section 62 of said chapter 218, as so appearing, is hereby amended by inserting after the line reading "district court of Newton," the following line: —

first district court of eastern Worcester,. *Approved July 10, 1972.*

Chap. 650. 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-two 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	$2,887,935 31
2.	For contractual services	108,235 00
3.	For supplies and materials	478,500 00
4.	For current charges and obligations	215,840 00
5.	For equipment	48,976 00
8.	For debt and interest	105,000 00
10.	For unpaid bills of previous years	38,650 04
11.	For reserve fund	30,000 00
11a.	For reserve for salary increase	165,000 00
12.	For group insurance	133,347 00
	For total expenditures	$4,211,483 35

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

Approved July 11, 1972.

Chap. 651. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A CERTAIN SUM OF MONEY TO SUBURBAN SCHOOL TRANSPORTATION, INC.

Be it enacted, etc., as follows:

SECTION 1. In order to discharge a moral obligation the town of Watertown is hereby authorized to appropriate for the payment of, and after such appropriation, the treasurer of said town is hereby au-

thorized to pay to the Suburban School Transportation, Inc. the sum of three thousand and ten dollars, notwithstanding its failure to comply with the provisions of section one hundred and three of chapter forty-one of the General Laws.

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

Approved July 11, 1972.

Chap. 652. AN ACT COMBINING THE OFFICES OF COLLECTOR OF TAXES AND TREASURER OF THE TOWN OF WEST BRIDGEWATER INTO THE OFFICE OF TREASURER AND TAX COLLECTOR.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the offices of collector of taxes and treasurer of the town of West Bridgewater shall, in accordance with the vote of the town at its annual town meeting in the year nineteen hundred and seventy-two, be merged into one office called treasurer and tax collector, and the powers and duties formerly exercised by the collector of taxes and the treasurer shall be exercised by the office of treasurer and tax collector. Said office shall, upon the effective date of this act, become subject to the civil service law and rules. Said office shall be filled as a result of an open competitive examination to be held by the division of civil service in accordance with its laws and rules. Upon the appointment and qualification of said treasurer and tax collector the terms of office of the persons holding the offices of collector of taxes and of treasurer, respectively, shall cease and terminate. The provisions of law relative to treasurers and to collectors of taxes shall, except in so far as the same may be inconsistent with the provisions of this act, apply to said treasurer and tax collector.

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

Approved July 11, 1972.

Chap. 653. 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-two.

NORFOLK COUNTY.

Item		Total
1.	For interest on county debt	$154,567 50
2.	For reduction of county debt	290,000 00

Item		Subtotal	Total
3.	For county commissioners, salaries and expenses		$90,079 53
	1. Personal services	$85,824 53	
	2. Contractual services	2,555 00	
	3. Supplies and materials	600 00	
	4. Current charges and obligations	550 00	
	5. Equipment	550 00	
4.	For transportation and expenses of county and acting commissioners		2,085 00
5.	For clerk of courts, salary and expenses		243,109 15
	1. Personal services	220,594 68	
	2. Contractual services	13,018 49	
	3. Supplies and materials	6,318 15	
	4. Current charges and obligations	3,177 83	
6.	For county treasurer, salaries and expenses		71,354 83
	1. Personal services	64,543 83	
	2. Contractual services	3,950 00	
	3. Supplies and materials	2,000 00	
	4. Current charges and obligations	861 00	
7.	For sheriff, salary and expenses		17,059 00
	1. Personal services	16,324 00	
	2. Contractual services	75 00	
	3. Supplies and materials	500 00	
	4. Current charges and obligations	160 00	
8.	For registry of deeds, salaries and expenses		587,615 61
	1. Personal services	500,620 41	
	2. Contractual services	27,900 00	
	3. Supplies and materials	19,475 00	
	4. Current charges and obligations	36,903 20	
	5. Equipment	2,717 00	
8a.	For registry of probate, salaries and expenses		88,604 35
	1. Personal services	5,171 40	
	2. Contractual services	46,553 95	
	3. Supplies and materials	20,500 00	
	4. Current charges and obligations	6,173 00	
	5. Equipment	10,206 00	
9.	For law library, salaries and expenses		18,280 05
	1. Personal services	7,820 05	
	2. Contractual services	40 00	
	3. Supplies and materials	260 00	
	4. Current charges and obligations	10,160 00	
10.	For highways, including state highways, bridges and land damages		666,145 82
	1. Personal services	171,370 82	
	2. Contractual services	90,000 00	
	3. Supplies and materials	6,200 00	
	4. Current charges and obligations	90 00	
	5. Equipment	35 00	
	6. All other	398,450 00	
12.	For criminal costs in superior court		740,384 20
	1. Personal services	360,723 00	
	2. Contractual services	327,470 00	
	3. Supplies and materials	26,550 00	
	4. Current charges and obligations	11,500 00	
	5. Equipment	14,141 20	

Item		Subtotal	Total
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		$431,166 41
	1. Personal services	$134,589 91	
	2. Contractual services	293,044 00	
	3. Supplies and materials	2,725 00	
	4. Current charges and obligations	450 00	
	5. Equipment	357 50	
14.	For district courts, salaries and expenses		
	District Court of Northern Norfolk		280,556 19
	1. Personal services	251,184 79	
	2. Contractual services	17,693 00	
	3. Supplies and materials	5,525 00	
	4. Current charges and obligations	4,098 40	
	5. Equipment	2,055 00	
	District Court of East Norfolk		648,274 37
	1. Personal services	586,857 72	
	2. Contractual services	43,450 00	
	3. Supplies and materials	12,193 85	
	4. Current charges and obligations	4,943 80	
	5. Equipment	829 00	
	District Court of Western Norfolk		221,380 82
	1. Personal services	200,625 12	
	2. Contractual services	11,800 00	
	3. Supplies and materials	6,750 00	
	4. Current charges and obligations	1,725 20	
	5. Equipment	480 50	
	District Court of Southern Norfolk		169,748 85
	1. Personal services	152,923 85	
	2. Contractual services	11,300 00	
	3. Supplies and materials	4,005 00	
	4. Current charges and obligations	1,520 00	
	Municipal Court of Brookline		233,597 75
	1. Personal services	204,377 75	
	2. Contractual services	19,010 00	
	3. Supplies and materials	7,125 00	
	4. Current charges and obligations	2,955 00	
	5. Equipment	130 00	
	District Court — Juvenile Division		122,981 58
	1. Personal services	112,133 58	
	2. Contractual services	9,675 00	
	3. Supplies and materials	658 00	
	4. Current charges and obligations	215 00	
	District Court — Appellate Division		1,425 00
	1. Personal services	575 00	
	2. Contractual services	475 00	
	3. Supplies and materials	375 00	
15.	For medical examiners and commitments of insane		65,000 00
16.	For jail and house of correction, maintenance and operation		600,146 17
	1. Personal services	446,161 17	
	2. Contractual services	21,885 00	
	3. Supplies and materials	116,660 00	
	4. Current charges and obligations	4,280 00	
	5. Equipment	6,310 00	
	6. All other	4,850 00	

Item		Subtotal	Total
17.	For training school		$25,000 00
18.	For court houses and registry buildings, maintenance and operation		715,147 02
	1. Personal services	$345,877 52	
	2. Contractual services	202,025 00	
	3. Supplies and materials	114,035 00	
	4. Current charges and obligations	5,672 00	
	5. Equipment	6,437 50	
	6. All other	41,100 00	
19.	For construction of county buildings and purchase of land		250,000 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		739,470 69
	1. Personal services	558,741 19	
	2. Contractual services	66,000 00	
	3. Supplies and materials	82,005 00	
	4. Current charges and obligations	9,700 00	
	5. Equipment	15,024 50	
	6. All other	8,000 00	
24.	For noncontributory pensions		200,000 00
25.	For contributory retirement system and supervisory expenses		238,620 75
26.	For miscellaneous and contingent expenses		53,742 44
27.	For unpaid bills of previous years		21,667 85
28.	For reserve fund		50,000 00
28a.	For reserve for salary increase		205,000 00
28d.	For reserve — Counsel for indigent defendants		50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		50,000 00
39.	For group insurance		145,000 00
	Total amount of appropriations		$8,487,210 93
	Less estimated amount available for reduction of county tax		1,960,821 12
	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		$6,526,389 81

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

Approved July 11, 1972.

Chap. 654. AN ACT INCREASING THE MEMBERSHIP OF THE BOARD OF HEALTH IN THE CITY OF SALEM TO SEVEN MEMBERS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section twenty-six of chapter one hundred and eleven of the General Laws, the board of health of the city of Salem shall consist of seven members at least one of whom shall be a physician.

SECTION 2. The terms of two of the new members of the board of health appointed under authority of section one of this act shall expire on the first Monday in February, nineteen hundred and seventy-four, and the terms of the two additional members so appointed shall expire on the first Monday in February, nineteen hundred and seventy-five, and thereafter all such members shall be appointed for terms of three years.

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

Approved July 11, 1972.

Chap. 655. 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 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-two.

WORCESTER COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$547,410 00
2.	For reduction of county debt		1,415,000 00
3.	For county commissioners, salaries and expenses		67,537 39
	1. Personal services	$62,967 39	
	2. Contractual services	685 00	
	3. Supplies and materials	2,075 00	
	4. Current charges and obligations	1,360 00	
	5. Equipment	450 00	
4.	For transportation and expenses of county and acting commissioners		8,450 00
5.	For clerk of courts, salaries and expenses		360,105 05
	1. Personal services	341,469 55	
	2. Contractual services	6,900 00	
	3. Supplies and materials	7,300 00	
	4. Current charges and obligations	1,433 00	
	5. Equipment	3,002 50	
6.	For county treasurer, salaries and expenses		128,482 99
	1. Personal services	119,142 99	
	2. Contractual services	2,200 00	
	3. Supplies and materials	5,300 00	
	4. Current charges and obligations	890 00	
	5. Equipment	950 00	

Item		Subtotal	Total
7.	For sheriff, salary and expenses		$24,019 00
	1. Personal services	$16,324 00	
	2. Contractual services	450 00	
	3. Supplies and materials	960 00	
	4. Current charges and obligations	785 00	
	5. Equipment	5,500 00	
8.	For registry of deeds, salaries and expenses Worcester District		476,643 90
	1. Personal services	421,983 20	
	2. Contractual services	13,239 00	
	3. Supplies and materials	32,475 00	
	4. Current charges and obligations	6,210 00	
	5. Equipment	2,736 70	
	For registry of deeds, salaries and expenses Northern District		91,882 65
	1. Personal services	79,979 65	
	2. Contractual services	6,183 00	
	3. Supplies and materials	2,950 00	
	4. Current charges and obligations	2,045 00	
	5. Equipment	725 00	
8a.	For registry of probate, salaries and expenses		29,370 00
	2. Contractual services	11,100 00	
	3. Supplies and materials	12,610 00	
	4. Current charges and obligations	2,290 00	
	5. Equipment	3,370 00	
9.	For law library, salaries and expenses Worcester		53,501 46
	1. Personal services	30,816 46	
	2. Contractual services	1,590 00	
	3. Supplies and materials	800 00	
	4. Current charges and obligations	20,130 00	
	5. Equipment	165 00	
	For law library, salaries and expenses Fitchburg		15,421 40
	1. Personal services	8,096 40	
	2. Contractual services	185 00	
	3. Supplies and materials	60 00	
	4. Current charges and obligations	6,875 00	
	5. Equipment	205 00	
10.	For highways, including state highways, bridges and land damages		1,145,404 93
	1. Personal services	382,149 93	
	2. Contractual services	4,050 00	
	3. Supplies and materials	7,175 00	
	4. Current charges and obligations	3,380 00	
	5. Equipment	5,600 00	
	6. All other	743,050 00	
12.	For criminal costs in superior court		519,870 06
	1. Personal services	264,551 61	
	2. Contractual services	234,555 00	
	3. Supplies and materials	14,182 00	
	4. Current charges and obligations	2,505 00	
	5. Equipment	4,076 45	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		427,878 21
	1. Personal services	229,626 96	
	2. Contractual services	194,049 55	
	3. Supplies and materials	1,390 75	
	4. Current charges and obligations	2,340 00	
	5. Equipment	470 95	

Item		Subtotal	Total
14.	For district courts, salaries and expenses		
	Central District Court of Worcester		$723,982 58
	1. Personal services	$667,508 43	
	2. Contractual services	8,030 00	
	3. Supplies and materials	33,330 00	
	4. Current charges and obligations	4,108 00	
	5. Equipment	11,006 15	
	District Court of Fitchburg		195,448 38
	1. Personal services	177,148 38	
	2. Contractual services	6,505 00	
	3. Supplies and materials	6,925 00	
	4. Current charges and obligations	3,670 00	
	5. Equipment	1,200 00	
	District Court of Leominster		75,626 82
	1. Personal services	64,878 82	
	2. Contractual services	2,525 00	
	3. Supplies and materials	3,925 00	
	4. Current charges and obligations	3,668 00	
	5. Equipment	630 00	
	District Court of Winchendon		48,401 55
	1. Personal services	44,340 55	
	2. Contractual services	800 00	
	3. Supplies and materials	1,185 00	
	4. Current charges and obligations	2,011 00	
	5. Equipment	65 00	
	First District Court of Northern Worcester		201,918 70
	1. Personal services	176,695 70	
	2. Contractual services	5,275 00	
	3. Supplies and materials	5,150 00	
	4. Current charges and obligations	12,173 00	
	5. Equipment	2,625 00	
	First District Court of Eastern Worcester		208,616 40
	1. Personal services	198,349 00	
	2. Contractual services	3,750 00	
	3. Supplies and materials	4,800 00	
	4. Current charges and obligations	1,202 40	
	5. Equipment	515 00	
	Second District Court of Eastern Worcester		122,973 25
	1. Personal services	110,013 25	
	2. Contractual services	4,585 00	
	3. Supplies and materials	4,150 00	
	4. Current charges and obligations	3,225 00	
	5. Equipment	1,000 00	
	First District Court of Southern Worcester		167,258 84
	1. Personal services	151,379 84	
	2. Contractual services	5,825 00	
	3. Supplies and materials	6,625 00	
	4. Current charges and obligations	2,225 00	
	5. Equipment	1,204 00	
	Second District Court of Southern Worcester		126,949 70
	1. Personal services	119,593 50	
	2. Contractual services	2,310 00	
	3. Supplies and materials	3,285 00	
	4. Current charges and obligations	961 20	
	5. Equipment	800 00	

Item		Subtotal	Total
	Third District Court of Southern Worcester		$131,422 25
	1. Personal services	$116,104 25	
	2. Contractual services	4,050 00	
	3. Supplies and materials	5,150 00	
	4. Current charges and obligations	1,317 00	
	5. Equipment	4,801 00	
	District Court of Western Worcester		68,640 95
	1. Personal services	60,340 95	
	2. Contractual services	1,200 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	3,500 00	
	5. Equipment	600 00	
	District Court — Worcester Juvenile Court		292,680 35
	1. Personal services	231,863 85	
	2. Contractual services	12,727 00	
	3. Supplies and materials	6,910 00	
	4. Current charges and obligations	38,328 00	
	5. Equipment	2,851 50	
	District Court — Northern Juvenile District		97,153 46
	1. Personal services	87,215 46	
	2. Contractual services	7,450 00	
	3. Supplies and materials	1,400 00	
	4. Current charges and obligations	270 00	
	5. Equipment	818 00	
	District Court — Southern Juvenile District		92,814 10
	1. Personal services	85,509 10	
	2. Contractual services	5,550 00	
	3. Supplies and materials	750 00	
	4. Current charges and obligations	80 00	
	5. Equipment	925 00	
	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		75,500 00
16.	For jail and house of correction, maintenance and operation		1,094,609 37
	1. Personal services	851,861 01	
	2. Contractual services	36,920 00	
	3. Supplies and materials	180,000 00	
	4. Current charges and obligations	15,677 36	
	5. Equipment	9,151 00	
	6. All other	1,000 00	
17.	For training school		1,500 00
18.	For court houses and registry buildings, maintenance and operation		674,175 73
	1. Personal services	436,815 23	
	2. Contractual services	163,403 00	
	3. Supplies and materials	62,267 50	
	4. Current charges and obligations	4,810 00	
	5. Equipment	6,880 00	
18a.	For bindery department		24,542 10

Item		Subtotal	Total
20.	For agricultural school or county aid to agriculture, maintenance and operation		$209,511 93
	1. Personal services	$186,788 93	
	2. Contractual services	12,600 00	
	3. Supplies and materials	7,700 00	
	4. Current charges and obligations	1,950 00	
	5. Equipment	473 00	
21.	For state reservation, maintenance and operation (Purgatory Chasm)		30,020 10
	1. Personal services	25,050 10	
	2. Contractual services	625 00	
	3. Supplies and materials	2,120 00	
	4. Current charges and obligations	750 00	
	5. Equipment	475 00	
	6. All other	1,000 00	
24.	For non-contributory pensions		124,000 00
25.	For contributory retirement system and supervisory expenses		389,722 25
26.	For miscellaneous and contingent expenses		95,894 00
27.	For unpaid bills of previous years		44,133 39
28.	For reserve fund		60,000 00
28a.	For reserve for salary increases		234,000 00
28d.	For reserve — Counsel for indigent defendants		50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county		75,000 00
31.	For radio system for fire protection		1,500 00
36.	For Dutch elm disease		10,000 00
39.	For group insurance		206,500 00
	Total amount of appropriations		$11,265,898 24
	Less estimated amount available for reduction of county tax		1,530,928 39
	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		$9,734,969 85

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

Approved July 11, 1972.

Chap. 656. AN ACT AUTHORIZING THE TOWN OF WATERTOWN TO PAY A CERTAIN UNPAID BILL.

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, the treasurer of said town is hereby authorized to pay to Robert E.

Roche, a member of the police department in said town, the sum of one hundred dollars for services rendered to the town in the year nineteen hundred and seventy, said sum having been agreed upon by said town in a collective bargaining agreement.

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

Approved July 11, 1972.

Chap. 657. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT THE ANNUAL TOWN MEETING OF THE TOWN OF WEST BOYLSTON HELD IN THE YEAR NINETEEN HUNDRED AND SEVENTY-TWO.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of West Boylston at the annual town meeting held in the year nineteen hundred and seventy-two and at all adjourned sessions thereof, and all acts done in pursuance thereof, are hereby ratified, validated and confirmed.

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

Approved July 11, 1972.

Chap. 658. AN ACT AUTHORIZING THE TOWN OF BRAINTREE TO PAY A SUM OF MONEY TO THE F. X. MESSINA CONSTRUCTION CORP.

Be it enacted, etc., as follows:

SECTION 1. 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 to the F. X. Messina Construction Corp. the sum of two thousand six hundred thirty-four dollars and seventy cents for work done for the water department of said town, said sum being in excess of available appropriations. Said sum shall be transferred from the water department revenue for the year nineteen hundred and seventy-two.

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

Approved July 11, 1972.

Chap. 659. AN ACT VALIDATING THE ACTION OF THE TOWN OF WINCHESTER IN GRANTING RETROACTIVE SALARY INCREASES TO FIRE FIGHTERS OF SAID TOWN.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provisions of law to the contrary, the town of Winchester may appropriate money for the payment of, and after such appropriation pay, salary increases to fire fighters of said town which may be retroactive to the first of April, nineteen hundred and seventy-two.

SECTION 2. The action taken by the town of Winchester on Article 9 of the warrant for the special town meeting of said town held on the twentieth of June, nineteen hundred and seventy-two, 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 11, 1972.

Chap. 660. AN ACT INCREASING THE AMOUNT OF MONEY THE COUNTY COMMISSIONERS OF FRANKLIN COUNTY MAY EXPEND FOR THE PURPOSE OF PROMOTING THE RECREATIONAL ADVANTAGES OF SAID COUNTY.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Franklin county may, for the purpose of advertising the recreational advantages of said county, expend such sums, not exceeding, in the aggregate, twenty 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 twice the sum which shall have been contributed by public subscription or by donation deposited with the county treasurer for the purpose aforesaid. Said commissioners shall expend such sums only for advertising in newspapers, magazines and the like, or for booklets, posters or other forms of advertising, or for information booths within the county, or for displays or booths maintained at fairs, expositions or travel shows outside the county for the purpose of advertising such advantages, or for the processing of inquiries resulting from such promotional activities. In carrying out the provisions of this act the commissioners may designate an agent or agents to act for them; provided, that all bills incurred shall be accompanied by proper vouchers and shall be paid by the county treasurer only on warrants approved by the county commissioners or a majority of them.

SECTION 2. Chapter thirty of the acts of nineteen hundred and sixty-six is hereby repealed.

Approved July 11, 1972.

Chap. 661. AN ACT FURTHER REGULATING THE LAW RELATIVE TO THE REPORTING OF FEDERAL CHANGES UNDER THE BUSINESS CORPORATION EXCISE LAW.

Be it enacted, etc., as follows:

SECTION 1. Chapter 63 of the General Laws is hereby amended by striking out section 36, as most recently amended by section 4 of chapter 601 of the acts of 1970, and inserting in place thereof the following section:—

Section 36. Any final determination of the federal net income made pursuant to the provisions of federal law under which such net income is found to differ from the net income originally reported to the federal government shall be reported, accompanied by payment by the corporation of any additional tax due with interest computed in accordance with section forty-eight, to the commissioner within three months of receipt by it of notice of such final determination, with a statement of the reasons for the difference in such detail as the

commissioner may require. If from such report or upon investigation it shall appear that the tax with respect to income imposed by this chapter has not been fully assessed, the commissioner, within one year of the receipt of such report, shall, notwithstanding the provisions of sections forty-four, forty-five, and forty-six, assess the deficiency, with interest, as prescribed in section forty-eight, from the date on which the original return of income of the corporation was due to be filed, and the tax so assessed shall be payable thirty days from the date of notice to the corporation of such assessment.

Where a taxpayer fails to report a final determination by the federal government of a difference in net income as required by the preceding paragraph, the commissioner shall, notwithstanding the provisions of sections forty-four, forty-five, and forty-six, assess the deficiency, if any, with interest as provided in the preceding paragraph at any time within two years after receipt of information from the federal government that it has made a final determination of net income different from that originally reported.

If, upon investigation of the facts so reported, it appears that a lesser tax with respect to income was due the commonwealth than was paid or assessed, the commission shall abate the excess under the provisions of section fifty-one or upon the written application therefor by the corporation filed with the commission within three months of receipt by such corporation of notice of final determination by the federal government, whichever is later. The commission shall certify the amount of such abatement to the state treasurer who shall repay the amount so certified with interest at the rate of six per cent per annum from the date of overpayment, without further appropriation therefor.

Any corporation 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 commission may, in its discretion, abate in whole or in part the penalty provided herein.

SECTION 2. This act shall apply to final determinations of net income by the federal government made on and after January first, nineteen hundred and seventy-two, and to applications for abatement filed with respect to federal changes on and after said date.

Approved July 11, 1972.

Chap. 662. AN ACT RELATIVE TO CHECKS TENDERED IN PAYMENT OF CERTAIN SALES AND USE TAXES.

Be it enacted, etc., as follows:

SECTION 1. Section 25 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 paragraph:—

If payment of any such tax due is made by check and said check is not duly paid, the registrar of motor vehicles may, after hearing, revoke the certificate of registration.

SECTION 2. Section 26 of chapter 64I of the General Laws, as appearing in section 2 of said chapter 757, is hereby amended by adding the following paragraph:—

If payment of any such tax due is made by check and said check is not duly paid, the registrar of motor vehicles may, after hearing, revoke the certificate of registration. *Approved July 11, 1972.*

Chap. 663. AN ACT FURTHER REGULATING NONPROFIT HOSPITAL SERVICE CORPORATIONS AND NONPROFIT MEDICAL SERVICE CORPORATIONS SUBJECT TO THE SUPERVISION OF THE COMMISSIONER OF INSURANCE.

Be it enacted, etc., as follows:

SECTION 1. Section 16 of chapter 176A of the General Laws is hereby amended by striking out the first three paragraphs, inserted by section 4 of chapter 432 of the acts of 1968, and inserting in place therefor the following paragraph:—

With the approval of the commissioner of insurance, a corporation subject to this chapter, alone or with one or more nonprofit corporations, the real estate of which is exempt from taxation, may acquire real estate it reasonably expects to use in whole or in part for conducting the business of such corporation or corporations. Real estate so acquired may be leased to other occupants, and when so leased, the exemption from taxes on real estate granted by this chapter or granted by any provision of the general laws to a co-owner shall not apply to that portion of the real estate which is so leased unless such other occupant occupies the leased premises for its purposes and is (*a*) a charitable organization, as defined in section five of chapter fifty-nine, or (*b*) a nonprofit corporation organized under the laws of the commonwealth to provide any kind of health service, the real estate of which is exempt from taxation. Nothing in this paragraph shall limit the general investment powers set forth in this section.

SECTION 2. Section 10 of chapter 176B of the General Laws is hereby amended by striking out the second, third and fourth paragraphs, as appearing in section 6 of said chapter 432, and inserting in place thereof the following paragraph:—

With the approval of the commissioner, a medical service corporation, alone or with one or more nonprofit corporations, the real estate of which is exempt from taxation, may acquire real estate it reasonably expects to use in whole or in part for conducting the business of such corporation or corporations. Real estate so acquired may be leased to other occupants, and when so leased, the exemption from taxation on real estate granted by this chapter or granted by any provisions of the general laws to a co-owner shall not apply to that portion of the real estate which is so leased unless such other occupant occupies the leased premises for its purposes and is (*a*) a charitable organization, as defined in section five of chapter fifty-nine, or (*b*) a nonprofit corporation organized under the laws of the commonwealth to provide any kind of health services, the real estate of which is exempt from taxation. Nothing in this paragraph shall limit the general investment powers set forth in this section.

Approved July 11, 1972.

Chap. 664. AN ACT RELATIVE TO THE NEW ENGLAND HIGHER EDUCATION COMPACT.

Be it enacted, etc., as follows:

SECTION 1. Article II of section 1 of chapter 589 of the acts of 1954 is hereby amended by striking out, in line 8, the word "three" and inserting in place thereof the word:—eight,—and by inserting after the word "state", in line 9, the words:—, at least two of whom may be members of the general court.

SECTION 2. Article IV of said section 1 of said chapter 589 is hereby further amended by striking out, in line 12, the word "twice" and inserting in place thereof the word:—once,—and by striking out the penultimate sentence and inserting in place thereof the following two sentences:—The board shall appoint a treasurer and assistant treasurer who may be empowered to perform any and all duties of the treasurer. Fiscal disbursements of the board shall be valid only when authorized by any two persons from among those authorized by the board to execute this authority, and when substantiated by vouchers signed and countersigned by any two members from among those authorized by the board to execute this authority.

SECTION 3. Said chapter 589 is hereby further amended by striking out section 3 and inserting in place thereof the following section:—

Section 3. Eight persons shall represent the commonwealth as members of the board. The governor shall designate or appoint seven members, of whom at least one shall be a president of a public institution of higher education, at least one shall be a president of a private institution of higher education, at least one may be a member of the senate and at least one may be a member of the house of representatives. The chancellor of the board of higher education shall serve ex officio as a member of the board. Each of the members designated or appointed under this section shall serve for a term of six years. No more than two board members' terms shall expire in any single year and initial designations or appointments of less than six years may be made as necessary for this purpose. Any person who is a member of the board on the effective date of this act shall continue to serve as a member for the remainder of his term and the number of persons initially appointed or designated under the provisions of this section shall be reduced accordingly. If a member of the board who is a member of the senate or the house of representatives ceases to be a member of the senate or the house of representatives, his membership on the board shall be terminated and his position shall be considered as vacant. Any vacancy among the designative of appointive positions on the board due to causes other than the expiration of term shall be filled for the unexpired portion of the term in the same manner as an original appointment or designation.

SECTION 4. The amendments to said compact contained in this act shall become operative when they have been ratified by one or more states which are parties thereto. *Approved July 11, 1972.*

Chap. 665. AN ACT REQUIRING A LANDLORD OR LESSOR TO CORRECT AN UNSAFE CONDITION FOLLOWING RECEIPT OF NOTICE THEREOF FROM A TENANT.

Be it enacted, etc., as follows:

Chapter 186 of the General Laws is hereby amended by adding after section 18 the following section:—

Section 19. A landlord or lessor of any real estate except an owner-occupied two-or three-family dwelling shall, within a reasonable time following receipt of a written notice from a tenant forwarded by registered or certified mail of an unsafe condition, not caused by the tenant, his invitee, or any one occupying through or under the tenant, exercise reasonable care to correct the unsafe condition described in said notice except that such notice need not be given for unsafe conditions in that portion of the premises not under control of the tenant. The tenant or any person rightfully on said premises injured as a result of the failure to correct said unsafe condition within a reasonable time shall have a right of action in tort against the landlord or lessor for damages. Any waiver of this provision in any lease or other rental agreement shall be void and unenforceable. The notice requirement of this section shall be satisfied by a notice from a board of health or other code enforcement agency to a landlord or lessor of residential premises not exempted by the provisions of this section of a violation of the state sanitary code or other applicable by-laws, ordinances, rules or regulations. *Approved July 11, 1972.*

Chap. 666. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO ORDER THE DISCONTINUANCE OF FLASHING LIGHTS ON CERTAIN BILLBOARDS, SIGNS AND ADVERTISING DEVICES.

Be it enacted, etc., as follows:

Chapter 85 of the General Laws is hereby amended by inserting after section 9 the following section:—

Section 9A. The department, after a public hearing, may order the discontinuance of flashing lights on any billboard, sign or other advertising device, which in its opinion is so situated as to hinder the proper operation of a motor vehicle by distracting the operator's attention. Whoever fails to comply with said order shall be punished by a fine of not more than five hundred dollars or by imprisonment for not more than thirty days, or both. The provisions of this section shall not be construed so as to prohibit the display of time, weather or other such information. Nothing in this section shall be construed to restrict the powers granted to the outdoor advertising board and to the cities and towns under the provisions of section twenty-nine of chapter ninety-three. *Approved July 11, 1972.*

Chap. 667. AN ACT AUTHORIZING THE CITY OF MEDFORD TO PAY CERTAIN SCHOOL CUSTODIANS A CERTAIN SUM OF MONEY FOR OVERTIME WORK.

Be it enacted, etc., as follows:

The city of Medford is hereby authorized to appropriate and pay to certain custodians in the school department of said city the sum of

five hundred and twenty-two dollars and seven cents for overtime work performed during the year nineteen hundred and seventy and the sum of one thousand six hundred and twenty-two dollars and seventy cents for overtime work performed during the year nineteen hundred and seventy-one, which sums said custodians are entitled to under the provisions of Federal Fair Labor Standards Act, Public Law 89-601. *Approved July 11, 1972.*

Chap. 668. AN ACT MAKING A CORRECTIVE CHANGE IN THE LAW VALIDATING CERTAIN AMENDMENTS TO THE PERSONNEL BY-LAW IN THE TOWN OF ABINGTON.

Be it enacted, etc., as follows:

Section 1 of chapter 351 of the acts of 1972 is hereby amended by striking out, in line 5, the word "police" and inserting in place thereof the word: — fire. *Approved July 11, 1972.*

Chap. 669. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO APPROPRIATE MONEY FOR THE PAYMENT OF, AND TO PAY, CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Springfield is hereby authorized to appropriate money for the payment of, and after such appropriation the treasurer of said city is hereby authorized to pay, such unpaid bills incurred by said city and totalling one hundred fifty-five thousand two hundred ninety-nine dollars and fifteen cents, as are set forth in a list on file in the office of the director of accounts in the department of corporations and taxation, said bills being legally unenforceable against said city, by reason of having been incurred in excess of available appropriations, and as are certified for payment by the following departments, boards or committees wherein the bills were contracted; provided, that the money so appropriated to pay such bills shall be raised by taxation or made available from unappropriated surplus funds of the city: city clerk, one thousand five hundred twenty dollars and seventy cents; public buildings department, four thousand two hundred two dollars and eighty-six cents; public parks, six hundred ninety-one dollars and fourteen cents; and veterans' service, one hundred forty-eight thousand eight hundred eighty-four dollars and forty-five cents.

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

SECTION 3. Any person who knowingly files a certificate required by section two, which is false and who thereby receives payment for goods, materials or services which were not received by or rendered to

said city, shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars.

SECTION 4. This act shall take effect upon its acceptance during the current year by the city of Springfield. *Approved July 11, 1972.*

Chap. 670. AN ACT AUTHORIZING THE CITY OF MELROSE TO TRANSFER CERTAIN PARK LAND IN SAID CITY FROM THE PARK COMMISSION TO THE SCHOOL DEPARTMENT OF SAID CITY.

Be it enacted, etc., as follows:

The city of Melrose is hereby authorized to transfer control of two parcels of park land located in said city from the park commission of said town to the school committee of said city for recreational purposes, bounded and described as follows:—

Parcel #1

Beginning at a point on the easterly line of Tremont Street said point being three hundred, seventy-six and sixty seven one hundredths feet (376.67) northerly from the angle near Lake Avenue and being at the northerly line of Land of Metropolitan District Commission thence northerly along said easterly line of Tremont Street bear N-14-40W five hundred, seventy-eight and fifty two one hundredths feet (578.52) to the southerly line of Lynn Fells Parkway thence easterly along said southerly line of Parkway by a curve Rad. fifty-five hundred feet bearing northeasterly and to the left six hundred and eighty-six and nineteen one hundredths feet (686.19) to S.B. at a P C C thence northeasterly by a curve Rad. eleven thousand, two hundred sixty seven and three one hundredths feet (11,267.03) bearing northeasterly and to the left five hundred-sixty-one and thirty seven one hundredths feet (561.37) to a S.B. at a P C C thence northeasterly by a curve Rad one thousand, three hundred seventy-seven and four one hundredths feet (1377.04) bearing northeasterly and to the left three hundred, twenty-five and eighty-one one hundredths feet (325.81) to a S.B. at a P R C thence southeasterly by a curve Rad. six hundred, ninety-four and seventy-six one hundredths feet (694.76) bearing southeasterly and to the right forty two and sixty two one hundredths feet (42.62) to a point at the intersection of Lynn Fells Parkway and the westerly line of Crystal Street; thence southerly along said westerly line of Crystal Street bearing N5-22-53E four hundred, twenty-six and ninety-four one hundredths feet (426.94) to land of Melrose Legion Bldg. Assoc. Inc. Trs. thence westerly along said Legion property by a line bearing S84-37-07E, one hundred, twenty-three and thirty two one hundredths feet (123.32) to the northerly shore line of Ell Pond thence westerly along said shore line one thousand, nine hundred, fifty feet more or less (1950±) to land of Metropolitan District Commission thence westerly by said M.D.C. land one hundred ten feet (110.00) to point of beginning, and containing twenty and one half acres more or less (20.5±).

Parcel #2

Beginning at a point on the southerly line of Melrose Street said point being at SB at the easterly boundary of land belonging to Albert O. Plantinga thence southerly by land of said Plantinga along

a line bearing N5-22-53E one hundred, thirty-six and ninety one hundredths feet (136.90); thence westerly by land of said Plantinga (etal) along a line bearing S89-51-19E two hundred eight feet more or less (208±) to land occupied by Melrose School Department thence southerly by land of said School Department seventy feet more or less (70.00±) to the northerly line of Lynn Fells Parkway; thence easterly along said northerly line by curve Rad. eleven thousand, one hundred ninety-seven and three one hundredths feet (11,197.03) bearing northeasterly and to the left fifteen feet more or less (15) to a P C C; thence northeasterly by a curve Rad. one thousand, three hundred and seven and four one hundredths feet (1307.04) bearing northeasterly and to the left three hundred and nine and twenty-five feet (309.25) to the P T of said curve; thence northeasterly along said northerly line of Lynn Fells Parkway bearing N64-10-48E thirty-two and one one hundredths feet (32.01) to the intersection of the northerly line of Lynn Fells Parkway and the southerly line of Melrose Street. Thence westerly along said southerly line of Melrose Street bearing N56-39-07E one hundred, fifty-four and ninety one hundredths feet (154.90) to SB and point of beginning and containing nineteen thousand, one hundred fifty square feet more or less (19,150±).

The plan as the lots to be conveyed by the said park commission to said school committee of said city is entitled "Plan Showing Borings North of Ell Pond, Public Works Dept., City of Melrose, Feb. 19, 1937. Scale: 100 ft equals 1 in." and is on file at the office of the City Clerk. *Approved July 11, 1972.*

Chap. 671. AN ACT AUTHORIZING THE CITY OF GARDNER TO PAY TO CERTAIN EMPLOYEES OF THE FIRE DEPARTMENT OF SAID CITY CERTAIN SUMS OF MONEY PURSUANT TO A RULING OF THE LABOR RELATIONS COMMISSION.

Be it enacted, etc., as follows:

Notwithstanding any contrary provisions of law, the city of Gardner is hereby authorized to pay to present or former employees of the fire department of said city the sum to which each of them is entitled under the provisions of a ruling of the Labor Relations Commission; provided, however, that the total sum so paid shall not exceed fifty-three thousand six hundred and thirty-three dollars and sixty-eight cents. *Approved July 11, 1972.*

Chap. 672. AN ACT AUTHORIZING THE CITY OF PEABODY TO APPROPRIATE MONEY FOR THE PAYMENT OF AND TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The city of Peabody 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 forty-three thousand ninety-

five dollars and two 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 its failure to comply with the law relative to competitive bidding, and were contracted for by the Josiah B. Thomas Hospital, a department of the city of Peabody; 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 goods, materials or services for which 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. Any person who knowingly files a certificate required by section two, which is false, and who thereby received payment for goods, materials or 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 July 11, 1972.

Chap. 673. AN ACT VALIDATING CERTAIN ASSESSMENTS MADE BY THE TOWN OF STURBRIDGE FOR SEWER BETTERMENT ASSESSMENTS.

Be it enacted, etc., as follows:

Notwithstanding the provisions of any law to the contrary, assessments made by the town of Sturbridge under the provisions of chapter eighty of the General Laws for the sewer betterment assessments adopted by the sewer commissioners of said town during the year nineteen hundred and seventy-one are hereby validated and confirmed notwithstanding the failure of said commissioners to record such assessments within ninety days of the adoption of the order as required by section two of said chapter eighty.

Approved July 11, 1972.

Chap. 674. AN ACT RELATIVE TO THE COMPENSATION OF CERTAIN MEMBERS OF THE GENERAL COURT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 3 of the General Laws is hereby amended by striking out section 9, as most recently amended by section 2 of chapter 1008 of the acts of 1971, and inserting in place thereof the following section:—

Section 9. Each member of the general court shall receive for each regular annual session the sum of eleven thousand four hundred dollars, except as hereinafter provided. The president of the senate and the speaker of the house of representatives shall each receive an

amount equal to twice the compensation received by a member. The floor leaders of each of the major political parties in the senate and house of representatives, the chairman of the senate committee on ways and means and the chairman of the house committee on ways and means shall each receive one and three-quarters times the compensation received by a member. The assistant floor leader of each of the major political parties in the senate and house of representatives, the second assistant floor leader of each of the major political parties in the senate and the second and third assistant floor leaders of the minority party in the house of representatives, the vice chairman of the house committee on ways and means and the vice chairman of the senate committee on ways and means and the senate chairman and house chairman of the committee on post-audit and oversight shall each receive one and one-half times the compensation received by a member. The senate chairman and the house chairman of each of the joint standing committees not hereinbefore provided for and the senate and house chairmen of the committees on bills in the third reading and the house vice chairman of the committee on post-audit and oversight and the assistant vice chairman of the house committee on ways and means and the third assistant floor leader of the minority party in the senate shall receive one and one-third times the compensation received by a member; provided, however, that no chairman of a joint standing committee on either branch who serves as chairman of more than one such committee shall receive more than the compensation established for a chairman of one of any such committees. Each member of the general court shall be entitled to be paid for his compensation for each such session at the rate of one thousand dollars for each full month of the session. Such payments shall be to him, upon his request, on the last legislative day in which the general court is in session preceding the fifteenth day of each month and on the date preceding the last legislative day of each month, and shall be for an amount not exceeding the proportion then due at the aforesaid rate; provided, that the state treasurer may, during such regular session, make additional payments on account, in excess of such monthly rate, to any member making written request but the amount of such additional payments shall not exceed, in the aggregate, fifteen hundred dollars in any one such session, or two thousand dollars if such session continues beyond July first, and in no event shall the amount of all payments under this section during such session to any member exceed, in the aggregate, the compensation of such member for such session.

SECTION 2. This act shall take effect on December fourteenth, nineteen hundred and seventy-two. *Approved July 11, 1972.*

Chap. 675. AN ACT AUTHORIZING THE SALE OF TICKETS OR SHARES FOR THE STATE LOTTERY ON SUNDAY.

Be it enacted, etc., as follows:

Section 6 of chapter 136 of the General Laws is hereby amended by adding the following clause:

(47) The sale of tickets or shares for the state lottery.

Approved July 11, 1972.

Chap. 676. AN ACT COMBINING THE OFFICES OF COLLECTOR OF TAXES, TREASURER AND TOWN CLERK OF THE TOWN OF DEERFIELD INTO THE OFFICE OF TOWN CLERK, COLLECTOR AND TREASURER.

Be it enacted, etc., as follows:

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

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

Approved July 12, 1972.

Chap. 677. AN ACT PROVIDING FOR THE USE OF CERTAIN PARK LAND IN COOLIDGE PARK IN THE CITY OF PITTSFIELD FOR A COMMUNITY SCHOOL SITE.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any general or special law to the contrary notwithstanding, the city of Pittsfield is hereby authorized to use two parcels of land totaling four and nine-tenths acres located in Coolidge park in said city for a community school site, which land is bounded and described as follows:

"*PARCEL I.* Beginning at a point in the easterly line of the land to be conveyed; said point being N-67°-00′-00″ W and 590.00 feet from the Centerline station of 5 + 01 /65 of West Union St.; said course and distance is measured along the extension westerly of the centerline of said West Union Street.

Running thence N-7°-00′-00″ W and along other land of the said city of Pittsfield 225.00 feet to a concrete bound.

Running thence S-83°-00′-00″ W and along said other land of the said city herein 370.00 feet to a concrete bound.

Running thence S-7°-00′-00″ E and along said other land of the said city herein 550.00 feet to a concrete bound.

Running thence N-83°-00′-00″ E and along said other land of the said city herein 370.00 feet to a concrete bound.

Running thence N-7°-00′-00″ W and along said other land of the said city herein 325.00 feet to the place of beginning.
Containing 4.67 acres.
PARCEL II. A 60.00 foot strip of land, the centerline is described as follows:
Beginning at a point in the east line of land of the City of Pittsfield (Coolidge Park) and the centerline extension westerly of West Union Street at about station 8 + 96.8.
Running thence southwesterly about 170 feet to a point on the easterly line of the above described Parcel I; said point also being 200.00 feet from the southeast corner of Parcel I above described.
Containing about 0.23 acres."

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

Approved July 12, 1972.

Chap. 678. AN ACT AUTHORIZING THE DIVISION OF WATER POLLUTION CONTROL TO ENTER INTO CONTRACTS FOR THE DEVELOPMENT OF COMPREHENSIVE RIVER BASIN, WATER QUALITY MANAGEMENT OR WASTE TREATMENT MANAGEMENT PLANS.

Be it enacted, etc., as follows:

The first paragraph of section 38 of chapter 21 of the General Laws is hereby amended by adding the following sentence: — The director may also contract for the development of comprehensive river basin, water quality management, or waste treatment management plans.

Approved July 12, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 12, 1972

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 678 of the Acts of 1972, entitled "AN ACT AUTHORIZING THE DIVISION OF WATER POLLUTION CONTROL TO ENTER INTO CONTRACTS FOR THE DEVELOPMENT OF COMPREHENSIVE RIVER BASIN, WATER QUALITY MANAGEMENT OR WASTE TREATMENT MANAGEMENT PLANS." and the enactment of which received my approval on July 12, 1972, 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 federal requirements may be complied with immediately through permitting the Division of Water Pollution Control to enter into contracts as provided by this act.

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

OFFICE OF THE SECRETARY, BOSTON, July 13, 1972.

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 thirty-five minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter six hundred and seventy-eight of the acts of nineteen hundred and seventy-two.

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

Chap. 679. AN ACT RELATIVE TO THE COMPENSATION OF THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF REPRESENTATIVES.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 3 of the General Laws, as most recently amended by section 2 of chapter 242 of the acts of 1970, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence: — The president of the senate and the speaker of the house of representatives shall each receive for each regular session an amount equal to two and three quarters times the compensation received by a member.

SECTION 2. The provisions of section nine of chapter three of the General Laws, as amended by section one of this act, shall take effect as of December fourteenth, nineteen hundred and seventy-two.

Approved July 12, 1972.

Chap. 680. AN ACT AUTHORIZING THE COMMISSIONER OF PROBATION TO APPOINT THREE SUPERVISORS OF COURT PROBATION SERVICES AND CERTAIN CLERICAL ASSISTANTS.

Be it enacted, etc., as follows:

Chapter 276 of the General Laws is hereby amended by inserting after 99B the following section: —

Section 99C. The commissioner of probation shall appoint three supervisors of court probation services. The supervisors of court probation services shall be paid by the commonwealth the salary established in Group 11 of the Salary Schedule for Probation Officers as set forth in section ninety-nine B. Said positions shall not be subject to chapter thirty-one. Said supervisors of services shall, in addition to other duties imposed upon them by said commissioner, be responsible for the evaluation of the probation service in each court in the commonwealth, for the recruitment, training, educational development and evaluation of the work performance of probation officers. They shall initiate and develop volunteer programs in consultation with probation offices throughout the commonwealth and shall supervise and evaluate volunteer programs within the probation service.

Said commissioner may appoint a chief administrative clerk and two senior clerk typists to assist the supervisors of services in the performance of their duties.

Approved July 12, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 12, 1972

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 680 of the Acts of 1972, entitled "AN ACT AUTHORIZING THE COMMISSIONER OF PROBATION TO APPOINT THREE SUPERVISORS OF COURT PROBATION SERVICES AND CERTAIN CLERICAL ASSISTANTS." and the enactment of which received my approval on July 12, 1972, 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 take effect forthwith, and immediately provide for the appointment of needed supervisors of court probations services.

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

OFFICE OF THE SECRETARY, BOSTON, July 14, 1972.

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 thirteen 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 eighty of the acts of nineteen hundred and seventy-two.

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

Chap. 681. AN ACT AUTHORIZING THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE TO MAKE FURTHER GRANTS TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY FOR THE PURPOSE OF PROVIDING FOR THE CONTINUATION OF COMMUTER RAILROAD SERVICE TO AND FROM THE CITY OF BOSTON UNTIL JULY THIRTY-FIRST, NINETEEN HUNDRED AND SEVENTY-THREE 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 593 of the acts of 1971, 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 seven million six hundred thousand dollars for one hundred percent of the cost to said authority of service provided from August first, nineteen hundred and seventy-

two to July thirty-first, nineteen hundred and seventy-three, 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 and shall include all commuter lines operating within the commonwealth on July first, nineteen hundred and seventy-two.

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 593, and inserting in place thereof the following paragraph: —

The provisions of this section shall be applicable only to service provided prior to August first, nineteen hundred and seventy-three.

Approved July 12, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 13, 1972

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 681 of the Acts of 1972, entitled "AN ACT AUTHORIZING THE EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE TO MAKE FURTHER GRANTS TO THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY FOR THE PURPOSE OF PROVIDING FOR THE CONTINUATION OF COMMUTER RAILROAD SERVICE TO AND FROM THE CITY OF BOSTON UNTIL JULY THIRTY-FIRST, NINETEEN HUNDRED AND SEVENTY-THREE AND FOR CERTAIN OTHER PURPOSES." and the enactment of which received my approval on July 12, 1972, 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 appropriations authorized under this act may be expended to permit the continuation of commuter railroad service to and from the city of Boston.

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

OFFICE OF THE SECRETARY, BOSTON, July 14, 1972.

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 fourteen 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 eighty-one.

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

Chap. 682. 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-two.

ESSEX COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$249,433 18
2.	For reduction of county debt		680,000 00
3.	For county commissioners, salaries and expenses		104,647 60
	1. Personal services	$98,032 60	
	2. Contractual services	3,050 00	
	3. Supplies and materials	2,400 00	
	4. Current charges and obligations	535 00	
	5. Equipment	630 00	
4.	For transportation and expenses of county and acting commissioners		1,500 00
5.	For clerk of courts, salary and expenses		265,122 67
	1. Personal services	242,132 67	
	2. Contractual services	12,950 00	
	3. Supplies and materials	7,500 00	
	4. Current charges and obligations	1,600 00	
	5. Equipment	940 00	
6.	For county treasurer, salaries and expenses		70,155 55
	1. Personal services	63,981 55	
	2. Contractual services	1,700 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	1,004 00	
	5. Equipment	470 00	
7.	For sheriff, salary and expenses		23,067 27
	1. Personal services	22,497 27	
	2. Contractual services	400 00	
	4. Current charges and obligations	170 00	
8.	For registry of deeds, salaries and expenses Southern District		504,660 66
	1. Personal services	459,252 26	
	2. Contractual services	14,000 00	
	3. Supplies and materials	15,000 00	
	4. Current charges and obligations	15,878 40	
	5. Equipment	530 00	

Item		Subtotal	Total
	For registry of deeds, salaries and expenses Northern District		$221,865 76
	1. Personal services	$195,695 81	
	2. Contractual services	16,100 00	
	3. Supplies and materials	4,600 00	
	4. Current charges and obligations	2,975 00	
	5. Equipment	2,494 95	
8a.	For registry of probate, salaries and expenses		29,637 60
	1. Personal services	6,554 60	
	2. Contractual services	8,175 00	
	3. Supplies and materials	6,500 00	
	4. Current charges and obligations	3,683 00	
	5. Equipment	4,725 00	
9.	For law library, salaries and expenses — Salem		27,135 50
	1. Personal services	14,458 50	
	2. Contractual services	607 00	
	3. Supplies and materials	70 00	
	4. Current charges and obligations	12,000 00	
	For law library, salaries and expenses Lawrence		22,546 14
	1. Personal services	11,034 14	
	2. Contractual services	997 00	
	3. Supplies and materials	165 00	
	4. Current charges and obligations	10,350 00	
10.	For highways, including state highways, bridges and land damages		548,022 94
	1. Personal services	167,547 94	
	2. Contractual services	5,000 00	
	3. Supplies and materials	2,500 00	
	4. Current charges and obligations	1,500 00	
	5. Equipment	5,825 00	
	6. All other	365,650 00	
12.	For criminal costs in superior court		402,705 34
	1. Personal services	171,684 34	
	2. Contractual services	220,755 00	
	3. Supplies and materials	6,250 00	
	4. Current charges and obligations	2,995 00	
	5. Equipment	1,021 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		513,834 44
	1. Personal services	129,817 44	
	2. Contractual services	380,019 00	
	3. Supplies and materials	1,400 00	
	4. Current charges and obligations	845 00	
	5. Equipment	1,753 00	
14.	For district courts, salaries and expenses First District Court of Essex		339,357 24
	1. Personal services	301,116 74	
	2. Contractual services	17,100 00	
	3. Supplies and materials	6,925 00	
	4. Current charges and obligations	8,387 00	
	5. Equipment	5,128 50	
	6. All other	700 00	

Item		Subtotal	Total
	Second District Court of Essex		$97,123 05
1.	Personal services	$88,248 80	
2.	Contractual services	2,275 00	
3.	Supplies and materials	2,000 00	
4.	Current charges and obligations	4,103 00	
5.	Equipment	496 25	
	Third District Court of Essex		46,319 76
1.	Personal services	41,690 76	
2.	Contractual services	1,647 00	
3.	Supplies and materials	735 00	
4.	Current charges and obligations	1,671 00	
5.	Equipment	576 00	
	Central District Court of Northern Essex		293,878 99
1.	Personal services	254,709 99	
2.	Contractual services	26,806 00	
3.	Supplies and materials	6,205 00	
4.	Current charges and obligations	3,023 00	
5.	Equipment	3,135 00	
	District Court of Eastern Essex		143,656 23
1.	Personal services	127,271 23	
2.	Contractual services	6,127 00	
3.	Supplies and materials	3,985 00	
4.	Current charges and obligations	2,693 00	
5.	Equipment	2,580 00	
	District Court of Lawrence		298,316 96
1.	Personal services	268,588 26	
2.	Contractual services	16,585 00	
3.	Supplies and materials	3,952 00	
4.	Current charges and obligations	1,865 00	
5.	Equipment	7,326 70	
	District Court of Southern Essex		435,977 00
1.	Personal services	377,613 10	
2.	Contractual services	33,250 00	
3.	Supplies and materials	9,757 20	
4.	Current charges and obligations	11,566 70	
5.	Equipment	3,790 00	
	District Court of Newburyport		108,467 13
1.	Personal services	91,346 13	
2.	Contractual services	4,475 00	
3.	Supplies and materials	3,750 00	
4.	Current charges and obligations	6,085 00	
5.	Equipment	2,811 00	
	District Court of Peabody		225,115 51
1.	Personal services	195,099 71	
2.	Contractual services	6,865 00	
3.	Supplies and materials	7,010 00	
4.	Current charges and obligations	13,605 80	
5.	Equipment	1,585 00	
6.	All other	950 00	
	District Court — Juvenile Division		98,747 20
1.	Personal services	89,497 20	
2.	Contractual services	6,350 00	
3.	Supplies and materials	700 00	
4.	Current charges and obligations	255 00	
5.	Equipment	1,945 00	

Item		Subtotal	Total
	District Court — Appellate Division		$2,943 33
	1. Personal services	$2,708 33	
	2. Contractual services	80 00	
	3. Supplies and materials	80 00	
	4. Current charges and obligations	75 00	
15.	For medical examiners and commitments of insane		58,780 00
16.	For jail and house of correction, maintenance and operation — Salem		507,686 56
	1. Personal services	420,701 16	
	2. Contractual services	15,201 00	
	3. Supplies and materials	67,385 00	
	4. Current charges and obligations	2,171 90	
	5. Equipment	2,027 50	
	6. All other	200 00	
	For jail and house of correction, maintenance and operation — Lawrence		423,210 75
	1. Personal services	341,696 15	
	2. Contractual services	10,300 00	
	3. Supplies and materials	68,655 00	
	4. Current charges and obligations	1,696 60	
	5. Equipment	863 00	
17.	For training school		434,625 82
	1. Personal services	342,262 72	
	2. Contractual services	21,435 00	
	3. Supplies and materials	52,975 00	
	4. Current charges and obligations	4,851 60	
	5. Equipment	5,101 50	
	6. All other	8,000 00	
18.	For court houses and registry buildings, maintenance and operation		532,995 88
	1. Personal services	329,867 13	
	2. Contractual services	57,415 00	
	3. Supplies and materials	38,070 00	
	4. Current charges and obligations	2,675 00	
	5. Equipment	4,968 75	
	6. All other	100,000 00	
18a.	For county hospital buildings		1,100 00
20.	For agricultural school or county aid to agriculture, maintenance and operation		1,650,309 28
	1. Personal services	1,232,499 87	
	2. Contractual services	122,755 00	
	3. Supplies and materials	178,697 50	
	4. Current charges and obligations	50,415 26	
	5. Equipment	60,065 65	
	6. All other	5,876 00	
24.	For non-contributory pensions		176,733 19
25.	For contributory retirement system and supervisory expenses		558,678 01
26.	For miscellaneous and contingent expenses		128,894 22
27.	For unpaid bills of previous years		85,882 08
28.	For reserve fund		60,000 00

Item		Total
28a.	For reserve for salary increases	$270,000 00
28d.	For reserve — Counsel for indigent defendants	50,000 00
29.	For advertising recreational, industrial and agricultural advantages of the county	65,000 00
31.	For radio system for fire protection	780 00
32.	For forest development	2,400 00
34.	For conservation district	10,000 00
39.	For group insurance	262,000 00
	Total amount of appropriations	$11,033,312 84
	Less estimated amount available for reduction of county tax	2,116,958 53
	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	$8,916,354 31

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

Approved July 13, 1972.

Chap. 683. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF BRISTOL COUNTY TO BORROW MONEY FOR THE PREPARATION OF PLANS AND SPECIFICATIONS FOR RENOVATING AND EQUIPPING THE SECOND DISTRICT COURT OF BRISTOL.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Bristol county are hereby authorized to cause plans and specifications to be prepared for the renovation and equipping of the second district court of Bristol; provided, that the total cost of such plans and specifications shall not exceed one hundred and fifty thousand dollars; and provided, further, that such plans and specifications shall be so drawn that the total cost for the renovation and equipping of said facilities shall not exceed one million five hundred thousand dollars. Any sums received from the federal government for the purposes of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. For the purposes authorized by section one, the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of the county such sums as may be necessary, not exceeding, in the aggregate, one hundred and fifty thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Bristol County Court House Renovation and Equipping Loan, Second District Court of Bristol, Act of 1972. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty years from their dates. The bonds or notes shall be signed by the county treasurer and

countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved July 13, 1972.

Chap. 684. AN ACT INCREASING CERTAIN FEES PAYABLE TO THE COMMONWEALTH.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to increase forthwith certain fees payable to the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 30 of the General Laws, as most recently amended by section two of chapter 231 of the acts of 1964, is hereby further amended by striking out the first and second sentences and inserting in place thereof the following three sentences:—Before the delivery of a commission to a person appointed commissioner under section three or four of chapter two hundred and twenty-two, master in chancery or justice of the peace, he shall pay to the state secretary a fee of twenty-five dollars. Before the delivery of a commission to a person appointed a notary public he shall pay to the state secretary a fee of twelve dollars. A person whose acts as a notary public or justice of the peace have been validated by the general court or the state secretary shall pay a fee of one hundred dollars before the delivery of the first commission for either of said offices to be delivered after such validation.

SECTION 2. The ninth sentence of section 7 of chapter 58A of the General Laws, as appearing in chapter 502 of the acts of 1952, is hereby amended by striking out, in line 3 and in line 10, the word "fifteen" and inserting in place thereof, in each instance, the word:—thirty,—and by striking out, in line 5, the word "five" and inserting in place thereof the word:—ten.

SECTION 3. The seventh sentence of section 7A of said chapter 58A, as appearing in section 3 of chapter 621 of the acts of 1945, is hereby amended by striking out, in line 6, the word "five" and inserting in place thereof the following word:—ten.

SECTION 4. Chapter 69 of the General Laws, as most recently amended by section 1 of chapter 403 of the acts of 1960, is hereby further amended by striking out the second and third sentences and inserting in place thereof the following two sentences: Such an application shall contain the applicant's name and address, and, briefly, his experience and qualifications, and shall be accompanied by a fee of five dollars. For a period not exceeding one year after receipt of such application and fee, the department shall communicate with the various school committees and with the applicant himself, with a

view to securing such position; provided, that this service may be continued for one or more additional years upon payment by the applicant of an additional fee of five dollars for each such year.

SECTION 5. The first paragraph of section 38G of chapter 71 of the General Laws, as most recently amended by section 1 of chapter 454 of the acts of 1970, is hereby amended by inserting after the first sentence the following sentence:—Each such application shall be accompanied by a fee of ten dollars.

SECTION 6. Subdivision (7) of section 33 of chapter 90 of the General Laws is hereby amended by striking out the seventh and eighth paragraphs, as appearing in section 1 of chapter 571 of the acts of 1959, and inserting in place thereof the following paragraph:—

For the substitution of the registration of a motor vehicle or trailer for that of a vehicle previously registered, in accordance with section two, three dollars.

SECTION 7. The twelfth paragraph of said subdivision (7) of said section 33 of said chapter 90, as so appearing, is hereby amended by striking out, in line 2, the words "one dollar and fifty cents" and inserting in place thereof the words:—three dollars.

SECTION 8. The thirteenth paragraph of said subdivision (7) of said section 33 of said chapter 90, as so appearing, is hereby amended by striking out, in line 3, the words "one dollar" and inserting in place thereof the words:—three dollars.

SECTION 9. The fourteenth paragraph of said subdivision (7) of said section 33 of said chapter 90, as so appearing, is hereby amended by striking out, in line 2, the words "one dollar and fifty cents" and inserting in place thereof the words:—three dollars.

SECTION 10. The fifteenth paragraph of said subdivision (7) of said section 33 of said chapter 90, as so appearing, is hereby amended by striking out, in line 2, the words "one dollar and fifty cents" and inserting in place thereof the words:—three dollars.

SECTION 11. The first sentence of section 21 of chapter 91 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 8 and 9, the words ", not exceeding thirty-seven and one half cents per cubic yard of water displaced".

SECTION 12. The third sentence of section 295B of chapter 94 of the General Laws, as appearing in chapter 443 of the acts of 1957, is hereby amended by striking out, in line 2, the word "ten" and inserting in place thereof the word:—twenty-five.

SECTION 13. Paragraph (*a*) of section 7 of chapter 94C of the General Laws, as appearing in section 1 of chapter 1071 of the acts of 1971, is hereby amended by inserting after the word "druggist", in line 4, the words:—upon payment of a fee of twenty-five dollars,— and by inserting after the word "cases", in line 5, the words:—, upon payment of a fee of ten dollars.

SECTION 14. Paragraph (*b*) of said section 7, as so appearing, is hereby amended by inserting after the word "shall", in line 2, the following words:—, upon payment of a fee of ten dollars.

SECTION 15. Paragraph (*f*) of said section 7, as so appearing, is hereby amended by inserting after the word "shall", in line 2, the words:—, upon receipt of the fees as hereinbefore provided,.

SECTION 16. The second sentence of section 3 of chapter 101 of the General Laws, as amended by section 1 of chapter 493 of the acts of 1948, is hereby further amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the word:—thirty.

SECTION 17. The first sentence of section 1 of chapter 105 of the General Laws, as appearing in section 1 of chapter 310 of the acts of 1935, is hereby amended by inserting after the word "warehousemen", in line 5, the words:—, upon the payment of a license fee of two hundred dollars.

SECTION 18. Section 31 of chapter 109 of the General Laws is hereby amended by striking out the word "fifteen", inserted by section 1 of chapter 698 of the acts of 1957, and inserting in place thereof the word:—thirty.

SECTION 19. The first paragraph of section 16 of chapter 112 of the General Laws is hereby amended by striking out, in lines 10 and 11, as appearing in section 1 of chapter 363 of the acts of 1950, the word "twenty-five" and inserting in place thereof the word:—fifty,—by striking out, in line 18, as so appearing, the word "five" and inserting in place thereof the word:—ten,—and by striking out, in line 23, as so appearing, the word "five" and inserting in place thereof the word:—ten.

SECTION 20. The second paragraph of said section 16 of said chapter 112, is hereby amended by striking out, in line 6, as so appearing, the word "five" and inserting in place thereof the word: — ten.

SECTION 21. The first sentence of section 23G of said chapter 112, as appearing in section 1 of chapter 585 of the acts of 1958, is hereby amended by striking out, in line 3, the word "five" and inserting in place thereof the word: — ten.

SECTION 22. Section 24 of said chapter 112, as appearing in chapter 463 of the acts of 1957, is hereby amended by striking out, in line 3, the word "ten" and inserting in place thereof the word:—twenty-five,—by striking out, in line 13, the word "ten" and inserting in place thereof the word:—twenty-five,—and by striking out, in line 32, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 23. The third sentence of section 24A of said chapter 112, as appearing in chapter 575 of the acts of 1956, is hereby amended by striking out, in line 6, the word "five" and inserting in place thereof the word:—ten.

SECTION 24. Section 36B of said chapter 112, as appearing in section 1 of chapter 450 of the acts of 1963, is hereby amended by striking out, in line 3, the word "fifty" and inserting in place thereof the words:—one hundred,—and by striking out, in line 7, the word "fifty" and inserting in place thereof the words:—one hundred.

SECTION 25. The last sentence of section 39 of said chapter 112, as amended by section 1 of chapter 488 of the acts of 1963, is hereby further amended by striking out, in line 3, the word "twenty-five" and inserting in place thereof the word:—thirty-five.

SECTION 26. Section 44 of said chapter 112 is hereby amended by striking out the word "five", inserted by section 2 of chapter 583 of the acts of 1965, and inserting in place thereof the word:—fifteen.

SECTION 27. The first paragraph of section 45 of said chapter 112, as appearing in section 1 of chapter 564 of the acts of 1949, is hereby amended by striking out, in line 9, the word "forty" and inserting in place thereof the word:—seventy-five,—and by striking out, in line 12, the word "ten" and inserting in place thereof the word:—twenty-five.

SECTION 28. The last paragraph of section 51 of said chapter 112, added by section 7 of chapter 583 of the acts of 1965, is hereby amended by striking out, in line 2, the word "three" and inserting in place thereof the word:—six.

SECTION 29. The second paragraph of section 55 of said chapter 112, inserted by section 1 of chapter 433 of the acts of 1951, is hereby amended by striking out, in line 2, the word "five" and inserting in place thereof the word:—fifteen,—and by striking out, in lines 6 to 8, inclusive, the words "with such additional sum, not exceeding ten dollars, as may be fixed by the board" and inserting in place thereof the words:—together with an additional fee of twenty dollars.

SECTION 30. The second paragraph of section 60B of said chapter 112, as appearing in section 1 of chapter 753 of the acts of 1971, is hereby amended by striking out, in lines 3 and 4, the words ", which shall entitle him to two examinations, if necessary",—and by striking out, in lines 8 and 9, the words ", each of which such applications shall entitle him to two examinations, if necessary,".

SECTION 31. The third sentence of section 74 of said chapter 112, as appearing in section 1 of chapter 603 of the acts of 1969, is hereby amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:—thirty.

SECTION 32. The fourth sentence of said section 74 of said chapter 112, as so appearing, is hereby amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:—thirty.

SECTION 33. The fifth sentence of said section 74 of said chapter 112, as so appearing, is hereby amended by striking out, in line 4, the word "four" and inserting in place thereof the word:—six.

SECTION 34. The third sentence of section 74A of said chapter 112, as appearing in section 2 of said chapter 603, is hereby amended by striking out in line 8, the word "twenty-five" and inserting in place thereof the word:—thirty.

SECTION 35. The fourth sentence of said section 74A of said chapter 112, as so appearing, is hereby amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:—thirty.

SECTION 36. The fifth sentence of said section 74A of said chapter 112, as so appearing, is hereby amended by striking out, in line 4, the word "four" and inserting in place thereof the word:—six.

SECTION 37. The second sentence of section 76 of said chapter 112, as appearing in section 3 of said chapter 603, is hereby amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 38. The third sentence of section 76A of said chapter 112, as appearing in section 4 of said chapter 603, is hereby amended by striking out, in line 1, the word "twenty-five" and inserting in place thereof the word:—thirty,—and by striking out, in line 2, the word "three" and inserting in place thereof the following word:—eight.

SECTION 39. Section 1 of chapter 371 of the acts of 1956, as appearing in section 5 of said chapter 603, is hereby amended by striking out, in line 6, the word "twenty-five" and inserting in place thereof the following word:—fifty.

SECTION 40. Section 81K of chapter 112 of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 6 of chapter 707 of the acts of 1970, and inserting in place thereof the following paragraph:—

The registration fee for professional engineer shall be forty dollars, which shall accompany the application. The registration fee for land surveyors shall be thirty dollars, which shall accompany the application. In addition there shall be a fee of ten dollars for each four-hour written examination and a fee of twenty dollars for each eight-hour written examination, which fees shall accompany the application for such examination.

SECTION 41. Section 81N of said chapter 112 is hereby amended by striking out the word "six", inserted by section 10 of said chapter 707, and inserting in place thereof the word:—fifteen.

SECTION 42. Said section 81N of said chapter 112 is hereby further amended by striking out the third and fourth sentences, as appearing in section 1 of chapter 472 of the acts of 1960, and inserting in place thereof the following sentence:—If a registrant fails to renew his certificate prior to said August first, such certificate may thereafter be renewed within two years of its expiration date upon the payment of a fee of twenty dollars.

SECTION 43. The second paragraph of section 83 of said chapter 112, as appearing in section 2 of chapter 653 of the acts of 1954, is hereby amended by striking out, in line 13, the word "ten" and inserting in place thereof the word:—twenty.

SECTION 44. The fourth paragraph of said section 83 of said chapter 112, as so appearing, is hereby amended by striking out, in line 1, the word "ten" and inserting in place thereof the word:—twenty.

SECTION 45. The fifth paragraph of said section 83 of said chapter 112, as so appearing, is hereby amended by striking out, in line 2, the word "five" and inserting in place thereof the word:—ten.

SECTION 46. The sixth paragraph of said section 83 of said chapter 112, as so appearing, is hereby amended by striking out, in line 7, the word "five" and inserting in place the word:—ten.

SECTION 47. The eighth paragraph of said section 83 of said chapter 112, as so appearing, is hereby amended by striking out, in line 20, the word "two" and inserting in place thereof the word:—five.

SECTION 48. The ninth paragraph of said section 83 of said chapter 112, as so appearing, is hereby amended by striking out, in line 7, the word "five" and inserting in place thereof the word:—ten.

SECTION 49. The second paragraph of section 84 of said chapter 112, as so appearing, is hereby amended by striking out, in line 6, the word "five" and inserting in place thereof the word:—ten,—by striking out, in line 7, the word "ten" and inserting in place thereof the word:—twenty,—by striking out, in line 8, the word "five" and inserting in place thereof the word:—ten,—and by striking out, in line 13, the word "ten" and inserting in place thereof the word:—twenty.

SECTION 50. Section 87CC of said chapter 112 is hereby amended by striking out the third paragraph, as appearing in chapter 160 of the acts of 1970, and inserting in place thereof the following paragraph:—

The following fees shall be paid to the board by applicants before a certificate of registration, or any renewal thereof, shall be issued to them:—

Applicant	Original	Renewal
School	$200.00	$100.00
Beauty Shop	20.00	15.00
Booth Renter	25.00	50.00
Manicure Shop	20.00	10.00
Hairdressers [1]	20.00	8.00
Hairdressers [2]	25.00	8.00
Hairdressers (nonresidents)	70.00	8.00
Hairdressers (reexamination)	15.00	8.00
Operators	25.00	8.00
Operators (reexamination)	15.00	8.00
Operators (nonresidents)	60.00	8.00
Manicurist	15.00	8.00
Manicurist (reexamination)	8.00	8.00
Manicurist (nonresidents)	20.00	8.00
Instructors	60.00	8.00
Instructors (reexamination)	25.00	8.00
Demonstrators	15.00	8.00
Duplicate certificate of registration, $2.00.		
New Certificate of registration to registered shop owners upon change of location, $10.00.		
Temporary license for operator (nonresident), $5.00.		
Temporary license for hairdresser (nonresident), $10.00.		

[1] $20.00 fee applies to operators who have paid the $15.00 fee for examination or the nonresident operators, who have paid the $25.00 fee.

[2] $25.00 fee applies to operators who have paid only $10.00 for the operator's examination, or a $20.00 fee for the nonresident operator's examination.

SECTION 51. The second paragraph of section 87UU of said chapter 112, as appearing in section 2 of chapter 726 of the acts of 1957, is hereby amended by striking out, in line 8, the words "without charge" and inserting in place thereof the words:—for a fee of seventy-five dollars paid in advance to the board.

SECTION 52. Paragraph (*a*) of section 87ZZ of said chapter 112, as amended by chapter 658 of the acts of 1960, is hereby further amended by striking out, in line 1, the word "ten" and inserting in place thereof the word:—fifteen,—and by striking out, in line 2, the word "five" and inserting in place thereof the word:—eight.

SECTION 53. Paragraph (*b*) of said section 87ZZ of said chapter 112, as appearing in section 2 of chapter 483 of the acts of 1968, is hereby amended by striking out, in lines 1 and 2, the word "twenty-five" and inserting in place thereof the word:—thirty-five,—and by striking out, in line 2, the word "twenty" and inserting in place thereof the word:—twenty-five.

SECTION 54. Paragraph (*c*) of said section 87ZZ of said chapter 112, as so appearing, is hereby amended by striking out, in line 1, the

word "fifteen" and inserting in place thereof the word:—twenty—and by striking out, in line 2, the word "ten" and inserting in place thereof the word:—fifteen.

SECTION 55. The first sentence of section 87RRR of said chapter 112, as appearing in chapter 714 of the acts of 1965, is hereby amended by striking out, in line 5, the word "two" and inserting in place thereof the word:—five.

SECTION 56. Paragraph (2) of section 103 of said chapter 112, as appearing in section 2 of chapter 473 of the acts of 1968, is hereby amended by striking out clause (*a*) and inserting in place thereof the following clause:—

(*a*) Application fee for examination, forty dollars.

SECTION 57. Clause (4) of section 3 of chapter 141 of the General Laws, as most recently amended by chapter 317 of the acts of 1967, is hereby further amended by striking out, in line 4, the word "thirty" and inserting in place thereof the word:—forty.

SECTION 58. Clause (5) of said section 3 of said chapter 141, as amended by section 2 of chapter 312 of the acts of 1959, is hereby further amended by striking out, in line 2, the word "five" and inserting in place thereof the word:—ten.

SECTION 59. Section 15 of chapter 143 of the General Laws is hereby amended by inserting after the sixth sentence the following sentence:—No such certificate of approval or specification of requirements shall be issued until there shall have been paid to the commissioner a fee in an amount equal to one dollar for each one thousand dollars of the estimated construction cost of the erection or alteration of such building in accordance with such plans and specifications as so approved, including the cost of compliance with any such specification of requirements; provided, that such fee shall not exceed one thousand dollars.

SECTION 60. Section 28 of said chapter 143 is hereby amended by inserting after the second sentence the following sentence:—No such certificate shall be issued until there shall have been paid to the commissioner a fee of twenty-five dollars.

SECTION 61. Paragraph (1) of section 71C of said chapter 143, as appearing in section 3 of chapter 637 of the acts of 1957, is hereby amended by striking out, in line 10, the word "ten" and inserting in place thereof the word:—twenty,—by striking out, in line 19, the word "two" and inserting in place thereof the word:—ten,—and by striking out, in line 21, the word "five" and inserting in place thereof the word:—fifteen.

SECTION 62. Section 22 of chapter 146 of the General Laws, as most recently amended by section 1 of chapter 667 of the acts of 1971, is hereby further amended by striking out, in line 2, the word "twenty" and inserting in place thereof the word:—twenty-five,—by striking out, in line 4, the word "ten" and inserting in place thereof the word:—fifteen—and by striking out, in line 11, the words "and shall not exceed one thousand dollars".

SECTION 63. The first sentence of section 40 of said chapter 146, as appearing in section 2 of chapter 541 of the acts of 1952, is hereby amended by striking out, in line 1, the word "Six" and inserting in place thereof the word:—Twelve.

SECTION 64. Section 45A of said chapter 146, as most recently amended by chapter 570 of the acts of 1971, is hereby further amended by striking out, in line 31, the word "twenty" and inserting in place thereof the word:—forty.

SECTION 65. The second sentence of section 57 of said chapter 146, as amended by chapter 364 of the acts of 1971, is hereby amended by striking out, in line 3, the word "fourteen" and inserting in place thereof the word:—twenty,—by striking out, in line 5, the word "six" and inserting in place thereof the word:—fifteen,—by striking out, in line 6, the word "four" and inserting in place thereof the word:—ten, and by striking out, in line 7, the word "six" and inserting in place thereof the word:—twenty.

SECTION 66. Section 60 of said chapter 146, as amended by chapter 398 of the acts of 1951, is hereby further amended by striking out, in line 4, the word "twenty" and inserting in place thereof the word:—twenty-five.

SECTION 67. The second sentence of section 67 of said chapter 146, as appearing in chapter 175 of the acts of 1952, is hereby amended by striking out, in line 2, the word "four" and inserting in place thereof the word:—ten.

SECTION 68. Section 26 of chapter 147 of the General Laws, as appearing in section 1 of chapter 802 of the acts of 1960, is hereby amended by striking out, in line 1, the words "five hundred" and inserting in place thereof the words:—seven hundred and fifty,—and by striking out, in line 2, the word "two" and inserting in place thereof the word:—four.

SECTION 69. Section 10D of chapter 148 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 2 of chapter 680 of the acts of 1964, and inserting in place thereof the following sentence:—A fee of twenty dollars shall accompany each application, ten dollars of which shall be for the examination and ten dollars of which shall be for the certificate if issued.

SECTION 70. The fifth sentence of said section 10D of said chapter 148, as amended by section 3 of chapter 373 of the acts of 1968, is hereby further amended by striking out, in line 5, the word "five" and inserting in place thereof the word:—ten.

SECTION 71. Section 20B of said chapter 148 is hereby amended by striking out the third sentence, as appearing in section 1 of chapter 532 of the acts of 1967, and inserting in place thereof the following sentence:—A fee of twenty dollars shall accompany each application, ten dollars of which shall be for the examination and ten dollars of which shall be for the certificate if issued.

SECTION 72. The sixth sentence of said section 20B of said chapter 148, as amended by section 2 of chapter 373 of the acts of 1968, is hereby further amended by striking out, in line 5, the word "five" and inserting in place thereof the word:—ten.

SECTION 73. The second paragraph of section 4 of chapter 151D of the General Laws, as appearing in section 4 of chapter 655 of the acts of 1958, is hereby amended by striking out, in line 1, the word "ten" and inserting in place thereof the word:—twenty-five.

SECTION 74. Section 17 of chapter 156 of the General Laws is hereby amended by striking out, in line 7, as appearing in the

Tercentenary Edition, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 75. Section 53 of said chapter 156 is hereby amended by striking out the word "seventy-five", inserted by section 3 of chapter 698 of the acts of 1957, and inserting in place thereof the words:—one hundred and twenty-five.

SECTION 76. The second paragraph of section 54 of said chapter 156, as appearing in section 30 of chapter 180 of the acts of 1932, is hereby amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 77. The third paragraph of said section 54 of said chapter 156, 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 78. The fourth paragraph of said section 54 of said chapter 156, as so appearing, is hereby amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 79. The last paragraph of said section 54 of said chapter 156, added by section 4 of chapter 565 of the acts of 1951, is hereby amended by striking out, in line 10, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 80. Section 55 of said chapter 156 is hereby amended by striking out the word "twenty-five", inserted by section 4 of chapter 698 of the acts of 1957, and inserting in place thereof the word:—fifty.

SECTION 81. Section 84 of chapter 156B of the General Laws, as appearing in section 1 of chapter 723 of the acts of 1964, is hereby amended by striking out, in line 1, the word "two" and inserting in place thereof the word:—ten.

SECTION 82. Subsection (*a*) of section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 5, the word "seventy-five" and inserting in place thereof the words:—one hundred and twenty-five.

SECTION 83. Paragraph (1) of subsection (*b*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out in line 4, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 84. Paragraph (2) of said subsection (*b*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 5, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 85. Paragraph (3) of said subsection (*b*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 3, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 86. Paragraph (4) of said subsection (*b*) of said section 114 of said chapter 156B, 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 87. Paragraph (5) of said subsection (*b*) of said section 114 of said chapter 156B, as most recently amended by section 2 of chapter 347 of the acts of 1966, is hereby amended by striking out, in

line 1, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 88. Subsection (*c*) of said section 114 of said chapter 156B, as appearing in section 1 of chapter 723 of the acts of 1964, is hereby amended by striking out, in line 2, the word "seventy-five" and inserting in place thereof the words:—one hundred and twenty-five.

SECTION 89. Paragraph (1) of subsection (*d*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2, the word "seventy-five" and inserting in place thereof the words:—one hundred and fifty.

SECTION 90. Paragraph (2) of said subsection (*d*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 4, the word "seventy-five" and inserting in place thereof the words:—one hundred and fifty.

SECTION 91. Paragraph (3) of said subsection (*d*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 3, the word "one" and inserting in place thereof the word:—two.

SECTION 92. Paragraph (4) of said subsection (*d*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the words:—one hundred.

SECTION 93. Paragraph (5) of said subsection (*d*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the word:—seventy-five.

SECTION 94. Subsection (*e*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2 the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 95. Subsection (*f*) of said section 114 of said chapter 156B, as appearing in section 54 of chapter 685 of the acts of 1965, is hereby amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the word:—fifty.

SECTION 96. Subsection (*g*) of said section 114 of said chapter 156B, as so appearing, is hereby amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the word:—thirty-five.

SECTION 97. Section 7 of chapter 157 of the General Laws is hereby amended by striking out the word "five", inserted by section 5 of chapter 698 of the acts of 1957, and inserting in place thereof the word:—ten.

SECTION 98. Section 9 of said chapter 157 is hereby amended by striking out the word "fifty", inserted by section 6 of said chapter 698, and inserting in place thereof the words:—one hundred.

SECTION 99. Section 43 of chapter 158 of the General Laws, as most recently amended by section 7 of said chapter 698, is hereby further amended by striking out, in line 8, the word "seventy-five" and inserting in place thereof the words:—one hundred and fifty,—by striking out, in lines 11 and 12, the word "twenty-five" and inserting in place thereof the word:—fifty,—by striking out, in line 16, the

word "twenty-five" and inserting in place thereof the word:—fifty,— and by striking out, in line 17, the word "five" and inserting in place thereof the word:—fifty.

SECTION 100. Section 9 of chapter 159B of the General Laws, as most recently amended by chapter 553 of the acts of 1954, is hereby further amended by striking out, in line 19, the word "five" and inserting in place thereof the word:—ten.

SECTION 101. Section 4 of chapter 167A of the General Laws, as appearing in section 1 of chapter 751 of the acts of 1957, is hereby amended by inserting after the word "incorporation", in line 3, the words:—together with a fee of one thousand dollars.

SECTION 102. The first paragraph of section 5 of chapter 168 of the General Laws, as most recently amended by section 1 of chapter 341 of the acts of 1966, is hereby amended by inserting after the word "approve", in lines 2 and 3, the words:—and upon payment of a fee of five hundred dollars.

SECTION 103. Section 80 of said chapter 168 is hereby amended by striking out the word "fifty", inserted by section 8 of chapter 698 of the acts of 1957, and inserting in place thereof the words:—one hundred.

SECTION 104. Section 5 of chapter 170 of the General Laws is hereby amended by striking out the word "fifty", inserted by section 9 of said chapter 698, and inserting in place thereof the words:—one hundred.

SECTION 105. The second sentence of section 12 of said chapter 170, as most recently amended by section 1 of chapter 157 of the acts of 1967, is hereby further amended by inserting after the word "approve", in line 3, the words:—and upon payment of a fee of five hundred dollars.

SECTION 106. The second sentence of section 3 of chapter 171 of the General Laws, as appearing in section 2 of chapter 258 of the acts of 1964, is hereby amended by striking out, in line 3, the word "ten" and inserting in place thereof the word:—fifty.

SECTION 107. The second paragraph of section 9 of chapter 172 of the General Laws, as appearing in section 1 of chapter 493 of the acts of 1961, is hereby amended by inserting after the word "articles", in line 12, the words:—but not less than one hundred dollars.

SECTION 108. Paragraph (*a*) of section 11 of said chapter 172, as amended by section 2 of chapter 200 of the acts of 1966, is hereby further amended by inserting after the word "prescribe", in line 1, the words:—and after payment of a fee of five hundred dollars.

SECTION 109. The sixth paragraph of section 49 of chapter 175 of the General Laws, as appearing in section 13 of chapter 876 of the acts of 1970, is hereby amended by striking out, in line 5, in line 8, and in line 10, the word "one" and inserting in place thereof, in each instance, the word:—two.

SECTION 110. Paragraph (*a*) of section 11C of chapter 180 of the General Laws, as appearing in section 5 of chapter 819 of the acts of 1971, is hereby amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the word:—thirty.

SECTION 111. Paragraph (*b*) of said section 11C of said chapter 180, as so appearing, is hereby amended by striking out, in line 2, the word "five" and inserting in place thereof the word:—ten.

SECTION 112. Paragraph (*c*) of said section 11C of said chapter 180, as so appearing, is hereby amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the word:—thirty.

SECTION 113. Said section 11C of said chapter 180, is hereby further amended by striking out paragraph (*d*), as amended by section 4 of chapter 316 of the acts of 1972, and inserting in place thereof the following paragraph:—

(*d*) The fee for filing a petition in accordance with section seven A shall be thirty dollars.

SECTION 114. Paragraph (*e*) of said section 11C of said chapter 180, as appearing in section 5 of chapter 819 of the acts of 1971, is hereby amended by striking out, in line 2, the word "twenty-five" and inserting in place thereof the word:—thirty.

SECTION 115. Paragraph (*f*) of said section 11C of said chapter 180, as so appearing, is hereby amended by striking out, in line 2, the word "two" and inserting in place thereof the word:—seven.

SECTION 116. Paragraph (*g*) of said section 11C of said chapter 180, as so appearing, is hereby amended by striking out, in line 2, the word "five" and inserting in place thereof the word:—ten.

SECTION 117. The second paragraph of section 26A of said chapter 180 is hereby amended by striking out the word "five", inserted by section 17 of chapter 698 of the acts of 1957, and inserting in place thereof the word:—ten.

SECTION 118. Section 23 of chapter 181 of the General Laws, as appearing in section 66 of chapter 750 of the acts of 1962, is hereby amended by striking out, in lines 1 and 2, the word "seventy-five" and inserting in place thereof the words:—two hundred,—and by striking out, in line 3, the word "twenty-five" and inserting in place thereof the word:—thirty-five.

SECTION 119. The second sentence of section 2 of chapter 182 of the General Laws, as appearing in section 39 of chapter 550 of the acts of 1948, is hereby amended by striking out, in line 2, the word "fifty" and inserting in place thereof the words:—one hundred.

SECTION 120. Section 13 of said chapter 182, as amended by section 2 of chapter 420 of the acts of 1963, is hereby further amended by striking out, in line 3, the word "ten" and inserting in place thereof the word:—twenty-five.

SECTION 121. The third sentence of section 37 of chapter 221 of the General Laws, as appearing in section 2 of chapter 748 of the acts of 1957, is hereby amended by striking out, in lines 2 and 3, the word "twenty-five" and inserting in place thereof the word:—thirty-five,—and by striking out, in line 4, the word "twenty-five" and inserting in place thereof the word:—thirty-five.

SECTION 122. The fourth sentence of said section 37 of said chapter 221, as so appearing, is hereby amended by striking out, in lines 3 and 4, the words "one hundred" and inserting in place thereof the words:—two hundred and fifty.

SECTION 123. The first paragraph of section 6 of chapter 255C of the General Laws is hereby amended by striking out the last sentence, added by section 3 of chapter 793 of the acts of 1969, and inserting in place thereof the following sentence:—The commissioner shall assess the licensee fifty dollars per day for each man participating in any such investigation.

SECTION 124. Subsection (*5*) of section 9–403 of chapter 106 of the General Laws, as most recently amended by chapter 777 of the acts of 1971, is hereby amended by striking out, in line 3, the words "three dollars, except in registries of deeds where it shall be".

SECTION 125. Subsection (*1*) of section 9–404 of said chapter 106, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by striking out, in line 12, the word "three" and inserting in place thereof the word:—five.

SECTION 126. Subsection (*3*) of said section 9–404 of said chapter 106, as so appearing, is hereby amended by striking out, in line 3, the word "one" and inserting in place thereof the word:—two.

SECTION 127. Subsection (*1*) of section 9–405 of said chapter 106, as appearing in section 12 of chapter 580 of the acts of 1959, is hereby amended by striking out, in line 10, the word "three" and inserting in place thereof the word:—five.

SECTION 128. Subsection (*2*) of said section 9–405 of said chapter 106, as so appearing is hereby amended by striking out, in line 13, the word "three" and inserting in place thereof the word:—five.

SECTION 129. Section 9–406 of said chapter 106, as appearing in section 1 of chapter 765 of the acts of 1957, is hereby amended by striking out, in line 11, the word "three" and inserting in place thereof the word:—five.

SECTION 130. Subsection (*2*) of section 9–407 of said chapter 106, as appearing in section 18 of chapter 542 of the acts of 1958, is hereby amended by striking out, in line 7, the word "three" and inserting in place thereof the word:—five,—by striking out, in line 10, the word "one" and inserting in place thereof the word:—two,—and by striking out, in line 11, the words "fifty cents" and inserting in place thereof the words:—one dollar.

SECTION 131. Section 36 of chapter 262 of the General Laws, as appearing in chapter 297 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 dollar and fifty,— by striking out, in line 3, the words "sixty cents" and inserting in place thereof the words:— one dollar,— by striking out, in line 5, the word "three" and inserting in place thereof the word:—five,—and by striking out, in line 6, the words "fifty-cents" and inserting in place thereof the words:—one dollar.

SECTION 132. The first sentence of section 5 of chapter 110A of the General Laws, as appearing in chapter 527 of the acts of 1967, is hereby amended by striking out, in line 4, the word "twenty-five" and inserting in place thereof the words:—one hundred.

SECTION 133. Section 10 of said chapter 110A is hereby amended by striking out the second paragraph, as amended by section 2 of chapter 484 of the acts of 1963, and inserting in place thereof the following paragraph: —

The fee for each original registration and renewal registration shall be two hundred dollars in the case of a broker and twenty dollars in the case of a salesman. The fee for recording the transfer of a registered salesman from the employment of one broker to another broker shall be twenty dollars. Said fees shall be paid into the state treasury.

SECTION 134. Chapter 262 of the General Laws is hereby amended by striking out section 39, as most recently amended by section 2 of chapter 880 of the acts of 1971, 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, eleven dollars.

For every plan filed in an original proceeding, three 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, twenty-five dollars plus three dollars for each lot shown on said plan. The filing fee in the registry of deeds upon receipt from the recorder of the land court of a plan or copy of a plan shall be five dollars.

For indexing an instrument recorded while a petition for registration is pending, one dollar.

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 fifty cents 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 fifty cents 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, five dollars.

For entry of a decree of registration and sending a memorandum to the assistant recorder, three eights of one percent 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 fifteen nor more than fifteen hundred dollars.

For a copy of a decree of registration, foreclosure or redemption, five dollars.

For the entry of an original certificate of title issuing one duplicate, fifteen dollars.

For making and entering a new certificate of title, including issue of one duplicate, fifteen dollars.

For filing and registering an adverse claim, eight dollars.

For filing and registering a mortgage, fifteen dollars.

For entering statement of change of residence or post office address, including endorsing and attesting it on a duplicate certificate, five dollars.

For entering any note in the entry book or in the registration book, five dollars.

For every petition after the original registration, five 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, eight dollars, and eight 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, eight dollars.

SECTION 135. Said chapter 262 is hereby further amended by striking out section 40, as most recently amended by section 3 of said chapter 880, 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, thirty-eight 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, fifteen 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, fifteen dollars; for the entry of a general petition except such as relates to separate support, adoption, or custody or support of minors, eight 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, six dollars each.

For each certificate issued by the register, three 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, eight dollars.

For copies of records or other papers in the charge of the register at the rate of one dollar and twenty-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, one dollar and twenty-five cents for each page, plus an attestation fee of one dollar and twenty-five cents for each copy.

For filing statement of voluntary administration, eleven dollars.

For issuance of an attested copy of a statement of voluntary administration, five 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, eight dollars a year, provided the fees shall not exceed thirty 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, eight dollars for each year or major fraction thereof covered by such account; where said gross value is over one hundred thousand dollars, fifteen dollars for each year or major fraction thereof covered by such account.

For filing a motion for the framing of jury issues, twenty-five dollars.

For filing a will for safekeeping, fifteen 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, three dollars.

SECTION 136. Sections one to one hundred and thirty-one of this act shall take effect on July thirty-first, nineteen hundred and seventy-two, sections one hundred and thirty-two and one hundred and thirty-three shall take effect on October first, nineteen hundred and seventy-two, and sections one hundred and thirty-four and one hundred and thirty-five shall take effect on August fourteenth, nineteen hundred and seventy-two. *Approved July 13, 1972.*

Chap. 685. AN ACT AUTHORIZING THE TOWN OF MILFORD TO VALIDATE THE PROCEEDINGS TAKEN AT CERTAIN TOWN MEETINGS.

Be it enacted, etc., as follows:

SECTION 1. All acts and proceedings of the town of Milford at its annual town meetings, and at adjourned sessions thereof, held in the year nineteen hundred and seventy-two and all acts done in pursuance thereof, are hereby ratified, validated and confirmed to the same extent as if the warrant for the meeting stated the time and place of holding said meeting.

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

Approved July 13, 1972.

Chap. 686. AN ACT CLARIFYING THE ELIGIBILITY OF THE EMPLOYEES OF THE METROPOLITAN AREA PLANNING COUNCIL TO PARTICIPATE IN THE COMMONWEALTH'S GROUP INSURANCE PROGRAM.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide a program of group insurance for the employees of the metropolitan area planning council and reimbursement to the commonwealth for contributions made on behalf of their employees, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted, etc., as follows:

SECTION 1. The first sentence of paragraph (*b*) of section 2 of chapter 32A of the General Laws, as amended by section 1 of chapter 813 of the acts of 1969, is hereby further amended by inserting after the word "Authority", in line 6, the words:—, the metropolitan area planning council.

SECTION 2. Section 8 of said chapter 32A is hereby amended by striking out paragraph (*c*), as most recently amended by section 2 of chapter 637 of the acts of 1965, and inserting in place thereof the following paragraph:—

(*c*) All amounts withheld from an employee's salary or wages as provided in paragraph (*a*) and all amounts withheld from pensions or retirement allowances under the provisions of section nineteen of chapter thirty-two shall be forwarded by the department, institution, or other agency responsible for the payment of employee salaries and wages or pensions and retirement allowances to the commission. The Massachusetts Parking Authority, the metropolitan area planning council, local housing authorities and redevelopment authorities shall reimburse the commonwealth for all contributions made on behalf of their employees. The commission, from funds appropriated therefor, may empower the executive secretary to authorize payment of the contribution of the commonwealth as provided in said paragraphs (*a*) and (*b*), which, together with the employee payments, shall be paid at least once each month to the carrier or carriers entitled to the premium.

Approved July 13, 1972.

Chap. 687. AN ACT AUTHORIZING THE USE BY THE COUNTY COMMISSIONERS OF ESSEX COUNTY OF CERTAIN LAND AND BUILDINGS THEREON IN THE TOWN OF MIDDLETON HERETOFORE USED FOR HOSPITAL PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Essex county are hereby authorized to use certain land with the buildings thereon, situated in the town of Middleton, owned by the county of Essex, and controlled by said commissioners in their capacity as trustees of Essex County Hospital District, and heretofore used for hospital purposes, for the accommodation and facilities of the various county departments, for educational and recreational facilities and for any other duly authorized public purposes as determined by said county commissioners.

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

Approved July 13, 1972.

Chap. 688. AN ACT AUTHORIZING THE CITY OF TAUNTON TO PAY INCREASES IN PENSIONS TO CERTAIN RETIRED VETERANS.

Be it enacted, etc., as follows:

SECTION 1. The city of Taunton is hereby authorized to pay each of the following persons the sum of three hundred and fifty dollars, which amount represents an increase in the pensions to which said persons were entitled in the years nineteen hundred and seventy and nineteen hundred and seventy-one as a result of the provisions of chapter six hundred and seventeen of the acts of nineteen hundred and seventy:—Albert A. Banks, Henry S. Williams, William E. Chamberlain, J. Stewart McNamara, Frank R. Rose, Thomas J. Galligan, William J. Ricketts, William F. Hanna, Sr., George A. White, George J. P. Moreau, Bernard A. Meinhardt, Andrew F. McManus, Harold H. Galligan, Edward F. Kennedy, Alice R. Knox, David F. Mullen, Lawrence B. Norton, and Rolfe W. Burns.

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

Approved July 13, 1972.

Chap. 689. AN ACT VALIDATING THE ACTS AND PROCEEDINGS AT THE ANNUAL TOWN MEETING OF THE TOWN OF BILLERICA HELD IN THE YEAR NINETEEN HUNDRED AND SEVENTY-TWO.

Be it enacted, etc., as follows:

SECTION 1. The acts and proceedings of the town of Billerica at the annual town meeting held on March eleventh, nineteen hundred and seventy-two, and at the adjourned sessions held on March fifteenth, eighteenth, twenty-first, twenty-third, twenty-fifth, and twenty-eight, and April fourth, eighth, eleventh, and thirteenth, nineteen hundred and seventy-two, and all acts done in pursuance thereof, are hereby in all respects ratified, validated and confirmed.

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

Approved July 13, 1972.

Chap. 690. AN ACT AUTHORIZING THE TOWN OF STOCKBRIDGE TO ACQUIRE THE PROPERTY AND ASSETS OF THE STOCKBRIDGE WATER COMPANY.

Be it enacted, etc., as follows:

SECTION 1. Upon the acceptance of this act the town of Stockbridge is hereby authorized, acting by and through its board of selectmen, to acquire from the owners of all of the outstanding and issued capital stock of the Stockbridge Water Company, hereinafter called the company, and the company shall transfer all of such stock and all of the properties and assets and its right to take water in the town of Stockbridge to the town of Stockbridge; provided, however, that the said town shall assume and pay all of the liabilities and obligations of the company as of the date of the transfer of such stock. A statement setting forth all of the liabilities and obligations of the company, prepared by a certified public accountant and signed under oath by a duly authorized officer thereof, shall be furnished to

said town, which shall also have the right to inspect the books and records of the company in order to verify the total amount owed by it. Said town shall acquire said capital stock as of the close of business December thirty-first, nineteen hundred and seventy-two.

SECTION 2. Upon the transfer of all of the capital stock of the company to said town, the board of selectmen of said town are authorized to vote the shares of the stock of the company at all stockholder meeting and also upon the dissolution of the company to transfer all of the assets, franchises, corporate property, rights and privileges to said town to be managed thereafter by a board of water commissioners of said town as authorized hereinafter.

SECTION 3. Upon the transfer of all of said capital stock of said town as authorized above, the board of selectmen of said town is hereby authorized to dissolve the company.

SECTION 4. Said town for the purpose of acquiring all of the capital stock of the said water company may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate seventy-five thousand dollars and may issue bonds or notes of said town therefor, which shall bear on their face, Town of Stockbridge, Stockbridge Water Company Acquisition Loan, Act of 1972. Each authorized issue shall constitute a separate loan, and such loans shall be paid not more than thirty years from their date. Indebtedness incurred under this act shall be in excess of the statutory limits of indebtedness, and shall, except as provided herein, be subject to the provisions of chapter forty-four of the General Laws, exclusive of the limitations contained in sections seven or eight thereof.

SECTION 5. The land, water rights and other property acquired under this act, and all works, aqueducts, pipe lines, buildings or other structures erected or constructed thereunder shall, upon dissolution of the company, be managed, improved and controlled by the board of water commissioners of said town hereinafter provided for, in such manner as they shall deem for the best interest of said town. Said town may furnish and sell water to other municipalities, which are hereby authorized to purchase water so sold.

SECTION 6. Said town may, after acquisition of the capital stock of the said water company, at a meeting called for the purpose, establish a board of three water commissioners. If such a board of water commissioners is provided for, the commissioners shall, in the first instance, be elected by ballot, other than the official ballot, to hold office, one until the expiration of one year, one until the expiration of two years, one until the expiration of three years, from the next succeeding annual town meeting; and at the annual town meeting held on the day on which the shortest of such terms expires, and at each annual town meeting thereafter, one such commissioner shall be elected by official ballot for the term of three years. A majority of said commissioners shall constitute a quorum for the transaction of business. After the election of a board of water commissioners under authority of this act, any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said town at any legal town meeting called for the purpose. Any such vacancy may be filled temporarily by a majority vote of the selectmen and the remaining members of the water commission and

the person appointed shall hold office until said town fills the vacancy in the manner specified herein or until the expiration of the remainder of such unexpired term, whichever event first occurs. The said board of water commissioner, if provided for as above, shall serve without compensation except for expenses incurred in connection with their official duties.

SECTION 7. The water commissioners, if provided for as above, shall have exclusive charge and control of the water department and water system of said town, subject to all lawful by-laws and to such instructions, rules and regulations as said town may from time to time impose by its vote, except as hereinafter provided. Said commissioners may establish fountains and hydrants, may relocate or discontinue the same, may regulate the use of water and shall annually estimate just and equitable prices and rates for the use thereof which shall be sufficient to defray all operating expenses, interest charges, and payments on the principal as they accrue on any bonds or notes issued for the purposes of this act. Said commissioners shall prescribe the time and manner of payment of the same. Any indebtedness incurred pursuant to this act shall be subject to the provisions of Chapter forty-four of the General Laws but, in so far as possible, will be retired from income derived from the operations of the water department and water system. The income from the water works shall be appropriated to pay all operating expenses, interest charges and payments on the principal as they accrue on any bonds or notes issued under this act. If in any year there should be a net surplus remaining after providing for the aforesaid charges for that year, such surplus may be appropriated for such new construction as said commissioners, with the approval of the town, may determine upon; and in case as net surplus should remain after payment for such new construction the water rates shall be reduced proportionately. If any year there should be a deficit of revenue, said 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 said town may require, render a report upon the condition of the works under their charge and on account of their doings, including an account of receipt and expenditures.

SECTION 8. Said commissioners may appoint a superintendent of water works whose duties shall be, under the general direction of said commissioners, to maintain and repair all pipes, aqueducts, dams, and other structures and to do all things necessary for the proper operation of the water works, including the employment of labor, and to do such other things as said commissioners may direct.

SECTION 9. Said commissioners may appoint such other personnel as are deemed necessary for the proper operation of the water system and water department of said town.

SECTION 10. Said commissioners or the selectmen of said town, if they act as water commissioners, shall fix the salary or compensation of all officers or employees appointed or employed by them.

SECTION 11. The action of the annual town meeting of said town on March twentieth, nineteen hundred and seventy-two, where said

town voted unanimously to acquire the company is hereby ratified and confirmed.

SECTION 12. This act shall take effect upon its passage.

Approved July 13, 1972.

Chap. 691. AN ACT AUTHORIZING THE CITY OF SPRINGFIELD TO USE CERTAIN PARK LAND IN SAID CITY FOR PARK AND PLAYGROUND PURPOSES AND TO CONSTRUCT AND OPERATE THEREON A SKATING ARENA AND TO BORROW MONEY FOR SUCH PURPOSES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fourteen of chapter forty-five of the General Laws, the city of Springfield is hereby authorized to use a certain parcel of park land in said city for park and playground purposes, said parcel being bounded and described as follows: —

Beginning at a point in Forest Park, said point being more specifically located as follows: From a point in the easterly line of Trafton Road 64.57 feet southerly from a stone bound at the intersection of the northerly line of Maryland Street and the easterly line of Trafton Road; thence, across Trafton Road and into Forest Park by a bearing of S 63° 53′ 00″ W a distance of 414.70 feet; thence, continuing in Forest Park by a bearing of N 36° 08′ 00″ W a distance of 761.39 feet; thence, continuing in Forest Park by a bearing of N 18° 35′ 30″ W a distance of 139.77 feet to the beginning point; thence, by a bearing of S 83° 07′ 40″ E a distance of 185.00 feet to a point; thence, by a bearing of N 06° 52′ 20″ E a distance of 130.00 feet to a point; thence, by a bearing of S 83° 07′ 40″ E a distance of 192.00 feet to a point; thence, by a bearing of N 06° 52′ 20″ E a distance of 160.00 feet to a point; thence, by a bearing of N 83° 07′ 40″ W a distance of 260.00 feet to a point; thence, by a bearing of S 06° 52′ 20″ W a distance of 108.50 feet to a point; thence, by a bearing of N 83° 07′ 40″ W a distance of 99.00 feet to a point; thence, by a bearing of S 06° 52′ 20″ W a distance of 36.50 feet to a point; thence, by a bearing of N 83° 07′ 40″ W a distance of 83.00 feet to a point; thence, by a bearing of S 06° 52′ 20″ W a distance of 100.00 feet to a point; thence, by a bearing of S 83° 07′ 40″ E a distance of 65.00 feet to a point; thence, by a bearing of S 06° 52′ 20″ W a distance of 45.00 feet to the beginning point and enclosing 77,343 square feet of land.

SECTION 2. Pursuant to the provisions of section seven of said chapter forty-five, and notwithstanding the provisions of section fourteen of said chapter forty-five, the city of Springfield is hereby authorized to erect, construct, plan, design, equip, furnish, alter, repair, enlarge, operate and maintain a skating arena for hockey, skating and other recreational purposes upon the certain parcel of land described in section one.

SECTION 3. The city of Springfield is hereby authorized to fix from time to time and charge and collect fees for admission to, fees for rental of, and fees for the use or occupancy of said arena or any part or facility thereof and for the granting of concessions therein and for things fur-

nished or services rendered by the city or by any person, natural, corporate or otherwise, holding a concession from the city.

SECTION 4. For the purposes of paying all or any part of the costs incurred or to be incurred by to this act, the city of Springfield may borrow from time to time such sums of money as may be necessary, not exceeding, in the aggregate, six hundred and fifty thousand and six hundred and fifty dollars, and may issue bonds or notes therefor, which shall bear on their face the words City of Springfield, Forest Park Skating Rink, Acts of 1972. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than fifteen years from their dates of issue. Indebtedness incurred under this act shall be in excess of the statutory limits provided in section ten of chapter forty-four of the General Laws, and the provisions of sections seven and eight of said chapter forty-four shall not apply to such funds or their use. The notes or bonds issued hereunder shall be signed by the mayor and the treasurer of said city, and subject to the provisions of this section shall be upon such terms and conditions as they deem proper; provided however, that such notes or bonds shall not be sold at less than the par value thereof.

In the event that the law provides during the year nineteen hundred and seventy-two for reimbursement by the commonwealth of part of the cost of construction of a skating rink by a city or town, the city of Springfield shall be so reimbursed notwithstanding the fact that the plans or specifications therefor had not been approved in advance by any department or agency of the commonwealth and notwithstanding the fact that construction of said rink had been begun by the city of Springfield prior to the effective date of the law providing for such reimbursement.

SECTION 5. This act shall take effect upon its passage.

Approved July 13, 1972.

Chap. 692. AN ACT AUTHORIZING THE CITY OF NEW BEDFORD AND THE TOWN OF FAIRHAVEN TO RECEIVE AND TO EXPEND CERTAIN FUNDS UNDER A GRANT AGREEMENT FOR THE FINANCING AND CONSTRUCTION OF WATER AND SEWER FACILITIES.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding any provision of law to the contrary, the treasurer of the city of New Bedford and the treasurer of the town of Fairhaven are hereby authorized to have joint authority to receive and expend funds, and to hold said funds in a joint account in a depository, approved by them which funds shall be granted to them under the terms and conditions of the grant agreement for the financing and construction of water and sewer facilities under Title VII of the Housing and Urban Development Act of 1965 (Public Law 89-117), known as "City of New Bedford — Town of Fairhaven Public Utilities Project, Sassaquin Sewer, Fairhaven Water — HUD Project WSF-MA-01-06-1041".

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

Approved July 13, 1972.

Chap. 693. AN ACT RELATIVE TO THE LICENSING AND ORGANIZING OF PROFESSIONAL CORPORATIONS OF CERTIFIED PUBLIC ACCOUNTANTS AND PUBLIC ACCOUNTANTS.

Be it enacted, etc., as follows:

SECTION 1. Section 87A of chapter 112 of the General Laws, as appearing in section 2 of chapter 663 of the acts of 1963, is hereby amended by striking out paragraph (*c*) and inserting in place thereof the following two paragraphs:—

(*c*) A professional corporation engaged in the commonwealth in the practice of public accounting may register with the board as a professional corporation of certified public accountants provided such professional corporation is organized pursuant to the provisions of chapter one hundred fifty-six A. Application for such registration shall be made upon the affidavit of an officer, director or shareholder of such professional corporation who is a certified public accountant registered under this section or section eighty-seven B and who holds a valid biennial permit issued under section eighty-seven B. The board shall in each case determine whether the applicant is eligible for registration. A professional corporation which is so registered and which holds a valid biennial permit issued under section eighty-seven B may use the words "certified public accountants" or the abbreviation "CPA" in connection with the professional corporate name. Notification shall be given the board within ninety days after the admission to or withdrawal of an officer, director or shareholder from any professional corporation so registered, and after the commencement or termination of any officer's, director's or shareholder's personal and regular practice of public accounting in the commonwealth as a member thereof.

(*d*) A fee of ten dollars shall be collected by the board for the registration of any person, partnership or professional corporation under this section. The fee for a partnership or professional corporation shall be in addition to fees for any partners, employees, officers, directors or shareholders thereof.

SECTION 2. Section 87B of said chapter 112, as so appearing, is hereby amended by striking out paragraph (*b*) and inserting in place thereof the following paragraph:—

(*b*) Permits to engage in the practice of public accounting in the commonwealth shall be issued by the board to persons holding certificates and registered, to partnerships and professional corporations registered, as certified public accountants under section eighty-seven A or under this section, and to persons, partnerships and professional corporations registered as public accountants under the laws of the commonwealth. The fee for such permit shall be determined by the board, but shall not exceed fifteen dollars per year. Each such permit shall expire on the last day of June of the year next following the year of issuance. The fee for any partnership or professional corporation shall be in addition to the fees for any partners, employees, officers, directors or shareholders thereof. Such permit shall be renewed by the board for a period of two years, upon application by such certificate holders and registrants, subject to the provisions of section eighty-seven C and upon payment of a biennial renewal fee of an amount to be determined from time to time by the

board, not to exceed fifteen dollars per year. Failure of a certificate holder or registrant to apply for such biennial permit to practice within four years from the expiration date of the permit to practice last obtained or renewed, or four years from the date upon which the certificate holder or registrant was granted his certificate or registration, if no permit was ever issued to him, shall deprive him of the right to such permit, unless the board, in its discretion, determines such failure to have been due to good cause. In any case in which the permit could have been issued, but was not, the renewal or issuance fee, as the case may be, shall equal the aggregate of the biennial permit fees for the periods for which no permit was issued, but in no case shall this exceed ninety dollars.

SECTION 3. Section 87C of said chapter 112, as so appearing, is hereby amended by striking out paragraphs (*c*) and (*d*) and inserting in place thereof the following two paragraphs:—

(*c*) The board shall revoke the registration of a partnership or a professional corporation registered as certified public accounts under section eighty-seven A or as public accountants under the laws of the commonwealth if at any time it does not have all the qualifications prescribed by the provisions of law under which it qualified for registration, and the board may revoke or suspend any such registration of a partnership or a professional corporation or may revoke, suspend or refuse to renew any biennial permit issued to such partnership or professional corporation so registered for any of the causes enumerated in paragraph (*b*), and for the following additional causes:—

(1) the revocation or suspension of the certificate, registration or biennial permit of any partner or any officer, director, shareholder or employee thereof;

(2) the cancellation, revocation, suspension or refusal to renew the authority of the partnership or the professional corporation or any partner or officer, director, shareholder or employee thereof to practice public accounting in any other state, for any cause other than failure to pay a registration fee in such other state.

(*d*) Upon application in writing, the board may issue a new certificate to or remove or modify a suspension respecting a certified public accountant whose certificate has been revoked or suspended, or may permit the re-registration of or remove or modify the suspension respecting any person or partnership or professional corporation whose registration has been revoked or suspended, or may re-issue or remove or modify the suspension of, any biennial permit which has been revoked or suspended, where the cause for such revocation or suspension has, in the opinion of the board, been removed or cured.

SECTION 4. Section 87D of said chapter 112, as so appearing, is hereby amended by striking out paragraph 6 and inserting in place thereof the following paragraph:—

(6) No corporation, except a professional corporation organized pursuant to chapter one hundred fifty-six A, shall assume or use the title or designation "certified public accountant" or "public accountant", or the abbreviations CPA or PA, provided, however, that no such professional corporation or any corporation shall assume or use

the title or designation "certified accountant", "chartered accountant", "enrolled accountant", "licensed accountant", "registered accountant" or any other title or designation likely to be confused with "certified public accountant" or "public accountant", or any of the abbreviations CA, EA, RA, or LA or any similar abbreviations likely to be confused with CPA or PA.

SECTION 5. Said section 87D of said chapter 112 is hereby further amended by striking out paragraphs (9) and (10) and inserting in place thereof the following two paragraphs:—

(9) No person shall sign or affix a corporate name with any wording indicating that it is a corporation performing services as accountants or auditors or composed of accountants or auditors or persons having expert knowledge in accounting or auditing, to any accounting or financial statement, or to any opinion on, report on or certificate to any accounting or financial statement, provided, however, that this section shall not apply to a professional corporation organized pursuant to chapter one hundred fifty-six A.

(10) No person or partnership or corporation not holding a valid biennial permit issued under section eighty-seven B shall hold himself or itself out to the public as an "accountant" or "auditor" or "professional accounting corporation" by use of either or all such words or phrases on any sign, card, letterhead, or in any advertisement or directory; provided, that this paragraph shall not prohibit any officer, employee, partner or principal of any organization from describing himself by the position, title or office he holds in such organization; nor shall this paragraph prohibit any act of a public official or employee in the performance of his duties as such.

SECTION 6. Chapter 156A of the General Laws is hereby amended by striking out section 9, as appearing in section 1 of chapter 654 of the acts of 1963, and inserting in place thereof the following section:—

Section 9. A professional corporation may render professional services only through its officers, employees and agents who are duly registered to render such professional services; provided, however, (*a*) this provision shall not be interpreted to include in the term "employee", as used herein, clerks, secretaries, bookeepers, technicians and other assistants who are not usually and ordinarily considered by custom and practice to be rendering professional services to the public, and (*b*) in the case of a professional corporation of certified public accountants or public accountants, unregistered managers, senior staff accountants, and junior staff accountants employed by such a professional corporation may render professional services under the supervision of registered officers, employees and agents of such a professional corporation.

SECTION 7. Chapter 663 of the acts of 1963 is hereby amended by inserting after section 8 the following section:—

Section 8A. A professional corporation engaged in the commonwealth in the practice of public accounting may register with the public accountants administrative committee as a professional corporation of public accountants; provided that each officer, director or shareholder personally and regularly engages within the common-

wealth in the practice of public accounting as a member thereof, is a certified public accountant registered under sections eighty-seven A or eighty-seven B of chapter one hundred and twelve of the General Laws, as amended, or a public accountant registered under section seven of this act, and holds a valid biennial permit issued under said section eighty-seven B of said chapter one hundred and twelve. Application for such registration shall be made upon the affidavit of an officer, director or shareholder who meets the requirements of this paragraph.

The public accountants administrative committee shall in each case determine whether the professional corporation is eligible for registration. A professional corporation which is so registered and which holds a valid biennial permit issued under section eighty-seven B of chapter one hundred and twelve of the General Laws, as amended, may use the words "public accountants" or the abbreviation CPA in connection with its professional corporate name. Notification shall be given said committee within ninety days, after the admission to or withdrawal of an officer, director or shareholder from any professional corporation so registered, and after the commencement or termination of any officer's, director's or shareholder's personal and regular practice or public accounting in the commonwealth as a member thereof.

SECTION 8. Said chapter 663 is hereby further amended by inserting after section 9 the following section:—

Section 9A. A fee of ten dollars shall be collected by the public accountants administrative committee for the registration of any professional corporation under section eight of this act. The fee for a professional corporation shall be in addition to the fees for any officers, directors, shareholders or employees thereof.

SECTION 9. Subsection (*a*) of section 33 of chapter 13 of the General Laws, as appearing in section 11 of chapter 1099 of the acts of 1971, is hereby amended by inserting after the word "years", in line 8, the words:—, or as an officer, director, or shareholder of a professional corporation organized pursuant to chapter one hundred fifty-six A.

SECTION 10. The first paragraph of subsection (*b*) of said section 33 of said chapter 13, as so appearing, is hereby amended by inserting after the word "years", in line 12, the words:—, or as an officer, director, or shareholder of a professional corporation organized pursuant to chapter one hundred and fifty-six A.

SECTION 11. Clause 2 of said subsection (*b*) of said section 33 of said chapter 13, as appearing in section 1 of chapter 663 of the acts of 1963, is hereby amended by inserting after the word "accountants", in line 2, the words:—or as a professional corporation of public accountants organized pursuant to chapter one hundred and fifty-six A.

SECTION 12. The third paragraph of subsection (*a*) of section 34 of said chapter 13, as so appearing, is hereby amended by striking out, in line 1, the words "and partnerships" and inserting in place thereof the words:—, partnerships and professional corporations.

Approved July 17, 1972.

Chap. 694. AN ACT MAKING UNIFORM THE LAW RELATING TO THE PROMOTION AND SALE OF SECURITIES.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by striking out chapter 110A and inserting in place thereof the following chapter:—

CHAPTER 110A

UNIFORM SECURITIES ACT

PART I

FRAUDULENT AND OTHER PROHIBITED PRACTICES

Section 101. Sales and Purchases. It is unlawful for any person, in connection with the offer, sale, or purchase of any security, directly or indirectly

(1) to employ any device, scheme, or artifice to defraud,

(2) to make any untrue statement of a material fact or to omit to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, or

(3) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon any person.

Section 102. Advisory Activities. It is unlawful for any person who receives any consideration from another person primarily for advising the other person as to the value of securities or their purchase or sale, whether through the issuance of analyses or reports or otherwise

(1) to employ any device, scheme, or artifice to defraud the other person, or

(2) to engage in any act, practice, or course of business which operates or would operate as a fraud or deceit upon the other person.

PART II

REGISTRATION OF BROKER-DEALERS AND AGENTS

Section 201. Registration Requirement.

(*a*) It is unlawful for any person to transact business in the commonwealth as a broker-dealer or agent unless he is registered under this chapter.

(*b*) It is unlawful for any broker-dealer or issuer to employ an agent unless the agent is registered. The registration of an agent is not effective during any period when he is not associated with a particular broker-dealer registered under this chapter or a particular issuer. When an agent begins or terminates a connection with a broker-dealer or issuer, or begins or terminates those activities which make him an agent, the agent as well as the broker-dealer or issuer shall promptly notify the secretary.

(c) Every registration expires on the last day of the calendar year.

Section 202. Registration Procedure.

(a) A broker-dealer or agent may obtain an initial or renewal registration by filing with the secretary an application together with a consent to service of process pursuant to section 414(g). The application shall contain whatever information the secretary by rule requires concerning such matters as (1) the applicant's form and place of organization; (2) the applicant's proposed method of doing business; (3) the qualifications and business history of the applicant and, in the case of a broker-dealer, any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer; (4) any injunction or administrative order or conviction of a misdemeanor involving a security or any aspect of the securities business and any conviction of a felony; and (5) the applicant's financial condition and history. The secretary may by rule or order require an applicant for initial registration to publish an announcement of the application in one or more specified newspapers published in the commonwealth. If no denial order is in effect and no proceeding is pending under section 204, registration becomes effective at noon of the thirtieth day after an application is filed. The secretary may by rule or order specify an earlier effective date, and he may by order defer the effective date until noon of the thirtieth day after the filing of any amendment. Registration of a broker-dealer automatically constitutes registration of any agent who is a partner, officer, or director, or a person occupying a similar status or performing similar functions.

(b) Every applicant for initial or renewal registration shall pay a filing fee of one hundred dollars in the case of a broker-dealer and twenty dollars in the case of an agent, including an agent automatically registered pursuant to section 202(a). When an agent transfers his connection from one broker-dealer or issuer to another, he shall pay a fee of twenty dollars.

(c) A registered broker-dealer may file an application for registration of a successor, whether or not the successor is then in existence, for the unexpired portion of the year. There shall be no filing fee.

(d) The secretary may by rule require a minimum capital for registered broker-dealers.

Section 203. Post-Registration Provisions.

(a) Every registered broker-dealer shall make and keep such accounts, correspondence, memoranda, papers, books, and other records as the secretary by rule prescribes. All records so required shall be preserved for three years unless the secretary by rule prescribes otherwise for particular types of records.

(b) Every registered broker-dealer shall file such financial reports as the secretary by rule prescribes.

(c) If the information contained in any document filed with the secretary is or becomes inaccurate or incomplete in any material respect, the registrant shall promptly file a correcting amendment unless notification of the correction has been given under section 201(b).

(*d*) All the records referred to in subsection (a) are subject at any time or from time to time to such reasonable periodic, special, or other examinations by representatives of the secretary, within or without the commonwealth, as the secretary deems necessary or appropriate in the public interest or for the protection of investors. For the purpose of avoiding unnecessary duplication of examinations, the secretary, insofar as he deems it practicable in administering this subsection, may cooperate with the securities administrators of other states, the Securities and Exchange Commission, and any national securities exchange or national securities association registered under the Securities Exchange Act of 1934.

Section 204. Denial, Revocation, Suspension, Cancellation, and Withdrawal of Registration.

(*a*) The secretary may by order deny, suspend, or revoke any registration if he finds (1) that the order is in the public interest and (2) that the applicant or registrant or, in the case of a broker-dealer, any partner, officer, or director, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling the broker-dealer;

(A) has filed an application for registration which as of its effective date, or as of any date after filing in the case of an order denying effectiveness, was incomplete in any material respect or contained any statement which was, in light of the circumstances under which it was made, false or misleading with respect to any material fact;

(B) has willfully violated or willfully failed to comply with any provision of this chapter or a predecessor chapter or any rule or order under this chapter or a predecessor chapter;

(C) has been convicted, within the past ten years, of any misdemeanor involving a security or any aspect of the securities business, or any felony;

(D) is permanently or temporarily enjoined by any court of competent jurisdiction from engaging in or continuing any conduct or practice involving any aspect of the securities business;

(E) is the subject of an order of the secretary denying, suspending, or revoking registration as a broker-dealer or agent;

(F) is the subject of an order entered within the past five years by the securities administrator of any other state or by the Securities and Exchange Commission denying or revoking registration as a broker-dealer, agent, or investment advisor, or the substantial equivalent of those terms as defined in this chapter, or is the subject of an order of the Securities and Exchange Commission suspending or expelling him from a national securities exhange or national securities association registered under the Securities Exchange Act of 1934, or is the subject of a United States Post Office fraud order; but (*i*) the secretary may not institute a revocation or suspension proceeding under clause (F) more than one year from the date of the order relied on, and (*ii*) it may not enter an order under clause (F) on the basis of an order under another state act unless that order was based on facts which would currently constitute a ground for an order under this section;

(G) has engaged in dishonest or unethical practices in the securities business;

(H) is insolvent, either in the sense that his liabilities exceed his assets or in the sense that he cannot meet his obligations as they mature; but the secretary may not enter an order against a broker-dealer under this clause without a finding of insolvency as to the broker-dealer; or

(I) is not qualified on the basis of such factors as training, experience, and knowledge of the securities business, except as otherwise provided in subsection (*b*).

The secretary may by order deny, suspend, or revoke any registration if he finds (1) that the order is in the public interest and (2) that the applicant or registrant

(J) has failed reasonably to supervise his agents if he is a broker-dealer; or

(K) has failed to pay the proper filing fee; but the secretary may enter only a denial order under this clause, and he shall vacate any such order when the deficiency has been corrected.

The secretary may not institute a suspension or revocation proceeding on the basis of a fact or transaction known to him when registration became effective unless the proceeding is instituted within the next thirty days.

(*b*) The following provisions govern the application of section 204(a) (2) (I):

(1) The secretary may not enter an order against a broker-dealer on the basis of the lack of qualification of any person other than (A) the broker-dealer himself if he is an individual or (B) an agent of the broker-dealer.

(2) The secretary may not enter an order solely on the basis of lack of experience if the applicant or registrant is qualified by training or knowledge or both.

(3) The secretary shall consider that an agent who will work under the supervision of a registered broker-dealer need not have the same qualifications as a broker-dealer.

(4) The secretary may by rule provide for an examination, which may be written or oral or both, to be taken by any class of or all applicants.

(*c*) The secretary may by order summarily postpone or suspend registration pending final determination of any proceeding under this section. Upon the entry of the order, the secretary shall promptly notify the applicant or registrant, as well as the employer or prospective employer if the applicant or registrant is an agent, that it has been entered and of the reasons therefor and that within fifteen days after the receipt of a written request the matter will be set down for hearing. If no hearing is requested and none is ordered by the secretary, the order will remain in effect until it is modified or vacated by the secretary. If a hearing is requested or ordered, the secretary, after notice of and opportunity for hearing, may modify or vacate the order or extend it until final determination.

(*d*) If the secretary finds that any registrant or applicant for registration is no longer in existence or has ceased to do business as a broker-dealer or agent, or is subject to an adjudication of mental incompetence or to the control of a committee, conservator, or

guardian, or cannot be located after reasonable search, the secretary may by order cancel the registration or application.

(*e*) Withdrawal from registration as a broker-dealer or agent becomes effective thirty days after receipt of an application to withdraw or within such shorter period of time as the secretary may determine, unless a revocation or suspension proceeding is pending when the application is filed or a proceeding to revoke or suspend or to impose conditions upon the withdrawal is instituted within thirty days after the application is filed. If a proceeding is pending or instituted, withdrawal becomes effective at such time and upon such conditions as the secretary by order determines. If no proceeding is pending or instituted and withdrawal automatically becomes effective, the secretary may nevertheless institute a revocation or suspension proceeding under section 204(*a*) (2) (B) within one year after withdrawal became effective and enter a revocation or suspension order as of the last date on which registration was effective.

(*f*) No order may be entered under any part of this section except the first sentence of subsection (*c*) without (1) appropriate prior notice to the applicant or registrant, as well as the employer or prospective employer if the applicant or registrant is an agent, (2) opportunity for hearing, and (3) written findings of fact and conclusions of law.

PART III

REGISTRATION OF SECURITIES

Section 301. Registration Requirement. It is unlawful for any person to offer or sell any security in the commonwealth unless (1) it is registered under this chapter or (2) the security or transaction is exempted under section 402.

Section 302. Registration by Coordination.

(*a*) Any security for which a registration statement has been filed under the Securities Act of 1933 in connection with the same offering may be registered by coordination.

(*b*) A registration statement under this section shall contain the following information and be accompanied by the following documents in addition to the information specified in section 304(*c*) and the consent to service of process required by section 414(*g*):

(1) three copies of the latest form of prospectus filed under the Securities Act of 1933;

(2) if the secretary by rule or otherwise requires, a copy of the articles of incorporation and by-laws, or their substantial equivalents, currently in effect, a copy of any agreements with or among underwriters, a copy of any indenture or other instrument governing the issuance of the security to be registered, and a specimen or copy of the security;

(3) if the secretary requests, any other information, or copies of any other documents, filed under the Securities Act of 1933; and

(4) an undertaking to forward all future amendments to the federal prospectus, other than an amendment which merely delays the effective date of the registration statement, promptly and in any event not later than the first business day after the day they are forwarded

to or filed with the Securities and Exchange Commission, whichever first occurs.

(c) A registration statement under this section automatically becomes effective at the moment the federal registration statement becomes effective if all the following conditions are satisfied: (1) no stop order is in effect and no proceeding is pending under section 305; (2) the registration statement has been on file with the secretary for at least ten days; and (3) a statement of the maximum and minimum proposed offering prices and the maximum underwriting discounts and commissions has been on file for two full business days or such shorter period as the secretary permits by rule or otherwise and the offering is made within those limitations. The registrant shall promptly notify the secretary by telephone or telegram of the date and time when the federal registration statement became effective and the content of the price amendment, if any, and shall promptly file a post-effective amendment containing the information and documents in the price amendment. "Price amendment" means the final federal amendment which includes a statement of the offering price, underwriting and selling discounts or commissions, amount of proceeds, conversion rates, call prices, and other matters dependent upon the offering price. Upon failure to receive the required notification and post-effective amendment with respect to the price amendment, the secretary may enter a stop order, without notice or hearing, retroactively denying effectiveness to the registration statement or suspending its effectiveness until compliance with this subsection, if it promptly notifies the registrant by telephone or telegram, and promptly confirms by letter or telegram when it notifies by telephone, of the issuance of the order. If the registrant proves compliance with the requirements of this subsection as to notice and post-effective amendment, the stop order is void as of the time of its entry. The secretary may by rule or otherwise waive either or both of the conditions specified in clauses (2) and (3). If the federal registration statement becomes effective before all the conditions in this subsection are satisfied and they are not waived, the registration statement automatically becomes effective as soon as all the conditions are satisfied. If the registrant advises the secretary of the date when the federal registration statement is expected to become effective, the secretary shall promptly advise the registrant by telephone or telegram at the registrant's expense, whether all the conditions are satisfied and whether it then contemplates the institution of a proceeding under section 305; but this advice by the secretary does not preclude the institution of such a proceeding at any time.

Section 303. Registration by Qualification.

(a) Any security may be registered by qualification.

(b) A registration statement under this section shall contain the following information and be accompanied by the following documents in addition to the information specified in section 304(c) and the consent to service of process required by section 414(g):

(1) with respect to the issuer and any significant subsidiary: its name, address, and form of organization; the state or foreign jurisdiction and date of its organization; the general character and location of its business; a description of its physical properties and equipment;

and a statement of the general competitive conditions in the industry or business in which it is or will be engaged;

(2) with respect to every director and officer of the issuer, or person occupying a similar status or performing similar functions: his name, address, and principal occupation for the past five years; the amount of securities of the issuer held by him as of a specified date within thirty days of the filing of the registration statement; the amount of the securities covered by the registration statement to which he has indicated his intention to subscribe; and a description of any material interest in any material transaction with the issuer or any significant subsidiary effected within the past three years or proposed to be effected;

(3) with respect to persons covered by clause (2): the remuneration paid during the past twelve months and estimated to be paid during the next twelve months, directly or indirectly, by the issuer, together with all predecessors, parents, subsidiaries, and affiliates, to all those persons in the aggregate;

(4) with respect to any person owning of record, or beneficially if known, ten percent or more of the outstanding shares of any class of equity security of the issuer: the information specified in clause (2) other than his occupation;

(5) with respect to every promoter if the issuer was organized within the past three years: the information specified in clause (2), any amount paid to him within that period or intended to be paid to him, and the consideration for any such payment;

(6) with respect to any person on whose behalf any part of the offering is to be made in a non-issuer distribution: his name and address; the amount of securities of the issuer held by him as of the date of the filing of the registration statement; a description of any material interest in any material transaction with the issuer or any significant subsidiary effected within the past three years or proposed to be effected; and a statement of his reasons for making the offering;

(7) the capitalization and long-term debt, on both a current and a pro forma basis, of the issuer and any significant subsidiary, including a description of each security outstanding or being registered or otherwise offered, and a statement of the amount and kind of consideration, whether in the form of cash, physical assets, services, patents, goodwill, or anything else, for which the issuer or any subsidiary has issued any of its securities within the past two years or is obligated to issue any of its securities;

(8) the kind and amount of securities to be offered; the proposed offering price or the method by which it is to be computed; any variation therefrom at which any proportion of the offering is to be made to any person or class of persons other than the underwriters, with a specification of any such person or class; the basis upon which the offering is to be made if otherwise than for cash; the estimated aggregate underwriting and selling discounts or commissions and finders' fees, including separately cash, securities, contracts, or anything else of value to accrue to the underwriters or finders in connection with the offering, or, if the selling discounts or commissions are variable, the basis of determining them and their maximum and

minimum amounts; the estimated amounts of other selling expenses, including legal, engineering, and accounting charges; the name and address of every underwriter and every recipient of a finder's fee; a copy of any underwriting or selling-group agreement pursuant to which the distribution is to be made, or the proposed form of any such agreement whose terms have not yet been determined; and a description of the plan of distribution of any securities which are to be offered otherwise than through an underwriter;

(9) the estimated cash proceeds to be received by the issuer from the offering; the purposes for which the proceeds are to be used by the issuer; the amount to be used for each purpose; the order or priority in which the proceeds will be used for the purposes stated; the amounts of any funds to be raised from other sources to achieve the purposes stated; the sources of any such funds; and, if any part of the proceeds is to be used to acquire any property, including goodwill, otherwise than in the ordinary course of business, the names and addresses of the vendors, the purchase price, the names of any persons who have received commissions in connection with the acquisition, and the amounts of any such commissions and any other expense in connection with the acquisition, including the cost of borrowing money to finance the acquisition;

(10) a description of any stock options or other security options outstanding, or to be created in connection with the offering, together with the amount of any such options held or to be held by every person required to be named in clause (2), (4), (5), (6), or (8) and by any person who holds or will hold ten percent or more in the aggregate of any such options;

(11) the dates of, parties to, and general effect concisely stated of, every management or other material contract made or to be made otherwise than in the ordinary course of business if it is to be performed in whole or in part at or after the filing of the registration statement or was made within the past two years, together with a copy of every such contract; and a description of any pending litigation or proceeding to which the issuer is a party and which materially affects its business or assets, including any such litigation or proceeding known to be contemplated by governmental authorities;

(12) a copy of any prospectus, pamphlet, circular, form letter, advertisement, or other sales literature intended as of the effective date to be used in connection with the offering;

(13) a specimen or copy of the security being registered; a copy of the issuer's articles, of incorporation and by-laws, or their substantial equivalents, as currently in effect; and a copy of any indenture or other instrument covering the security to be registered;

(14) a signed or confirmed copy of an opinion of counsel as to the legality of the security being registered, with an English translation if it is in a foreign language, which shall state whether the security when sold will be legally issued, fully paid, and non-assessable, and, if a debt security, a binding obligation of the issuer;

(15) the written consent of any accountant, engineer, appraiser, or other person whose profession gives authority to a statement made by him, if any such person is named as having prepared or certified a report or valuation, other than a public and official document or

statement, which is used in connection with the registration statement;

(16) a balance sheet of the issuer as of a date within four months prior to the filing of the registration statement; a profit and loss statement and analysis of surplus for each of the three fiscal years preceding the date of the balance sheet and for any period between the close of the last fiscal year and the date of the balance sheet, or for the period of the issuer's and any predecessors' existence if less than three years; and, if any part of the proceeds of the offering is to be applied to the purchase of any business, the same financial statements which would be required if that business were the registrant; and

(17) such additional information as the secretary requires by rule or order.

(*c*) A registration statement under this section becomes effective when the secretary so orders.

(*d*) The secretary may by rule or order require as a condition of registration under this section that a prospectus containing any designated part of the information specified in subsection (*b*) be sent or given to each person to whom an offer is made before or concurrently with (1) the first written offer made to him (otherwise than by means of a public advertisement) by or for the account of the issuer or any other person on whose behalf the offering is being made, or by any underwriter or broker-dealer who is offering part of an unsold allotment or subscription taken by him as a participant in the distribution, (2) the confirmation of any sale made by or for the account of any such person, (3) payment pursuant to any such sale, or (4) delivery of the security pursuant to any such sale, whichever first occurs.

Section 304. Provisions Applicable to Registration Generally.

(*a*) A registration statement may be filed by the issuer, any other person on whose behalf the offering is to be made, or a registered broker-dealer.

(*b*) Every person filing a registration statement shall pay a filing fee of one hundred dollars.

(*c*) Every registration statement shall specify (1) the amount of securities to be offered in this state; (2) the states in which a registration statement or similar document in connection with the offering has been or is to be filed; and (3) any adverse order, judgment, or decree entered in connection with the offering by the regulatory authorities in each state or by any court or the Securities and Exchange Commission.

(*d*) Any document filed under this chapter or a predecessor chapter may be incorporated by reference in the registration statement to the extent that the document is currently accurate.

(*e*) The secretary may by rule or otherwise permit the omission of any item of information or document from any registration statement.

(*f*) In the case of a non-issuer distribution, information may not be required under section 303 or 304(*h*) unless it is known to the person filing the registration statement or to the persons on whose behalf the distribution is to be made, or can be furnished by them without unreasonable effort or expense.

(*g*) Every registration statement is effective for one year from its effective date, or any longer period during which the security is being offered or distributed in a non-exempted transaction by or for the account of the issuer or other person on whose behalf the offering is being made or by any underwriter or broker-dealer who is still offering part of an unsold allotment or subscription taken by him as a participant in the distribution, except during the time a stop order is in effect under section 305. All outstanding securities of the same class as a registered security are considered to be registered for the purpose of any non-issuer transaction (1) so long as the registration statement is effective and (2) between the thirtieth day after the entry of any stop order suspending or revoking the effectiveness of the registration statement under section 305, if the registration statement did not relate in whole or in part to a non-issuer distribution, and one year from the effective date of the registration statement. A registration statement may not be withdrawn for one year from its effective date if any securities of the same class are outstanding. A registration statement may be withdrawn otherwise only in the discretion of the secretary.

(*h*) So long as a registration statement is effective, the secretary may by rule or order require the person who filed the registration statement to file reports, not more often than quarterly, to keep reasonably current the information contained in the registration statement and to disclose the progress of the offering.

(*i*) A registration statement relating to a security issued by a face-amount certificate company or a redeemable security issued by an open-end management company or unit investment trust, as those terms are defined in the Investment Company Act of 1940, may be amended after its effective date so as to increase the securities specified as proposed to be offered. Such an amendment becomes effective when the secretary so orders. Every person filing such an amendment shall pay a filing fee of one hundred dollars.

Section 305. Denial, Suspension, and Revocation of Registration.

(*a*) The secretary may issue a stop order denying effectiveness to, or suspending or revoking the effectiveness of, any registration statement if he finds (1) that the order is in the public interest and (2) that

(A) the registration statement as of its effective date or as of any earlier date in the case of an order denying effectiveness, or any amendment under section 304 (i) as of its effective date, or any report under section 304 (h) is incomplete in any material respect or contains any statement which was, in the light of the circumstances under which it was made, false or misleading with respect to any material fact;

(B) any provision of this chapter or any rule, order, or condition lawfully imposed under this chapter has been willfully violated, in connection with the offering, by (*i*) the person filing the registration statement, (*ii*) the issuer, any partner, officer, or director of the issuer, any person occupying a similar status or performing similar functions, or any person directly or indirectly controlling or controlled by the issuer, but only if the person filing the registration statement is

directly or indirectly controlled by or acting for the issuer, or (*iii*) any underwriter;

(C) the security registered or sought to be registered is the subject of an administrative stop order or similar order or a permanent or temporary injunction of any court of competent jurisdiction entered under any other federal or state act applicable to the offering; but (*i*) the secretary may not institute a proceeding against an effective registration statement under clause (C) more than one year from the date of the order or injunction relied on, and (*ii*) he may not enter an order under clause (C) on the basis of an order or injunction entered under any other state act unless that order or injunction was based on facts which would currently constitute a ground for a stop order under this section;

(D) the issuer's enterprise or method of business includes or would include activities which are illegal where performed;

(E) the offering has worked or tended to work a fraud upon purchasers or would so operate;

(F) the offering has been or would be made with unreasonable amounts of underwriters' and sellers' discounts, commissions, or other compensation, or promoters' profits or participation, or unreasonable amounts or kinds of options;

(G) when a security is sought to be registered by coordination there has been a failure to comply with the undertaking required by section 302 (*b*) (4); or

(H) the applicant or registrant has failed to pay the proper filing fee; but the secretary may enter only a denial order under this clause and he shall vacate any such order when the deficiency has been corrected.

The secretary may not institute a stop-order proceeding against an effective registration statement on the basis of a fact or transaction known to him when the registration statement became effective unless the proceeding is instituted within the next thirty days.

(*b*) The secretary may by order summarily postpone or suspend the effectiveness of the registration statement pending final determination of any proceeding under this section. Upon the entry of the order, the secretary shall promptly notify each person specified in subsection (*c*) that it has been entered and of the reasons therefor and that within fifteen days after the receipt of a written request the matter will be set down for hearing. If no hearing is requested and none is ordered by the secretary, the order will remain in effect until it is modified or vacated by the secretary. If a hearing is requested or ordered, the secretary, after notice of and opportunity for hearing to each person specified in subsection (*c*), may modify or vacate the order or extend it until final determination.

(*c*) No stop order may be entered under any part of this section except the first sentence of subsection (*b*) without (1) appropriate prior notice to the applicant or registrant, the issuer, and the person on whose behalf the securities are to be or have been offered, (2) opportunity for hearing, and (3) written findings of fact and conclusions of law.

(*d*) The secretary may vacate or modify a stop order if he finds that the conditions which prompted entry have changed or that it is otherwise in the public interest to do so.

PART IV

GENERAL PROVISIONS

Section 401. Definitions. When used in this chapter, unless the context otherwise requires:

(*a*) "Secretary" means the state secretary.

(*b*) "Agent" means any individual other than a broker-dealer who represents a broker-dealer or issuer in effecting or attempting to effect purchases or sales of securities. "Agent" does not include an individual who represents an issuer in (1) effecting transactions in a security exempted by clause (1), (2), (3), (10), or (11) of section 402(*a*), (2) effecting transactions exempted by section 402(*b*), or (3) effecting transactions with existing employees, partners, or directors of the issuer if no commission or other remuneration is paid or given directly or indirectly for soliciting any person in the commonwealth. A partner, officer, or director of a broker-dealer or issuer, or a person occupying a similar status or performing similar functions, is an agent only if he otherwise comes within this definition.

(*c*) "Broker-dealer" means any person engaged in the business of effecting transactions in securities for the account of others or for his own account. "Broker-dealer" does not include (1) an agent, (2) an issuer, (3) a bank, savings institution, or trust company, or (4) a person who has no place of business in the commonwealth if (A) he effects transactions in the commonwealth exclusively with or through (*i*) the issuers of the securities involved in the transactions, (*ii*) other broker-dealers, or (*iii*) banks, savings institutions, trust companies, insurance companies, investment companies as defined in the Investment Company Act of 1940, pension or profit-sharing trusts, or other financial institutions or institutional buyers, whether acting for themselves or as trustees, or (B) during any period of twelve consecutive months he does not direct more than fifteen offers to sell or buy into the commonwealth in any manner to persons other than those specified in clause (A), whether or not the offeror or any of the offerees is then present in the commonwealth.

(*d*) "Fraud," "deceit," and "defraud" are not limited to common-law deceit.

(*e*) "Guaranteed" means guaranteed as to payment of principal, interest, or dividends.

(*f*) "Issuer" means any person who issues or proposes to issue any security, except that (1) with respect to certificates of deposit, voting-trust certificates, or collateral-trust certificates, or with respect to certificates of interest or shares in an unincorporated investment trust not having a board of directors or persons performing similar functions or of the fixed, restricted management, or unit type, the term "issuer" means the person or persons performing the acts and assuming the duties of depositor or manager pursuant to the provisions of the trust or other agreement or instrument under which the security is issued; and (2) with respect to certificates of interest or participation in oil, gas, or mining titles or leases or in payments out of production under such titles or leases, there is not considered to be any "issuer."

(*g*) "Non-issuer" means not direcly or indirectly for the benefit of the issuer.

(h) "Person" means an individual, a corporation, a partnership, an association, a joint-stock company, a trust where the interests of the beneficiaries are evidenced by a security, an unincorporated organization, a government, or a political subdivision of a government.

(i) (1) "Sale" or "sell" includes every contract of sale of, contract to sell, or disposition of, a security or interest in a security for value.

(2) "Offer" or "offer to sell" includes every attempt or offer to dispose of, or solicitation of an offer to buy, a security or interest in a security for value.

(3) Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing is considered to constitute part of the subject of the purchase and to have been offered and sold for value.

(4) A purported gift of assessable stock is considered to involve an offer and sale.

(5) Every sale or offer of a warrant or right to purchase or subscribe to another security of the same or another issuer, as well as every sale or offer of a security which gives the holder a present or future right or privilege to convert into another security of the same or another issuer, is considered to include an offer of the other security.

(6) The terms defined in this subsection do not include (a) any bona fide pledge or loan; (B) any stock dividend, whether the corporation distributing the dividend is the issuer of the stock or not, if nothing of value is given by stockholders for the dividend other than the surrender of a right to a cash or property dividend when each stockholder may elect to take the dividend in cash or property or in stock; (C) any act incident to a class vote by stockholders, pursuant to the certificate of incorporation or the applicable corporation statute, on a merger, consolidation, reclassification of securities, or sale of corporate assets in consideration of the issuance of securities of another corporation; or (D) any act incident to a reorganization in which a security is issued in exchange for one or more outstanding securities, claims, or property interests, or partly in such exchange and partly for cash, if the terms and conditions of the issuance and exchange are approved, after a hearing upon their fairness at which all persons to whom it is proposed to issue securities in the exchange have the right to appear, by any court, any official or agency of the United States, or any state authority expressly authorized by law to grant such approval.

(j) "Securities Act of 1933," "Securities Exchange Act of 1934," "Public Utility Holding Company Act of 1935," and "Investment Company Act of 1940" mean the federal statutes of those names as amended before or after the effective date of this chapter.

(k) "Security" means any note; stock; treasury stock; bond; debenture; evidence of indebtedness; certificate of interest or participation in any profit-sharing agreement; collateral-trust certificate; preorganization certificate or subscription; transferable share; investment contract; voting-trust certificate; certificate of deposit for a security; certificate of interest or participation in an oil, gas, or mining title or lease or in payments out of production under such a title or lease; or, in general, any interest or instrument commonly

known as a "security," or any certificate of interest or participation in, temporary or interim certificate for, receipt for, guarantee of, or warrant or right to subscribe to or purchase any of the foregoing. "Security" does not include any insurance or endowment policy or annuity contract under which an insurance company promises to pay money either in a lump sum or periodically for life or some other specified period.

(l) "State" means any state, territory, or possession of the United States, the District of Columbia, and Puerto Rico.

Section 402. Exemptions.

(a) The following securities are exempted from sections 301 and 403:

(1) any security including a revenue obligation issued or guaranteed by the United States, any state, any political subdivision of a state, or any agency or corporate or other instrumentality of one or more of the foregoing; or any certificate of deposit for any of the foregoing;

(2) any security other than a revenue obligation issued or guaranteed by Canada, any Canadian province, any political subdivision of any such province, any agency or corporate or other instrumentality of one or more of the foregoing, or any other foreign government with which the United States currently maintains diplomatic relations if the security is recognized as a valid obligation by the issuer or guarantor;

(3) any security issued by and representing an interest in or a debt of, or guaranteed by, any bank organized under the laws of the United States, or any bank, savings institution, or trust company organized and supervised under the laws of any state;

(4) any security issued by and representing an interest in or a debt of, or guaranteed by, any federal savings and loan association, or any building and loan or similar association organized under the laws of any state and authorized to do business in the commonwealth, or any corporation licensed to make small loans and subject to regulation by the commissioner of banks under chapter one hundred and forty;

(5) any security issued by and representing an interest in or a debt of, or guaranteed by, any insurance company organized under the laws of any state and authorized to do business in the commonwealth;

(6) any security issued or guaranteed by any federal credit union or any credit union, industrial loan association, or similar association organized and supervised under the laws of the commonwealth;

(7) any security issued or guaranteed by any railroad, other common carrier, public utility, or holding company which is (A) subject to the jurisdiction of the Interstate Commerce Commission; (B) a registered holding company under the Public Utility Holding Company Act of 1935 or a subsidiary of such a company within the meaning of that act; (C) regulated in respect of its rates and charges by a governmental authority of the United States or any state; or (D) regulated in respect of the issuance or guarantee of the security by a governmental authority of the United States, any state, Canada, or any Canadian province;

(8) any security listed or approved for listing upon notice of issuance on the American Stock Exchange, the Boston Stock Exchange, the Midwest Stock Exchange, the New York Stock Exchange,

the Pacific Coast Stock Exchange, or any other stock exchange specified by the secretary; any other security of the same issuer which is of senior or substantially equal rank; any security called for by subscription rights or warrants so listed or approved; or any warrant or right to purchase or subscribe to any of the foregoing;

(9) any security issued by any person organized and operated not for private profit but exclusively for religious, educational, benevolent, charitable, fraternal, social, athletic, or reformatory purposes, or as a chamber of commerce or trade or professional association;

(10) any commercial paper which arises out of a current transaction or the proceeds of which have been or are to be used for current transactions, and which evidences an obligation to pay cash within nine months of the date of issuance, exclusive of days of grace, or any renewal of such paper which is likewise limited, or any guarantee of such paper or of any such renewal;

(11) any investment contract issued in connection with an employees' stock purchase, savings, pension, profit-sharing, or similar benefit plan if the secretary is notified in writing thirty days before the inception of the plan or, with respect to plans which are in effect on the effective date of this chapter, within sixty days thereafter, or within thirty days before they are reopened if they are closed on the effective date of this chapter;

(12) any security issued by a cooperative corporation organized under chapter one hundred and fifty-seven if (A) its authorized capital stock does not exceed fifty thousand dollars and (B) no expenditure is made by or on its behalf in connection with the issuance or sale of its securities other than the actual expenses of organization, calling or holding meetings of incorporators or shareholders, printing, mailing, and taxes.

(*b*) The following transactions are exempted from sections 301 and 403:

(1) any isolated non-issuer transaction, whether effected through a broker-dealer or not;

(2) any non-issuer distribution of an outstanding security if (A) a recognized securities manual contains the names of the issuer's officers and directors, a balance sheet of the issuer as of a date within eighteen months, and a profit and loss statement for either the fiscal year preceding that date or the most recent year of operations, or (B) the security has a fixed maturity or a fixed interest or dividend provision and there has been no default during the current fiscal year or within the three preceding fiscal years, or during the existence of the issuer and any predecessors if less than three years, in the payment of principal, interest, or dividends on the security, or (C) the security is registered under the Securities Exchange Act of 1934;

(3) any non-issuer transaction effected by or through a registered broker-dealer pursuant to an unsolicited order or offer to buy; but the secretary may by rule require that the customer acknowledge upon a specified form that the sale was unsolicited, and that a signed copy of each such form be preserved by the broker-dealer for a specified period;

(4) any transaction between the issuer or other person on whose behalf the offering is made and an underwriter, or among underwriters;

(5) any transaction in a bond or other evidence of indebtedness secured by a real or chattel mortgage or deed of trust, or by an agreement for the sale or real estate or chattels, if the entire mortgage, deed of trust, or agreement, together with all the bonds or other evidences of indebtedness secured thereby, is offered and sold as a unit;

(6) any transaction by an executor, administrator, sheriff, marshal, receiver, trustee in bankruptcy, guardian, or conservator;

(7) any transaction executed by a bona fide pledgee without any purpose of evading this chapter;

(8) any offer or sale to a bank, savings institution, trust company, insurance company, investment company as defined in the Investment Company Act of 1940, pension or profitsharing trust, or other financial institution or institutional buyer, or to a broker-dealer, whether the purchaser is acting for itself or in some fiduciary capacity;

(9) any transaction pursuant to an offer directed by the offeror to not more than twenty-five persons other than those designated in paragraph (8) in the commonwealth during any period of twelve consecutive months, whether or not the offeror or any of the offerees is then present in the commonwealth, if (A) the seller reasonably believes that all the buyers in the commonwealth (other than those designated in paragraph (8)) are purchasing for investment, and (B) insofar as an offer involves the payment directly or indirectly of any commission or other remuneration for soliciting any prospective buyer in the commonwealth (other than those designated in paragraph (8)) a notice is filed with the secretary at least five full business days before the offer, and the secretary does not by order disallow the exemption within the next five full business days; but, in any event, the secretary may by rule or order, as to any security or transaction or any type of security or transaction, withdraw or further condition this exemption, or increase or decrease the number of offerees permitted, or waive the conditions in clauses (A) and (B) with or without the substitution of a limitation on remuneration;

(10) any offer or sale of a preorganization certificate or subscription if (A) no commission or other remuneration is paid or given directly or indirectly for soliciting any prospective subscriber, (B) the number of subscribers does not exceed ten, and (C) no payment is made by any subscriber;

(11) any transaction pursuant to an offer to existing security holders of the issuer, including persons who at the time of the transaction are holders of convertible securities, nontransferable warrants, or transferable warrants exercisable within not more than ninety days of their issuance, if (A) no commission or other remuneration, other than a standby commission, is paid or given directly or indirectly for soliciting any security holder in the commonwealth, or (B) the issuer first files a notice specifying the terms of the offer and the secretary does not by order disallow the exemption within the next five full business days;

(12) any offer, but not a sale, of a security for which registration statements have been filed under both this chapter and the Securities Act of 1933 if no stop order or refusal order is in effect and no public

proceeding or examination looking toward such an order is pending under such chapter or act;

(13) any other transaction that the secretary by rule or order may exempt, conditionally or unconditionally, on a finding that registration is not necessary or appropriate in the public interest or for the protection of investors.

(*c*) The secretary may by order deny or revoke any exemption specified in clause (9) or (11) of subsection (*a*) or in subsection (*b*) with respect to a specific security or transaction. No such order may be entered without appropriate prior notice to all interested parties, opportunity for hearing, and written findings of fact and conclusions of law, except that the secretary may by order summarily deny or revoke any of the specified exemptions pending final determination of any proceeding under this subsection. Upon the entry of a summary order, the secretary shall promptly notify all interested parties that it has been entered and of the reasons therefor and that within fifteen days of the receipt of a written request the matter will be set down for hearing. If no hearing is requested and none is ordered by the secretary, the order will remain in effect until it is modified or vacated by the secretary. If a hearing is requested or ordered, the secretary, after notice of and opportunity for hearing to all interested persons, may modify or vacate the order or extend it until final determination. No order under this subsection may operate retroactively. No person may be considered to have violated section 301 or 403 by reason of any offer or sale effected after the entry of an order under this subsection if he sustains the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of the order.

(*d*) In any proceeding under this chapter, the burden of proving an exemption or an exception from a definition is upon the person claiming it.

Section 403. Filing of sales and Advertising Literature. The secretary by rule or order may require the filing of any prospectus, pamphlet, circular, form letter, advertisement, or other sales literature or advertising communication addressed or intended for distribution to prospective investors, unless the security or transaction is exempted by section 402.

Section 404. Misleading Filings. It is unlawful for any person to make or cause to be made, in any document filed with the secretary or in any proceeding under this chapter, any statement which is, at the time and in the light of the circumstances under which it is made, false or misleading in any material respect.

Section 405. Unlawful Representations Concerning Registration or Exemption.

(*a*) Neither (1) the fact that an application for registration under Part II or a registration statement under Part III has been filed nor (2) the fact that a person or security is effectively registered constitutes a finding by the secretary that any document filed under this chapter is true, complete, and not misleading. Neither any such fact nor the fact that an exemption or exception is available for a security or a transaction means that the secretary has passed in any

way upon the merits or qualifications of, or recommended or given approval to, any person, security, or transaction.

(*b*) It is unlawful to make, or cause to be made, to any prospective purchaser, customer, or client any representation inconsistent with subsection (a).

Section 406. Administration of Chapter.

(*a*) This chapter shall be administered by the secretary.

(*b*) It is unlawful for the secretary or any of his officers or employees to use for personal benefit any information which is filed with or obtained by the secretary and which is not made public. No provision of this chapter authorizes the secretary or any of his officers or employees to disclose any such information except among themselves or when necessary or appropriate in a proceeding or investigation under this chapter. No provision of this chapter either creates or derogates from any privilege which exists at common law or otherwise when documentary or other evidence is sought under a subpoena directed to the secretary or any of his officers or employees.

(*c*) Every person who takes an examination under section 204 (*b*) (4) shall pay whatever fee the secretary by rule specifies.

Section 407. Investigations and Subpoenas.

(*a*) The secretary in his discretion (1) may make such public or private investigations within or outside of the commonwealth as he deems necessary to determine whether any person has violated or is about to violate any provision of this chapter or any rule or order hereunder, or to aid in the enforcement of this chapter or in the prescribing of rules and forms hereunder, (2) may require or permit any person to file a statement in writing, under oath or otherwise as the secretary determines, as to all the facts and circumstances concerning the matter to be investigated, and (3) may publish information concerning any violation of this chapter or any rule or order hereunder.

(*b*) For the purpose of any investigation or proceeding under this chapter, the secretary or any officer designated by him may administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, agreements, or other documents or records which the secretary deems relevant or material to the inquiry.

(*c*) In the case of contumacy by, or refusal to obey a subpoena issued to, any person, the superior court for the county in which the person is found or is an inhabitant or transacts business, upon application by the secretary, may issue to the person an order requiring him to appear before the secretary, or the officer designated by him, there to produce documentary evidence if so ordered or to give evidence touching the matter under investigation or in question. Failure to obey the order of the court may be punished by the court as a contempt of court.

(*d*) No person is excused from attending and testifying or from producing any document or record before the secretary, or in obedience to the subpoena of the secretary or any officer designated by him, or in any proceeding instituted by the secretary, on the ground

that the testimony or evidence, documentary or otherwise, required of him any tend to incriminate him or subject him to a penalty of forfeiture; but no individual may be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter, or thing concerning which he is compelled, after claiming his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that the individual testifying is not exempt from prosecution and punishment for perjury or contempt committed in testifying.

Section 408. Injunctions. Whenever it appears to the secretary that any person has engaged or is about to engage in any act or practice constituting a violation of any provision of this chapter or any rule or order hereunder, he may in his discretion bring an action in the superior court for the county in which the person is found or is an inhabitant or transacts business to enjoin the acts or practices and to enforce compliance with this chapter or any rule or order hereunder. Upon a proper showing a permanent or temporary injunction, restraining order, or writ of mandamus shall be granted and a receiver or conservator may be appointed for the defendant or the defendant's assets. The court may not require the secretary to post a bond.

Section 409. Criminal Penalties.

(*a*) Any person who willfully violates any provision of this chapter except section 404, or who willfully violates any rule or order under this chapter, or who willfully violates section 404 knowing the statement made to be false or misleading in any material respect, shall upon conviction be fined not more than five thousand dollars or imprisoned not more than three years, or both; but no person may be imprisoned for the violation of any rule or order if he proves that he had no knowledge of the rule or order.

(*b*) The secretary may refer such evidence as is available concerning violations of this chapter or of any rule or order hereunder to the attorney general, who may, with or without such a reference, institute the appropriate criminal proceedings under this chapter.

(*c*) Nothing in this chapter limits the power of the commonwealth to punish any person for any conduct which constitutes a crime by statute or at common law.

Section 410. Civil Liabilities.

(*a*) Any person who

(1) offers or sells a security in violation of section 201(a), 301, or 405(b), or of any rule or order under section 403 which requires the affirmative approval of sales literature before it is used, or of any condition imposed under section 303(d), or

(2) offers or sells a security by means of any untrue statement of a material fact or any omission to state a material fact necessary in order to make the statements made, in the light of the circumstances under which they are made, not misleading, the buyer not knowing of the untruth or omission, and who does not sustain the burden of proof that he did not know, and in the exercise of reasonable care could not have known, of the untruth or omission, is liable to the person buying the security from him, who may sue either at law or in equity to

recover the consideration paid for the security, together with interest at six per cent per year from the date of payment, costs, and reasonable attorneys' fees, less the amount of any income received on the security, upon the tender of the security, or for damages if he no longer owns the security. Damages are the amount that would be recoverable upon a tender less the value of the security when the buyer disposed of it and interest at six per cent per year from the date of disposition.

(b) Every person who directly or indirectly controls a seller liable under subsection (a), every partner, officer, or director of such a seller, every person occupying a similar status or performing similar functions, every employee of such a seller who materially aids in the sale, and every broker-dealer or agent who materially aids in the sale are also liable jointly and severally with and to the same extent as the seller, unless the non-seller who is so liable sustains the burden of proof that he did not know, and in exercise of reasonable care could not have known, of the existence of the facts by reason of which the liability is alleged to exist. There is contribution as in cases of contract among the several persons so liable.

(c) Any tender specified in this section may be made at any time before entry of judgment.

(d) Every cause of action under this statute survives the death of any person who might have been a plaintiff or defendant.

(e) No person may sue under this section more than two years after the contract of sale. No person may sue under this section (1) if the buyer received a written offer, before suit and at a time when he owned the security, to refund the consideration paid together with interest at six per cent per year from the date of payment, less the amount of any income received on the security, and he failed to accept the offer within thirty days of its receipt, or (2) if the buyer received such an offer before suit and at a time when he did not own the security, unless he rejected the offer in writing within thirty days of its receipt.

(*f*) No person who has made or engaged in the performance of any contract in violation of any provision of this chapter or any rule or order hereunder, or who has acquired any purported right under any such contract with knowledge of the facts by reason of which its making or performance was in violation, may base any suit on the contract.

(*g*) Any condition, stipulation, or provision binding any person acquiring any security to waive compliance with any provision of this chapter or any rule or order hereunder is void.

(*h*) The rights and remedies provided by this chapter are in addition to any other rights or remedies that may exist at law or in equity, but this chapter does not create any cause of action not specified in this section.

Section 411. Judicial Review of Orders.

(*a*) Any person aggrieved by a final decision of the secretary in an adjudicatory proceeding may obtain judicial review pursuant to section fourteen of chapter thirty A.

(*b*) The commencement of proceedings under subsection (*a*) does not, unless specifically ordered by the court, operate as a stay of the secretary's order.

Section 412. Rules, Forms, Orders, and Hearings.

(*a*) The secretary may from time to time make, amend, and rescind such rules, forms, and orders as are necessary to carry out the provisions of this chapter, including rules and forms governing registration statements, applications, and reports, and defining any terms, whether or not used in this chapter, insofar as the definitions are not inconsistent with the provisions of this chapter. For the purpose of rules and forms, the secretary may classify securities, persons, and matters within its jurisdiction, and prescribe different requirements for different classes.

(*b*) No rule, form, or order may be made, amended, or rescinded unless the secretary finds that the action is necessary or appropriate in the public interest or for the protection of investors and consistent with the purposes fairly intended by the policy and provisions of this chapter. In prescribing rules and forms the secretary may cooperate with the securities administrators of the other states and the Securities and Exchange Commission with a view to effectuating the policy of this statute to achieve maximum uniformity in the form and content of registration statements, applications, and reports wherever practicable.

(*c*) The secretary may by rule or order prescribe (1) the form and content of financial statements required under this chapter, (2) the circumstances under which consolidated financial statements shall be filed, and (3) whether any required financial statements shall be certified by independent or certified public accountants. All financial statements shall be prepared in accordance with generally accepted accounting practices.

(*d*) All rules and forms of the secretary shall be published pursuant to sections six and six A of chapter thirty A.

(*e*) No provision of this chapter imposing any liability applies to any act done or omitted in good faith in conformity with any rule, form, or order of the secretary, notwithstanding that the rule, form, or order may later be amended or rescinded or be determined by judicial or other authority to be invalid for any reason.

(*f*) Every hearing in an administrative proceeding shall be public unless the secretary in his discretion grants a request joined in by all the respondents that the hearing be conducted privately.

Section 413. Administrative Files and Opinions.

(*a*) A document is filed when it is received by the secretary.

(*b*) The secretary shall keep a register of all applications for registration and registration statements which are or have ever been effective under this chapter and all denial, suspension, or revocation orders which have been entered under this chapter. The register shall be open for public inspection.

(*c*) The information contained in or filed with any registration statement, application, or report may be made available to the public under such rules as the secretary prescribes.

(*d*) Upon request and at such reasonable charges as he prescribes, the secretary shall furnish to any person photostatic or other copies, certified under the seal of the secretary if requested, of any entry in the register or any document which is a matter of public record. In any proceeding or prosecution under this chapter, any copy so certified is prima facie evidence of the contents of the entry or document certified.

(*e*) The secretary in his discretion may honor requests from interested persons for interpretative opinions.

Section 414. Scope of the Act and Service of Process.

(*a*) Sections 101, 201(a), 301, 405, and 410 apply to persons who sell or offer to sell when (1) an offer to sell is made in the commonwealth, or (2) an offer to buy is made and accepted in the commonwealth.

(*b*) Sections 101, 201(*a*), and 405 apply to persons who buy or offer to buy when (1) an offer to buy is made in the commonwealth, or (2) an offer to sell is made and accepted in the commonwealth.

(*c*) For the purpose of this section, an offer to sell or to buy is made in the commonwealth, whether or not either party is then present in the commonwealth, when the offer (1) originates from the commonwealth or (2) is directed by the offeror to the commonwealth and received at the place to which it is directed, or at any post office in the commonwealth in the case of a mailed offer.

(*d*) For the purpose of this section, an offer to buy or to sell is accepted in the commonwealth when acceptance (1) is communicated to the offeror in the commonwealth and (2) has not previously been communicated to the offeror, orally or in writing, outside the commonwealth; and acceptance is communicated to the offeror in the commonwealth, whether or not either party is then present in the commonwealth, when the offeree directs it to the offeror in the commonwealth reasonably believing the offeror to be in the commonwealth and it is received at the place to which it is directed, or at any post office in the commonwealth in the case of a mailed acceptance.

(*e*) An offer to sell or to buy is not made in the commonwealth when (1) the publisher circulates or there is circulated on his behalf in the commonwealth any bona fide newspaper or other publication of general, regular, and paid circulation which is not published in the commonwealth, or which is published in the commonwealth but has had more than two-thirds of its circulation outside the commonwealth during the past twelve months, or (2) a radio or television program originating outside the commonwealth is received in the commonwealth.

(*f*) Section 102 applies when any act instrumental in effecting prohibited conduct is done in the commonwealth, whether or not either party is then present in the commonwealth.

(*g*) Every applicant for registration under this chapter and every issuer which proposes to offer a security in the commonwealth through any person acting on an agency basis in the common-law sense shall file with the secretary, in such form as he by rule prescribes, an irrevocable consent appointing the secretary or his successor in office to be his attorney to receive service of any lawful process in any non-

criminal suit, action, or proceeding against him or his successor, executor, or administrator which arises under this chapter or any rule or order hereunder after the consent has been filed, with the same force and validity as if served personally on the person filing the consent. A person who has filed such a consent in connection with a previous registration need not file another. Service may be made by leaving a copy of the process in the office of the secretary but it is not effective unless (1) the plaintiff, who may be the secretary in a suit, action, or proceeding instituted by it, forthwith sends notice of the service and a copy of the process by registered mail to the defendant or respondent at his last address on file with the secretary, and (2) the plaintiff's affidavit of compliance with this subsection is filed in the case on or before the return day of the process, if any, or within such further time as the court allows.

(*h*) When any person, including any nonresident of the commonwealth, engages in conduct prohibited or made actionable by this chapter or any rule or order hereunder, and he has not filed a consent to service of process under subsection (*g*) and personal jurisdiction over him cannot otherwise be obtained in the commonwealth, that conduct shall be considered equivalent to his appointment of the secretary or his successor in office to be his attorney to receive service of any lawful process in any non-criminal suit, action, or proceeding against him or his successor, executor, or administrator which grows out of that conduct and which is brought under this chapter or any rule or order hereunder, with the same force and validity as if served on him personally. Service may be made by leaving a copy of the process in the office of the secretary, and it is not effective unless (1) the plaintiff, who may be the secretary in a suit, action, or proceeding instituted by it, forthwith sends notice of the service and a copy of the process by registered mail to the defendant or respondent at his last known address or takes other steps which are reasonably calculated to give actual notice, and (2) the plaintiff's affidavit of compliance with this subsection is filed in the case on or before the return day of the process, if any, or within such further time as the court allows.

(*i*) When process is served under this section, the court, or the secretary in a proceeding before it, shall order such continuance as may be necessary to afford the defendant or respondent reasonable opportunity to defend.

Section 415. Statutory Policy. This chapter shall be so construed as to effectuate its general purpose to make uniform the law of those states which enact it and to coordinate the interpretation and administration of this chapter with the related federal regulation.

Section 416. Short Title. This chapter may be cited as the Uniform Securities Act.

Section 417. Severability of Provisions. If any provision of this chapter or the application thereof to any person or circumstance 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 severable.

SECTION 2. Section eight A of chapter twenty-five of the General Laws is hereby repealed.

SECTION 3. Section 10 of said chapter 25, as most recently amended by section 3 of chapter 442 of the acts of 1939, is hereby further amended by striking out, in line 2, the word "four" and inserting in place thereof the word:—three.

SECTION 4. Chapter 9 of the General Laws is hereby amended by inserting after section 10 the following section:—

Section 10A. For the administration and enforcement of chapter one hundred and ten A the state secretary may employ such assistants and other employees as are required.

SECTION 5. The incumbent of the office of supervisor of securities investigation, and all of the officers and employees in the division of investigation of securities under the commission supervising and controlling the department of public utilities under chapter twenty-five of the General Laws who immediately prior to the effective date of this act hold positions classified under chapter thirty-one of the General Laws or have tenure in their positions by reason of section nine A of chapter thirty of the General Laws shall without impairment of civil service status, seniority, retirement and other rights without interruption of service within the meaning of said chapter thirty-one or section nine A of said chapter thirty be transferred to the office of the state secretary.

SECTION 6. Prior law shall exclusively govern all suits, actions, prosecutions, or proceedings which are pending or may be initiated on the basis of facts or circumstances occurring before the effective date of chapter one hundred and ten A of the General Laws, as amended by section one of this act.

SECTION 7. All effective registrations under prior law, all administrative orders relating to such registrations, and all conditions imposed upon such registrations shall remain in effect so long as they would have remained in effect if chapter one hundred and ten A of the General Laws, as amended by section one of this act, had not been enacted. They shall be considered to have been filed, entered, or imposed under said chapter one hundred and ten A, but shall be governed by prior law.

SECTION 8. Prior law shall apply in respect to any offer or sale made within one year after the effective date of chapter one hundred and ten A of the General Laws, as amended by section one of this act pursuant to an offering begun in good faith before its effective date on the basis of an exemption available under prior law.

SECTION 9. The provisions of chapter one hundred and ten A of the General Laws, as amended by section one of this act, shall take effect on November first, nineteen hundred and seventy-two.

Approved July 13, 1972.

Chap. 695. AN ACT PROVIDING THAT THE OFFICE OF A MEMBER OF THE BOARD OF TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS, SOUTHEASTERN MASSACHUSETTS UNIVERSITY OR LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS SHALL BE DEEMED VACANT IF SUCH MEMBER IS ABSENT FROM FOUR REGULARLY SCHEDULED MEETINGS IN ANY CALENDAR YEAR, EXCLUSIVE OF JULY AND AUGUST.

Be it enacted, etc., as follows:

SECTION 1. Section 20 of chapter 15 of the General Laws, as most recently amended by chapter 725 of the acts of 1971, is hereby further amended by adding the following two sentences: — If any appointed member is absent from four regularly scheduled meetings in any calendar year, exclusive of July and August, his office as a member of said board shall be deemed vacant. The chairman of the board shall forthwith notify the governor that such vacancy exists.

SECTION 2. Section 21A of said chapter 15, as most recently amended by section 1 of chapter 529 of the acts of 1970, is hereby further amended by adding the following two sentences: — If any trustee is absent from four regularly scheduled meetings in any calendar year, exclusive of July and August, his office as a member of said board of trustees shall be deemed vacant. The chairman of the board shall forthwith notify the governor that such vacancy exists.

SECTION 3. Section 24 of said chapter 15, as most recently amended by section 1 of chapter 322 of the acts of 1970, is hereby further amended by adding the following two sentences: — If any member is absent from four regularly scheduled meetings in any calendar year, exclusive of July and August, his office as a member of said board shall be deemed vacant. The chairman of the board shall forthwith notify the governor that such vacancy exists. *Approved July 13, 1972.*

Chap. 696. AN ACT INCREASING THE SALARIES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by striking out section 15, as most recently amended by section 1 of chapter 769 of the acts of 1969, and inserting in place thereof the following section: —

Section 15. District attorneys shall receive from the commonwealth salaries as follows: — for the Suffolk district, thirty-two thousand dollars and such district attorney shall devote his entire time during ordinary business hours to his duties and shall neither directly or indirectly engage in the practice of law; for the northern district, twenty-one thousand dollars; for the middle district, eighteen thousand dollars; for the eastern district, eighteen thousand dollars; for the Norfolk district, eighteen thousand dollars; for the southern district, eighteen thousand dollars; for the western district, sixteen thousand five hundred dollars; for the northwestern district, fifteen thousand dollars; for the Plymouth district, sixteen thousand five hundred dollars.

SECTION 2. Said chapter 12 is hereby further amended by striking out section 16, as most recently amended by section 2 of chapter 1117 of the acts of 1971, 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, seventeen thousand five hundred dollars; three assistants, seventeen thousand dollars; six assistants, fourteen thousand eight hundred dollars; three assistants, twelve thousand eight hundred dollars; seven assistants, twelve thousand five hundred dollars; eight assistants, eleven thousand dollars; five assistants, ten thousand dollars; for the northern district, three assistants, thirteen thousand seven hundred; ten assistants, eleven thousand four hundred dollars; two assistants, ten thousand dollars; for the middle district, one assistant, twelve thousand five hundred dollars; one assistant, eleven thousand dollars; six assistants, ten thousand dollars; four assistants, nine thousand five hundred dollars; for the Norfolk district, two assistants, eleven thousand five hundred dollars; two assistants, ten thousand five hundred dollars; six assistants, nine thousand five hundred dollars; for the Plymouth district, one assistant, eleven thousand five hundred dollars; one assistant, ten thousand five hundred dollars; five assistants, nine thousand five hundred dollars; for the southern district, one assistant, eleven thousand five hundred dollars; one assistant, ten thousand five hundred dollars; six assistants, nine thousand five hundred dollars; for the western district, one assistant, eleven thousand five hundred dollars; two assistants, ten thousand five hundred dollars; five assistants, nine thousand five hundred dollars; for the northwestern district, one assistant, ten thousand five hundred dollars; four assistants, nine thousand five hundred dollars; for the eastern district, one assistant, eleven thousand five hundred dollars; one assistant, ten thousand five hundred dollars; seven assistants, nine thousand five hundred dollars.

SECTION 3. Section 14 of said chapter 12, as most recently amended by section 1 of said chapter 1117, is hereby further amended by striking out, in line 8, the word "nine" and inserting in place thereof the word: — ten.

Approved July 13, 1972.

Chap. 697. AN ACT PROVIDING THAT ANY PERSON APPOINTED AS A REGULAR POLICE OFFICER ON A PERMANENT BASIS IN ANY CITY OR TOWN, THE METROPOLITAN DISTRICT POLICE, THE MASSACHUSETTS BAY TRANSPORTATION AUTHORITY POLICE, EMPLOYEES OF THE REGISTRY OF MOTOR VEHICLES WITH POLICE POWERS, OR THE CAPITOL POLICE SHALL ATTEND A POLICE TRAINING SCHOOL, AND SHALL RECEIVE CERTAIN IN-SERVICE AND SUPERVISORY TRAINING.

Be it enacted, etc., as follows:

Chapter 41 of the General Laws is hereby amended by striking out section 96B, as most recently amended by chapter 172 of the acts of 1971, and inserting in place thereof the following section: —

Section 96B. Every person who receives an appointment as a regular police officer on a permanent full-time basis in any city or in any town, the metropolitan district commission police, the Massachusetts Bay Transportation Authority police, the capitol police or as an employee of the registry of motor vehicles having police powers shall, within nine months of the date of his appointment, be assigned to and shall attend a police training school approved by the Massachusetts police training

council for a course of study lasting at least six weeks and shall satisfactorily complete such course. Any such police officer attending such school shall be paid his wages as police officer. He shall also receive such reasonable expenses as may be determined by the appointing authority. Any such police officer who through his own fault fails to complete his course of study satisfactorily shall be removed from the police force by the appointing authority.

Every regular police officer on a permanent full-time basis in any such city or town, the metropolitan district commission police, the Massachusetts Bay Transportation Authority police, the capitol police or an employee of the registry of motor vehicles having police powers shall be assigned to and shall attend a police training school approved by the Massachusetts 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. Any such police officer who receives an appointment to a position of higher rank shall, in addition, complete such other courses of supervisory training as the council may determine. While attending such school or completing such courses, such person shall be paid his regular wages as a police officer and shall receive such reasonable expenses as may be determined by the appointing authority. *Approved July 13, 1972.*

Chap. 698. AN ACT RELATIVE TO CERTAIN INVESTMENTS BY SAVINGS AND CO-OPERATIVE BANKS.

Be it enacted, etc., as follows:

SECTION 1. Paragraph 6 of section 49 of chapter 168 of the General Laws, as most recently amended by section 1 of chapter 338 of the acts of 1969, is hereby amended by striking out, in lines 2 to 8, inclusive, clause (*a*) and inserting in place thereof the following clause: —

(*a*) a banking corporation in the common stock of which such corporation may invest pursuant to paragraph 1 of section forty-seven; provided that such banking corporation has a combined total of capital stock, surplus, undivided profits and reserves for contingencies equal to at least fifteen million dollars and total assets of one hundred fifty 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.

SECTION 2. Paragraph (*e*) of subsection 4A of section 26 of chapter 170 of the General Laws, inserted by section 1 of chapter 461 of the acts of 1971, is hereby amended by striking out, in lines 2 to 10, inclusive, clause (*i*) and inserting in place the following clause: —

(*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 reserves for contingencies equal to at least fifteen million dollars and total assets of one hundred and fifty 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. *Approved July 13, 1972.*

Chap. 699. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF PLYMOUTH COUNTY TO PAY CERTAIN UNPAID BILLS.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Plymouth county are hereby authorized to pay from any available funds certain unpaid bills to the following: — Xerox Corporation, one hundred two dollars and seventy-six cents, to the group insurance commission ninety-eight dollars and sixty-eight cents, and to John M. Mahaney, twenty-six dollars all for goods and services supplied or rendered to said county during the year nineteen hundred and sixty-nine and which are legally unenforceable against said county.

SECTION 2. No bill shall be approved by the county commissioners of said county or paid by the treasurer of said county under authority of this act unless and until a certificate has been signed and filed with said treasurer stating under the penalties of perjury that the goods and services for which such bill was submitted were ordered by an official or an employee of said county and that such goods were delivered and actually received by said county or that such services were rendered to said county, or both.

SECTION 3. Any person who knowingly files a certificate required by section two, which is false, and who thereby receives payment for goods or services which were not received by or rendered to said county shall be punished by imprisonment for not more than one year or by a fine of not more than three hundred dollars, or both.

Approved July 13, 1972.

Chap. 700. AN ACT AUTHORIZING THE TRUSTEES OF THE TAUNTON STATE HOSPITAL TO CONVEY A CERTAIN PARCEL OF LAND TO THE TOWN OF RAYNHAM.

Be it enacted, etc., as follows:

The trustees of the Taunton state hospital, acting for and in behalf of the commonwealth, are hereby authorized to convey, by a deed approved as to form by the attorney general, to the town of Raynham, a certain parcel of land in the town of Raynham for a town dump, situated on the westerly side of King Phillip street, Raynham, and bound and described as follows: —

Beginning at a stone bound (Tipped) on the westerly side of said King Philip street thence by land of the town of Raynham the following four corners N64°05'00W 511.50 feet to a stone bound thence N64°05'00W 123.42 feet to a turn; thence N17°35'00"W 214.50 feet to a turn thence N33°35'00"W 128.04 feet to a corner; thence by land of N/F Heirs of Cassander and Simeon Williams the following three courses S11°11'45"W 417.86 feet to a corner; thence S65°50'00"E 293.70 feet to a corner, thence S19°55'00"W 300.30 feet to a corner; thence by land of N/F Heirs of Cassander and Simeon Williams and N/F Hiram and John Field N70°35'00"W 997.26 feet to a corner, thence by land N/F of Joseph H. Hall in Pine Swamp S49°25'00"W 336.60 feet to a corner; thence by land of N/F Elbridge G. Dean S64°20'00"E

521.40 feet to a corner; thence by land of N/F C. Gilmore the following seven courses:
S52°30′W 193.38 feet to a turn, thence
S22°30′E 280.50 feet to a turn, thence
S61°30′E 106.92 feet to a turn, thence
S00°30′W 118.80 feet to a turn, thence
S46°30′E 112.20 feet to a turn, thence
S22°30′E 260.70 feet to a turn, thence
S63°30′E 17.82 feet to a turn, thence
S48°30′E 115.50 feet to a corner; in the side line of road thence N53°22′01″E 804.68 feet to a corner thence by another road N21°31′43″E 240.24 feet to a turn, then by same road N25°19′14″E 726.45 feet, to point of beginning.
Containing 32.¾ acres, more or less.
Premises described is four parcels of land sold to Trustees of Taunton Insane Hospital by
1) Melbin Wilbur, dated July 14, 1903, which excepts a right of way such as there may be, if any, over the cart path extending from the road to the swamp;
2) Otis A. Thayer dated December 23, 1903
3) Charles C. Wilbur dated July 3, 1903
4) Alfred A. Dean dated October 13, 1899 which excepts a right of way over or across the land as mentioned in Book 328 pages 11 & 119.

This conveyance shall be subject to further conditions and restrictions as said trustees and the department of mental health deem advisable, including a provision that title to the aforesaid premises shall revert to the commonwealth if such conditions and restrictions are not complied with within a period of five years after the date of said conveyance.

Approved July 13, 1972.

Chap. 701. AN ACT AUTHORIZING THE TOWN OF ANDOVER TO GRANT RETROACTIVE PAY RAISES TO MEMBERS OF THE POLICE DEPARTMENT OF SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the town of Andover may grant retroactive pay raises to members of the police department of said town for the period of August fifteen, nineteen hundred and seventy-one, to November fifteen, nineteen hundred and seventy-one, and may appropriate money for the payment thereof.

Approved July 13, 1972.

Chap. 702. AN ACT RELATIVE TO THE VACATION AND SICK LEAVE TIME OF A JUSTICE OF A DISTRICT COURT DURING HIS FIRST CALENDAR YEAR OF APPOINTMENT.

Be it enacted, etc., as follows:

The fourth paragraph of section 6 of chapter 218 of the General Laws, as amended by chapter 688 of the acts of 1971, is hereby further amended by inserting after the word "therefor", in line 20, the words: — ; and provided, further, that during the calendar year of the taking office

of a justice no such deduction shall be made for the absence of the justice on that proportion of thirty days corresponding to the proportion of said calendar year remaining after his taking office as justice, nor in addition for the absence of the justice by reason of illness or physical disability for the said proportion of thirty days.

Approved July 13, 1972.

Chap. 703. AN ACT FURTHER REGULATING THE PAYMENT OF BENEFITS TO SUBSCRIBERS BY HOSPITAL SERVICE CORPORATIONS.

Be it enacted, etc., as follows:

Chapter 176A of the General Laws is hereby amended by striking out the second paragraph, inserted by chapter 766 of the acts of 1950, and inserting in place thereof the following paragraph: —

Nothing in this chapter shall prevent such a corporation from reimbursing a subscriber for services received in a non-participating hospital within or outside the commonwealth in the event of accident, illness or maternity or, upon the written direction of the subscriber, from making payment to said hospital for such services; provided, however, that the amount of such reimbursement and payment to any such hospital within the commonwealth shall conform with such method of payment and guarantee of benefits as shall have been in effect pursuant to section five of this chapter immediately prior to the expiration of the then most recent contract between said hospital and said corporation and shall be based upon the charges of the hospital in effect on such date.

Approved July 13, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 13, 1972

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 703 of the Acts of 1972, entitled "AN ACT FURTHER REGULATING THE PAYMENT OF BENEFITS TO SUBSCRIBERS BY HOSPITAL SERVICE CORPORATIONS." and the enactment of which received my approval on July 13, 1972, 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 prevent any lapse in the payments to hospitals by hospital service corporations.

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

OFFICE OF THE SECRETARY, BOSTON, July 14, 1972.

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 fifteen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and three of the acts of nineteen hundred and seventy-two.

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

Chap. 704. AN ACT AUTHORIZING ANY CITY OR TOWN TO ENTER INTO CONTRACTS TO PROVIDE PUBLIC TRANSPORTATION.

Be it enacted, etc., as follows:

Chapter 159A of the General Laws is hereby amended by inserting after section 11A the following section: —

Section 11B. Notwithstanding the provisions of chapter one hundred and sixty-one A to the contrary, any city or town may, for the purpose of providing public transportation facilities or avoiding a reduction or discontinuance of such transportation facilities or for the purpose of the securing of grants from appropriate federal agencies, enter into agreements to contribute to the costs of such services with any person lawfully authorized to operate any motor bus on any public way therein for the carrying of passengers for hire. The contribution to the costs of services shall include the purchase, sale or leasing of transportation equipment by said city or town. *Approved July 13, 1972.*

Chap. 705. AN ACT AUTHORIZING THE WATER RESOURCES COMMISSION TO CONSTRUCT RESERVOIRS AND OTHER WORKS OF IMPROVEMENT FOR FLOOD CONTROL AND RELATED PURPOSES IN THE WATERSHED OF BAITING BROOK IN THE TOWN OF FRAMINGHAM.

Be it enacted, etc., as follows:

SECTION 1. The water resources commission, hereinafter called the commission, in order to facilitate the performance of its duties, powers and obligations, is hereby authorized to enter into and execute one or more watershed work plan agreements and project agreements with the United States Department of Agriculture, hereinafter called the department, for the construction of certain works of improvement including water retention structures, flood walls, and channel modifications in the watershed area of the Baiting Brook in the town of Framingham, hereinafter called the town, for the purpose of flood prevention and related purposes, including water storage, and water resources utilization, in accordance with the provisions of the Watershed Protection and Flood Prevention Act and with the Baiting Brook Watershed Work Plan, dated August, nineteen hundred and fifty-seven, as it exists or as it may be hereafter amended.

SECTION 2. The commission, acting for and on behalf of the commonwealth, may enter into a contract with the town for the commission to be the contracting authority to construct the works of improvement described in section one; provided, however, that the town shall provide all lands, water rights, rights of way and easements, pub-

lic or private, as the commission determines to be necessary to accomplish any purpose mentioned in this act and shall deposit in advance with the state treasurer to the credit of the commission funds determined by the commission to be sufficient for the payment of the non-federal costs of projects authorized under this act. Funds so deposited shall be held in a special account and expended by the commission without further appropriation. Any unexpended balances remaining in such special account upon the completion of the works shall be returned to the town. The town shall be responsible for any damages or costs incurred as a result of the acquisition of the lands, water rights, rights-of-way, or other easements, public or private, and the ownership of the property and rights so acquired shall remain in the name of the town. Upon completion of the works of improvement described in section one, the town shall assume the responsibility for the maintenance and operation of the works in a manner satisfactory to the commission.

SECTION 3. The agreements entered into as authorized by sections one and two shall set forth the sums to be paid by the federal government on account of the construction of the works of improvement allocated to flood control or other flood retardation works, and such other sums as the federal government is to pay on account of other works to be included in the overall project and authorized by said Watershed Protection and Flood Prevention Act. Federal Funds deposited in the treasury of the commonwealth shall be placed in a special account to the credit of the commission and shall be disbursed without further appropriation to pay for federal obligations provided for in agreements between the United States Soil Conservation Service and the commission and for no other purposes. Any unexpended balances remaining in the account upon completion of the project shall be returned to the federal government.

SECTION 4. The commission or its duly authorized agents shall have the right to enter upon any lands for the purpose of making surveys, test pits and borings, and may take, or otherwise acquire, the right temporarily to occupy any lands necessary for the construction of any works or for any other purposes authorized by this act.

SECTION 5. The commission may, with the approval of the department of natural resources, utilize lands administered by the department within the watershed area of Baiting Brook for such works. Upon completion of the works of improvement described in section one, the commission shall assume the responsibility for the operation and maintenance of the works in a manner satisfactory to the department of natural resources. The commission may transfer said works to the department of natural resources to be operated, administered and maintained under the provisions of chapter one hundred and thirty-two A of the General Laws; provided, the commission shall advise the department of natural resources on the operation of the water retention structure.

The department of natural resources, acting for and in behalf of the commonwealth, may acquire by gift, purchase, eminent domain or otherwise, land, water rights, rights-of-way or other easements, public or private, as may be necessary for the project.

Approved July 13, 1972.

Chap. 706. AN ACT FURTHER REGULATING LICENSING PROGRAMS AND FEES RELATIVE TO FISH, BIRDS AND MAMMALS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by striking out section 11 and inserting in place thereof the following section: —

Section 11. A person shall not fish in any inland waters of the commonwealth unless he is a minor under fifteen years of age, nor hunt or trap any bird or mammal except as otherwise provided in sections four, fourteen, fifteen, twenty, twenty-one, twenty-three and thirty-seven without first having obtained a sporting, hunting, fishing or trapping license.

Sporting, hunting, fishing and trapping licenses shall be issued to the following classes of persons upon payment of the appropriate fee: — (1) A citizen of the United States, resident in the commonwealth for at least six consecutive months immediately prior to his application for such license, and (2) a person who is on active duty in the armed forces of the United States and is stationed within the commonwealth. The fee for such licenses shall be as follows: — a sporting license, thirteen dollars and fifty cents; a hunting license, eight dollars and twenty-five cents; a fishing license, eight dollars and twenty-five cents, except that for such license issued to a minor fifteen to seventeen years of age, inclusive, the fee shall be six dollars and twenty-five cents; a trapping license, eleven dollars and fifty cents, except that for such license issued to a minor twelve to seventeen years of age, inclusive, the fee shall be six dollars and twenty-five cents. No fee shall be charged for any license issued under this paragraph to a person over the age of seventy, or for a fishing or hunting license issued under this paragraph to a paraplegic, or for a fishing license issued under this paragraph to a person who is blind or mentally retarded.

Hunting, fishing and trapping licenses shall be issued to any citizen of the United States who does not meet the requirements of the preceding paragraph. The fees for such licenses shall be as follows: — a big game hunting license which shall apply to the hunting of all game including deer and bear, thirty-five dollars and twenty-five cents; a small game hunting license, which shall apply to game excepting deer and bear, twenty dollars and twenty-five cents; a non-resident small game hunting license for commercial shooting preserves and good for three consecutive days, sixteen dollars and twenty-five cents; a fishing license, fourteen dollars and twenty-five cents; a fishing license covering all the inland waters and good for seven consecutive days specified on the license, eight dollars and twenty-five cents. In the case of the aforementioned three and seven-day licenses, said days shall be so specified on the license and the duration of the license shall be so limited, notwithstanding any provisions of section eighteen and section thirty-two.

Fishing and hunting licenses shall be issued to aliens who have established residence in the commonwealth for a period of at least six consecutive months immediately prior to making application providing that, in the case of hunting, the applicant shall hold a valid permit issued under the provisions of section one hundred and thirty-one H of chapter one hundred and forty. The fees for such licenses shall be for

fishing, eleven dollars and twenty-five cents, and for hunting, sixteen dollars and twenty-five cents.

All other aliens shall be charged the same fees as non-residents under paragraph three, but prior to obtaining a hunting license, an alien shall hold a valid permit issued under the provisions of section one hundred and thirty-one H of chapter one hundred and forty.

The fee for an archery stamp issued under section thirteen shall be five dollars and ten cents, of which the authorized agent or city or town clerk issuing such stamp may retain ten cents.

A person shall not kill or possess any species of game bird or mammal for which a permit is required unless he shall first have paid the established fee. A fee of fifty cents shall accompany each anterless deer permit application and a fee of fifty cents shall accompany each bear permit application.

SECTION 2. Section 12 of said chapter 131, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by striking out, in lines 3 to 5, inclusive, the words ", and the furnishing of an affidavit by any non-resident desiring to be classified under the first paragraph of section eleven".

SECTION 3. Section 16 of said chapter 131, as so appearing, is hereby amended by striking out, in line 5, the words "fifty cents" and inserting in place thereof the words: — one dollar.

SECTION 4. Section 20 of said chapter 131, as so appearing, is hereby amended by striking out, in line 5, the word "ten" and inserting in place thereof the word: — fifteen.

SECTION 5. Section 21 of said chapter 131, as so appearing, is hereby amended by striking out, in line 11, the word "ten" and inserting in place thereof the word: — fifteen.

SECTION 6. Section 27 of said chapter 131, as so appearing, is hereby amended by striking out, in line 2, the word "five" and inserting in place thereof the word: — ten, — and by striking out, in line 18, the words "one dollar" and inserting in place thereof the words: — two dollars.

SECTION 7. Clause (1) of the first paragraph of section 28 of said chapter 131, as so appearing, is hereby amended by striking out, in line 4, the word "ten" and inserting in place thereof the word: — fifteen.

SECTION 8. Clause (2) of said first paragraph of said section 28 of said chapter 131 is hereby amended by striking out the word "twenty" inserted by chapter 17 of the acts of 1969 and inserting in place thereof the word: — fifty.

SECTION 9. Clause (3) of the second paragraph of section 31 of said chapter 131, as appearing in section 1 of chapter 802 of the acts of 1967, is hereby amended by inserting after the word "license", in line 4, the words: — or a non-resident three day hunting license good only on commercial shooting preserves.

SECTION 10. Section 80 of said chapter 131, as so appearing, is hereby amended by striking out, in lines 8 and 9, the words "one dollar" and inserting in place thereof the words: — two dollars, — and by inserting after the word "dollar", in line 10, the words: — and fifty cents.

Approved July 13, 1972.

Chap. 707. AN ACT RELATIVE TO TAX INCENTIVES FOR INDUSTRIAL AIR POLLUTION CONTROL.

Be it enacted, etc., as follows:

SECTION 1. Section 5 of chapter 59 of the General Laws is hereby amended by striking out clause Thirty-ninth.

SECTION 2. Said section 5 of said chapter 59 is hereby further amended by striking out clause Forty-fourth, inserted by section 2 of chapter 700 of the acts of 1966, and inserting in place thereof the following clause: —

Forty-fourth. Any structure, building, device, appliance, machinery, equipment or other property, whether consisting of real or tangible personal property, or a combination of both, which is constructed, installed or placed in operation, in whole or in part, for the purpose of eliminating industrial waste or reducing such waste to a level of toxicity that is not injurious to fish, fowl, animal life or aquatic vegetation and thereby abating or preventing the pollution of the waters of the commonwealth or for the purpose of abating, preventing or eliminating industrial pollution of the atmosphere of the commonwealth. This exemption shall apply to facilities for the treatment, neutralization or stabilization of industrial waste or industrial air pollution from a point immediately preceding the point of such treatment, neutralization or stabilization to the point of disposal, including the necessary pumping and transmitting facilities, but excluding such facilities installed for the primary purpose of salvaging materials which are usable in the manufacturing process or are marketable. The term "industrial waste" and the term "industrial air pollution", as used in this section, shall mean any liquid, gaseous, solid or waste substance, or a combination thereof, resulting from any process of industry, manufacture, trade or business or from the development or recovery of any natural resources, which may cause or might reasonably be expected to cause pollution of the waters or the atmosphere of the commonwealth.

If any such structure, building, device, appliance, machinery, equipment or other property is used solely and in its entirety for the elimination or control of water or air pollution, the exemption granted hereunder shall be total; if, however, only a portion of such structure, building, device, appliance, machinery, equipment or other property is used for the elimination or control of water or air pollution, the exemption shall be prorated as follows: for structures and buildings, the ratio which the area or volume, as applicable, thereof used solely for pollution control bears to the entire area or volume; for devices, appliances, machinery, equipment or other property, the ratio which the operating time devoted solely to pollution control bears to the total operating time.

No exemption shall be granted under this clause unless the director of the division of water pollution control in the department of natural resources or the director of the air pollution control agency in the commonwealth, as the case may be, certifies to the assessors of the city or town involved that such structure, building, device, appliance, machinery, equipment or other property is effective in eliminating or reducing pollution to an acceptable level.

SECTION 3. Chapter 63 of the General Laws is hereby amended by striking out section 38D, as amended by chapter 659 of the acts of 1967, and inserting in place thereof the following section: —

Section 38D. (*a*) Indetermining the net income subject to tax under this chapter a domestic or foreign business corporation, at its election, may deduct the expenditures paid or incurred during the taxable year for the construction, reconstruction, erection or improvement of industrial waste treatment facilities or industrial air pollution control facilities. The term "industrial waste treatment facilities" and the term "industrial air pollution control facilities" shall mean facilities for the treatment, neutralization or stabilization of industrial waste or industrial air pollution from a point immediately preceding the point of such treatment, neutralization or stabilization to the point of disposal, including the necessary pumping and transmitting facilities, but excluding such facilities installed for the primary purpose of salvaging materials which are usable in the manufacturing process or are marketable. The term "industrial waste" and the term "industrial air pollution" shall mean any liquid, gaseous, solid or waste substance, or a combination thereof, resulting from any process of industry, manufacture, trade or business or from the development or recovery of any natural resources, which may cause or might reasonably be expected to cause pollution of the waters or the atmosphere of the commonwealth.

(*b*) Such deduction shall be allowed only —

(1) with respect to tangible property which is depreciable, pursuant to section one hundred and sixty-seven of the Federal Internal Revenue Code, having a situs in the commonwealth and used in the corporation's trade or business, the construction, reconstruction, erection or improvement of which with respect to industrial waste treatment facilities was initiated on or after January first, nineteen hundred and sixty-six, and only for expenditures paid or incurred prior to January first, nineteen hundred and eighty, and with respect to industrial air pollution control facilities was initiated on or after January first, nineteen hundred and seventy-two, and only for expenditures paid or incurred prior to January first, nineteen hundred and eighty, and

(2) on condition that such facilities with respect to industrial waste treatment facilities have been certified by the director of the division of water pollution control in the department of ~~natural resources~~ as complying with applicable provisions of the water pollution control law and regulations, permits or orders issued by him pursuant to law, and with respect to industrial air pollution control facilities have been certified by the director of the air pollution control agency in the commonwealth as complying with applicable provisions of the air pollution control law and regulations, permits or orders issued by him pursuant to law, and

(3) on condition that the net income for the taxable year and all succeeding taxable years be computed without any deduction for such expenditures or for depreciation of the property other than the deductions allowed by this section, except to the extent that the cost or other basis of the property may be attributable to factors other than such expenditures, or in the case a deduction is allowable pursuant to this section for only a part of such expenditures, on condition that any deduction allowed under the Federal Internal Revenue Code for such expenditures or for depreciation of the same property be proportionately reduced in computing net income for the taxable year and all succeeding taxable years.

(*c*) If expenditures with respect to an industrial waste treatment facility or an industrial air pollution treatment facility have been de-

ducted as provided herein and if within ten years from the end of the taxable year in which such deduction was allowed such property or any part thereof is used for the primary purpose of salvaging materials which are usable in the manufacturing process or are marketable, the corporation shall report such change of use in its return for the first taxable year during which it occurs, and the commissioner may recompute the tax for the year or years for which such deduction was allowed and may assess any additional tax resulting from such recomputation within the period of assessment applicable to such return.

If a deduction is allowed as herein provided for expenditures paid or incurred during any taxable year on the basis of a temporary certificate of compliance and if the corporation fails to obtain a permanent certificate of compliance upon completion of the facilities with respect to which such temporary certificate was issued, the corporation shall report such failure in its return for the taxable year during which such facilities are completed, and the commissioner may recompute the tax for the year or years for which such deduction was allowed and may assess any additional tax resulting from such recomputation within the period of assessment applicable to such return.

(*d*) In any taxable year when property is sold or otherwise disposed of, with respect to which a deduction has been allowed pursuant to this section, such deduction shall be disregarded in computing gain or loss, and the gain or loss on the sale or other disposition of such property shall be the gain or loss resulting if the deduction provided by this section had not been elected and the cost or other basis of the property had been reduced by straight-line depreciation based on the useful life of the property; provided, however, that if such sale or other disposition of such property occurs within three years of the date such property is placed in service the basis shall be zero.

(*e*) And industrial waste treatment facility or an industrial air pollution treatment facility which qualifies for the deduction provided for by this section shall not be subject to taxation under the tangible property measure of the excise imposed by clause (1) (*i*) of subsection (*a*) of section thirty-two or clause (1) (*i*) of subsection (*a*) of section thirty-nine.

SECTION 4. Sections one and two of this act shall apply to taxes levied for the year nineteen hundred and seventy-two and thereafter. Section three shall apply to the taxable years ending on and after December thirty-first, nineteen hundred and seventy-two.

Approved July 13, 1972.

Chap. 708. AN ACT FURTHER REGULATING THE HISTORIC DISTRICT COMMISSION FOR THE TOWN OF NANTUCKET.

Be it enacted, etc., as follows:

Section 9 of chapter 395 of the acts of 1970 is hereby amended by adding the following paragraph: —

(*g*) The Historic District Commission shall maintain the fundamental harmony of the Historic Nantucket District by approving new structures and changes in old structures only when they are harmonious with traditional buildings on Nantucket prior to the year eighteen hundred

and forty-six. Said Commission shall, however, permit the use of picture windows in structures outside of the districts formerly established by section three of chapter six hundred and one of the acts of nineteen hundred and fifty-five. *Approved July 13, 1972.*

Chap. 709. AN ACT AUTHORIZING CITIES AND TOWNS TO PARTICIPATE IN THE OWNERSHIP OF CONDOMINIUMS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 183A of the General Laws is hereby amended by striking out the definition of "Building", as most recently amended by section 1 of chapter 139 of the acts of 1970, and inserting in place thereof the following definition: —

"Building", any building containing one or more units comprising a part of the condominium.

SECTION 2. Said section 1 of said chapter 183A is hereby further amended by striking out the definition of "Bank or insurance company", as appearing in section 1 of chapter 493 of the acts of 1963.

SECTION 3. Said chapter 183A is hereby further amended by adding the following two sections: —

Section 20. Notwithstanding any other provision of general or special law, a city or town may own a unit of a condominium under this chapter, participate in the organization of unit owners and be liable for its share of the common expenses of the condominium. Said city or town may either purchase a unit of a condominium or, if the city or town intends to become the owner of such a unit and use the same for municipal purposes, it may contract for the creation of a condominium and for the advancement to the city or town of the acquisition costs allocable to all other units therein. It may acquire land therefor or devote thereto land already owned by it, construct, reconstruct or remodel a building thereon subject however to the provisions of chapter one hundred and forty-nine notwithstanding that said building is not intended solely for municipal uses, and execute and record a master deed submitting such land and building to the provisions of this chapter. Upon the completion of the said construction, reconstruction or remodelling it may convey to such other parties to said contract such units as have been paid for in the proportion of the aggregate cost allocable to their stipulated units. The authority contained in this section shall be exercised, in the case of the city of Boston, by its public facilities commission, in the case of a city having a Plan E charter, by the affirmative vote of a majority of its city council, in the case of any other city, by its city council subject to the provisions of its city charter, and in the case of a town, by its town meeting.

Section 21. If a condominium does not contain any unit which is designed for occupancy by only one family or household, or if the floor area of all those units which are designed for occupancy by only one family or household does not in the aggregate exceed ten per cent of the floor area of all units in the condominium, then the following provisions shall be applicable notwithstanding any other provisions of this chapter:

(*a*) The by-laws may provide: —

(1) That to any extent specified in the by-laws the common profits shall be distributed among, and the common expenses shall be charged to, the unit owners in proportions other than according to their respec-

tive percentages of the undivided interest in the common areas and facilities.

(2) That to any extent specified in the by-laws the unit owners shall not be personally liable for sums assessed for their share of common expenses, but such provisions shall not adversely affect any lien for said share.

(3) For limitations upon the first mortgages of record or the types or categories thereof which shall have priority over the liens provided for in clause (*c*) of section six, which may be dependent on the person or entity to whom such mortgages are given or upon such other criteria as may be specified in the by-laws.

(4) A procedure for submitting the disputes arising from the administration of the condominium to arbitration or other impartial determination.

(5) Provisions giving a particular unit owner or owners voting rights with respect to election of directors, trustees or members of the managing board less than, or in excess of, the voting rights which such owner or owners would otherwise have had, and provisions requiring or permitting approval of any matter, or any specified category or categories of matters, by a proportion greater than a majority, which proportion may be as great as one hundred percent.

(6) Terms and conditions differing from those set forth in section seventeen, eighteen and nineteen, or any of them, regarding rebuilding made necessary by fire or other casualty loss, the making of improvements and allocation of the costs of such rebuilding or improvements, and the removal of the condominium or portion thereof from the provisions of this chapter; and in such case such terms and conditions so provided in the by-laws shall take precedence over the provisions of sections seventeen, eighteen and nineteen to the extent inconsistent therewith.

(*b*) The master deed: —

(1) Need not contain a statement of the number of rooms in any unit designed for purposes other than dwelling.

(2) May contain a requirement that in order for instruments to be binding on an organization of unit owners which is a trust or unincorporated association, such instruments shall be signed by a greater proportion of the trustees or of the managing board than a majority, which proportion may be as great as one hundred percent; and in such case the provisions of clause (*e*) of section ten shall apply only to instruments signed by the proportion of trustees or of the managing board set forth in such requirement in the master deed.

SECTION 4. The provisions of this act shall apply to the regulation of condominiums created, and to amendments of the master deed or by-laws made subsequent to the effective date of this act.

Approved July 13, 1972.

Chap. 710. AN ACT FURTHER REGULATING THE APPOINTMENT OF PERSONS TO TEMPORARY POSITIONS CREATED UNDER THE EMERGENCY EMPLOYMENT ACT OF 1971.

Be it enacted, etc., as follows:

SECTION 1. 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, a temporary position created pursuant to the Federal Emergency Employment Act of 1971, Public Law 92–54, shall not be subject to the provisions of said chapter thirty-one whether or not such position in the service of the commonwealth or of the cities and towns is subject to said chapter thirty-one. Subject to the requirements of said Act, any person found qualified by the appointing authority may be appointed to such position during the existence thereof. He shall receive the prevailing rate of pay for persons employed in similar positions by the state or municipal employer and shall be entitled to the same benefits, including but not limited to workmen's compensation, health insurance, vacations, sick leave and unemployment compensation, as are other employees in similar positions under the jurisdiction of the appointing authority; provided, however, there shall be no conflict with any federal law, rule or regulation.

SECTION 2. Chapter seven hundred and thirty-one of the acts of nineteen hundred and seventy-one is hereby repealed.

SECTION 3. This act shall not apply to law enforcement officers or members of fire fighting forces. *Approved July 13, 1972.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 13, 1972

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 710 of the Acts of 1972, entitled "AN ACT FURTHER REGULATING THE APPOINTMENT OF PERSONS TO TEMPORARY POSITIONS CREATED UNDER THE EMERGENCY EMPLOYMENT ACT OF 1971." and the enactment of which received my approval on July 13, 1972, 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 employment of some 1400 young persons in high areas of unemployment may be facilitated.

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

OFFICE OF THE SECRETARY, BOSTON, July 14, 1972.

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 sixteen minutes, P.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter seven hundred and ten of the acts of nineteen hundred and seventy-two.

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

Chap. 711. AN ACT REMOVING REQUIREMENT OF NOTICE FOR EXECUTORS OR ADMINISTRATORS OF DECEASED DEPOSITORS OF SPECIAL NOTICE ACCOUNTS.

Be it enacted, etc., as follows:

Chapter 167 of the General Laws is hereby amended by inserting after section 48A the following section: —

Section 48B. Notwithstanding the provisions of section twenty-two A of chapter one hundred sixty-eight, subsection 3A of section thirteen of chapter one hundred seventy, and section ten A of chapter one hundred seventy-one, or of any agreement made pursuant to the authority thereof relative to notice of intent to withdraw funds from an account, and notwithstanding the provisions of section fifty of chapter one hundred seventy-two, or of any agreement between a trust company and a depositor requiring like notice of intent to withdraw from an account essentially similar in nature to accounts established in savings banks under the provisions of said section twenty-two A of said chapter one hundred sixty-eight, no such requirement of notice shall be applicable after the death of the depositor in such an account to a duly appointed and qualified executor or administrator of the estate of such depositor.

Approved July 13, 1972.

Chap. 712. AN ACT PROVIDING FOR THE FILING OF CERTAIN SUPPLEMENTS TO THE RETURN REQUIRED TO BE FILED UNDER THE INHERITANCE TAX LAW.

Be it enacted, etc., as follows:

SECTION 1. Section 7 of chapter 65 of the General Laws, as most recently amended by section 54 of chapter 555 of the acts of 1971, is hereby further amended by inserting after the third paragraph the following paragraph: —

Notwithstanding any of the foregoing provisions in all cases where a federal estate tax return is required to be filed by the estate of the decedent, any additional taxes resulting from adjustments made by the federal government shall be payable within sixty days after the date of the final determination of federal estate tax liability.

SECTION 2. Section 22 of said chapter 65, as appearing in section 57 of said chapter 555, is hereby amended by striking out the second paragraph and inserting in place thereof the following two paragraphs: —

In the event that a federal estate tax return is required to be filed by the estate of the decedent, the executor, administrator, trustee or other person liable to taxation under this chapter shall also file with the commissioner a supplement to the return, in such form as the commissioner, with the approval of the commission, prescribes, reporting the adjustments, if any, made by the federal government in the federal estate tax return and a revised computation of the tax due under this chapter as a result of such adjustments. Such supplement, together with a copy of the final determination of federal estate tax liability, shall be filed and any additional tax due as a result thereof shall be paid within sixty days after the date of the final determination of federal estate tax liability.

Where good cause exists, the commissioner may grant a reasonable extension of time, not exceeding six months or such further time as

may be granted by the federal government for the filing of the federal estate return, for filing any return under this chapter. Any such extension 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 3. The provisions of this act shall apply to federal estate tax returns and supplements thereto required to be filed on or after the effective date thereof. *Approved July 13, 1972.*

Chap. 713. AN ACT PROVIDING FOR DISCRETIONARY HEARINGS BY A MEMBER OR AGENT OF THE LABOR RELATIONS COMMISSION UNDER CERTAIN PROVISIONS OF THE PUBLIC EMPLOYEE COLLECTIVE BARGAINING LAW.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of subsection (10) of section 178F of chapter 149 of the General Laws, as appearing in chapter 774 of the acts of 1967, is hereby amended by striking out the last sentence and inserting in place thereof the following paragraph: —

Any hearing under this subsection may, when so determined by the commission, be conducted by a member or agent of the commission. If, after such hearing, the member or agent determines that a prohibited practice has been committed, he shall state his findings of fact and shall issue and cause to be served on the party committing the prohibited practice a copy of such findings of fact and his recommendations for resolving such prohibited practice; if the member or agent determines that a prohibited practice has not been or is not being committed, he shall state his findings of fact and shall dismiss the complaint. Such determination shall be final and binding unless, within ten days after notice thereof, any party requests a review by the full commission. A transcript of the testimony before the member or agent shall be taken.

SECTION 2. Said subsection (10) of said section 178F of said chapter 149 is hereby further amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph: —

If a review is requested, the member or agent shall file with the commission and with the parties a written statement of the case. In addition, any party may, within ten days after the receipt of such statement, file a supplementary statement with the commission. A review may be had upon a written statement of the case by the member or agent agreed to by the parties, or upon written statements furnished by the parties, or, if any party or the commission requests, upon a transcript of the testimony taken at the initial hearing, together with such other testimony as the commission may require. If, after such review, the commission determines that a prohibited practice has been committed, it shall state its findings of fact and shall issue and cause to be served on the party committing the prohibited practice a copy of such findings of fact and its recommendations for resolving such prohibited practice; if the commission determines that a prohibited practice has not been

or is not being committed, it shall state its findings of fact and shall issue an order dismissing the complaint.

SECTION 3. Section 178H of said chapter 149, as most recently amended by chapter 410 of the acts of 1971, is hereby further amended by inserting after subsection (4) the following subsection: —

(4A) Any hearing under subsections (2), (3) and (4) of this section may be, when so determined by the commission, conducted by a member or agent of the commission. The decisions and determinations of such member or agent shall be final and binding unless, within ten days after notice thereof, any party requests a review by the full commission. If a full review is requested, the member or agent shall file with the commission and with the parties a written statement of the case; in addition any party may, within ten days from the receipt of such statement, file a supplementary statement with the commission. A review by the commission shall be made upon such statement of the case by the member or agent and upon such supplementary statements filed by the parties, if any, together with such other evidence as the commission may require.

SECTION 4. The third paragraph of section 178L of said chapter 149, as appearing in section 2 of chapter 763 of the acts of 1965, is hereby amended by striking out the last sentence and inserting in place thereof the following paragraph: —

Upon any complaint made under this section the commission in its discretion may order that the hearing be conducted by a member or agent of the commission. At such hearing the municipal employer, the employee organization or the person so complained of shall have the right to appear in person or otherwise to defend against such complaint. In the discretion of the commission, any person may be allowed to intervene in such proceeding. In any hearing the member or agent shall not be bound by the technical rules of evidence prevailing in the courts and a transcript of the testimony before the member or agent shall be taken. At the conclusion of the hearing, the member or agent shall determine whether a practice prohibited by this section has been committed, and if so, he shall issue an order to the party committing the prohibited practice requiring said party to cease and desist from such prohibited practice and shall take such further affirmative action as will comply with the provisions of this section, and if not, he shall issue an order dismissing the complaint. Such order shall become final and binding unless, within ten days after notice thereof, any party requests a review by the full commission. A review may be made upon a written statement of the case by the member or agent agreed to by the parties, or upon written statements furnished by the parties, or, if any party or the commission requests, upon a transcript of the testimony taken at the preliminary hearing, together with such other testimony as the commission may require. *Approved July 13, 1972.*

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 13, 1972

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 713 of the Acts of 1972, entitled "AN ACT PROVIDING FOR DISCRETIONARY HEARINGS BY A MEMBER OR AGENT OF THE LABOR RELATIONS COMMISSION UNDER CERTAIN PROVISIONS OF THE PUBLIC EMPLOYEE COLLECTIVE BARGAINING LAW." and the enactment of which received my approval on July 13, 1972, 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 implement the provisions of this act to expedite the work of the Labor Relations Commission.

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

OFFICE OF THE SECRETARY, BOSTON, July 14, 1972.

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 seventeen 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 thirteen of the acts of nineteen hundred and seventy-two.

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

Chap. 714. AN ACT REQUIRING INSURERS TO PROVIDE POLICYHOLDERS WITH COPIES OF MEDICAL INFORMATION USED TO DENY LIABILITY UNDER ACCIDENT AND HEALTH INSURANCE POLICIES.

Be it enacted, etc., as follows:

Paragraph (*a*) of subdivision 2 of section 108 of chapter 175 of the General Laws is hereby amended by inserting after provision (2), as appearing in section 1 of chapter 275 of the acts of 1954, the following provision: —

(2A) It provides that if the insurer denies liability and refuses to make payment on the basis of any provision contained in the policy relating to a pre-existing condition, illness or injury, the insurer shall transmit to the insured together with the notice of denial of liability documented evidence of specific instances of actual treatment or observation of such pre-existing condition, illness or injury in all cases except those of a confidential nature. *Approved July 13, 1972.*

Chap. 715. AN ACT REQUIRING THE DEPARTMENT OF PUBLIC HEALTH TO ESTABLISH AND MAINTAIN AN INVENTORY OF HEALTH CARE RESOURCES IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 111 of the General Laws is hereby amended by inserting after Section 25 the following section: —

Section 25A. The department, in order to identify the location, distribution and nature of all health care resources in the commonwealth

shall establish and maintain on a current basis an inventory of all such resources together with all other reasonably pertinent information concerning such resources. For purposes of this section, a health care resource shall include any resource, whether personal or institutional in nature and whether owned or operated by any person, the commonwealth or political subdivision thereof, the principal purpose of which is to provide, or facilitate the provision of, services for the prevention, detection, diagnosis or treatment of those physical and mental conditions experienced by humans which usually are the result of, or result in, disease, injury, deformity, or pain; and provided that the term "treatment" shall include custodial and rehabilitative care incident to infirmity, developmental disability or old age.

Such inventory and all related information shall be maintained in a form usable by the general public in a designated office of the department, shall constitute a public record, and shall be coordinated with information collected by the department under other provisions of law, federal and state census information, and other vital statistics from reliable sources; provided, however, that any item of information which is confidential or privileged in nature shall not be regarded as a public record under this section.

The department may require health care resources to provide information for the purposes of this section and may prescribe by regulation uniform reporting requirements. In prescribing such regulations the department shall strive to make any reports required under this section of mutual benefit to those providing as well as those using such information, and shall avoid placing any burdens on such providers which are not reasonably necessary to accomplish the purposes of this section.

The department shall publish analyses, reports and interpretations of information collected under this section in order to further public knowledge concerning the distribution and nature of health care resources in the commonwealth.

Agencies of the Commonwealth which collect cost or other data concerning health care resources shall cooperate with the department in coordinating such data with information collected under this section.

In the performance of its duties, the department, subject to appropriation, may enter into such contracts with agencies of the federal government, the Commonwealth or its political subdivisions, and public or private bodies, as it deems necessary; provided, however, that no information received under such a contract shall be published or relied upon for any purpose by the department unless the department has determined such information to be reasonably accurate by statistical sampling or other suitable techniques for measuring the reliability of information-gathering processes. *Approved July 13, 1972.*

Chap. 716. AN ACT AUTHORIZING THE CITY OF WORCESTER TO ADOPT AN ORDINANCE RELATIVE TO SNOW REMOVAL BY OWNERS OR ABUTTERS OF SIDEWALKS LOCATED WITHIN THE LIMITS OF STATE HIGHWAYS.

Be it enacted, etc., as follows:

The city of Worcester is hereby authorized to adopt an ordinance providing that the owner or abutter of sidewalks located within the

limits of state highways which lie within said city shall, within ten hours after snow ceases to fall, cause all snow to be removed from the sidewalks and any person convicted of violating this ordinance shall be punished by a fine of not more than fifty dollars.

Approved July 13, 1972.

Chap. 717. AN ACT REGULATING THE OPERATION OF RIDING SCHOOLS AND STABLES WHERE HORSES ARE KEPT FOR HIRE.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 128 of the General Laws is hereby amended by inserting after the definition of "Nursery stock" the following definition: —

"Riding school operator", any person owning or having the custody of one or more horses which are let for hire to be ridden or driven, with or without the furnishing of riding or driving instructions.

SECTION 2. Said chapter 128 is hereby further amended by inserting after section 2A, inserted by chapter 527 of the acts of 1972, the following section: —

Section 2B. Every person engaged in the business of operating a riding school or a stable where horses are kept for hire, shall obtain a license therefor from the director, the fee for which shall be fifty dollars, and such license shall expire on March 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 conducting of the businesses so licensed and relative to the maintenance of the premises, buildings and conveyances, the health of the horses or other equine animals, and the method and time of inspection and checking of said animals. Whoever violates any provision of this section or of any rule or regulation made thereunder shall be punished for a first offence by a fine of not more than one hundred dollars and for any subsequent offence by a fine of not more than five hundred dollars, or by imprisonment for not more than two and one half years, or both.

Approved July 13, 1972.

Chap. 718. AN ACT FURTHER REGULATING THE LICENSING OF INSURANCE BROKERS AND AGENTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 174D the following section: —

Section 174E. No such license as described in sections one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and seventy-two A, one hundred and seventy-three and one hundred and seventy-four shall be issued to any bank as described herein, or any officer, agent, representative or employee of any such bank, unless limited to the transaction of any one or more classes of business described in clauses (*a*) and (*d*) of the sixth paragraph and in the sixteenth paragraph of section forty-seven. Nothing contained herein shall be construed to prohibit a licensed insurance agent or broker from serving as a director or advisory board member of any such bank; nor shall this prohibition

apply to a licensed insurance agent or broker who is also an officer, agent, representative or employee of such bank when the insurance business of such agent or broker is in no material way connected with such bank or its borrowers. For the purposes of this section, the insurance business of such agent or broker shall be presumed to be materially connected with such bank or its borrowers when ten percentum or more of the aggregate net commissions received by such insurance agent or broker during the term of any prior license or renewal, or which would probably be received during the term of a new license thereunder, resulted or would result from insurance written on behalf of such bank or any of its borrowers.

Nothing contained herein shall be construed to prohibit any such bank from making loans to or otherwise financing a licensed insurance broker, agent or agency and, in connection therewith taking a security interest in the assets of such broker, agent or agency, and nothing in this section shall prevent any such bank from acquiring any assets of such broker, agent or agency in satisfaction of any debt previously contracted or that shall be obtained by sale or foreclosure of any security held by such bank; provided that if the assets so obtained are prohibited by this section, such bank shall dispose of such assets within one year of the date it acquired title to the same, unless the commissioner shall extend the time for such disposition for the reason that the interests of such bank or debtor will suffer materially by a forced sale of such property. In the event the commissioner grants such an extension, he shall make a record of such extension, and in that event, the sale of said property may be made at any time before the expiration of the time of such extension. The commissioner may, at any time, for cause shown and after hearing, revoke any agent's or broker's license or suspend it for a period not exceeding the unexpired term thereof, and may for causes shown and after a hearing, revoke the license while so suspended, if he finds that the holder of such license is violating this section.

For the purpose of this section the word "bank" or "savings and loan association" shall include all banks and lending institutions doing business in the commonwealth whether acting under state or federal authority, including but not limited to the following: "Affiliates", as defined in clause (*e*) of section one of chapter one hundred and sixty-seven A; "Bank" or "savings and loan assocations", banks and lending institutions doing business in the commonwealth, whether acting under state or federal authority, including but not limited to those banks as defined in section one of chapter one hundred and sixty-seven, section one of chapter one hundred and sixty-eight, section one of chapter one hundred and seventy and clause (*a*) of section one of chapter one hundred and seventy-two, but not including premium finance agencies as defined in chapter two hundred and fifty-five C nor sales finance companies as defined in section one of chapter two hundred and fifty-five D and section one of chapter two hundred and fifty-five B, other than banks, national banking associations or savings and loan associations as defined in section one of chapter one hundred and sixty-seven; "Bank holding companies", as defined in clause (*d*) of section one of chapter one hundred and sixty-seven A; "Banking companies", as defined in section one of chapter one hundred and seventy-two A; "Credit unions", those organized under chapter one hundred and seventy-one; "Mort-

gage loan investment companies", as defined in section one of chapter one hundred and seventy-three; "Small loan companies", as defined by section ninety-six of chapter one hundred and forty; "Successor" as defined in section one F of chapter one hundred and sixty-seven A; and any corporation, partnership or other entity in which any of the foregoing own or have a controlling interest.

SECTION 2. The provisions of section one hundred and seventy-four E of chapter one hundred and seventy-five of the General Laws, inserted by section one of this act, shall not apply to any bank as defined in said section one hundred and seventy-four E or any officer, agent, or representative or employee of any such bank which held a license, as described in section one hundred and sixty-three, one hundred and sixty-six, one hundred and sixty-seven, one hundred and sixty-eight, one hundred and seventy-two A, one hundred and seventy-three and one hundred and seventy-four of chapter one hundred and seventy-five of the General Laws, prior to the effective date of this act.

Approved July 13, 1972.

Chap. 719. AN ACT PROVIDING FOR A REASSESSMENT OF LAND UNDER A CONSERVATION RESTRICTION.

Be it enacted, etc., as follows:

SECTION 1. Section 11 of chapter 59 of the General Laws, as most recently amended by chapter 286 of the acts of 1971, is hereby further amended by adding the following paragraph: —

Real estate permanently restricted under section seventeen B of chapter twenty-one, section one hundred and five of chapter one hundred and thirty, section forty A of chapter one hundred and thirty-one and section thirty-one chapter one hundred and eighty-four shall be assessed as a separate parcel of real estate. The initial assessment as a separate parcel shall be made on January first of the year next following the conveyance of such permanent restriction.

SECTION 2. This act shall apply to taxes levied in the nineteen hundred and seventy-two calendar year and thereafter.

Approved July 13, 1972.

Chap. 720. AN ACT PROVIDING TENURE OF OFFICE UNTIL AGE SIXTY-FIVE FOR D. ANSON SABALL THE INCUMBENT POLICE CHIEF OF THE TOWN OF SHIRLEY.

Be it enacted, etc., as follows:

D. Anson Saball, incumbent of the office of chief of police of the town of Shirley, shall hold said office during good behavior until he attains age sixty-five unless incapacitated by physical or mental disability from performing his duties. He shall not, prior to reaching said age be lowered in compensation, suspended or removed except for cause after hearing in the manner provided by section forty-three of chapter thirty-one of the General Laws.

Approved July 13, 1972.

Chap. 721. AN ACT FURTHER REGULATING SEWER ASSESSMENTS IN THE TOWN OF DANVERS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 492 of the acts of 1945 is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The town of Danvers shall by vote determine what proportion of the cost of the system of sewerage and sewage disposal except the added cost of interceptors through private property, pumping stations and inverted syphons and railroad crossings, constructed under authority of chapter two hundred and twenty-nine of the Special Acts of nineteen hundred and sixteen, including the whole share of the cost of construction of the system of sewage disposal of the South Essex Sewerage District chargeable to said town under chapter three hundred and thirty-nine of the acts of nineteen hundred and twenty-five, as amended, and including the amounts of said cost hereafter payable as well as the amounts thereof already paid, the town shall pay; provided, that it shall pay not more than one half of the whole cost.

SECTION 2. Section 3 of said chapter 492 is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — The assessors shall apportion such assessment into twenty equal parts, and one of said parts or installments, together with interest at a rate established by the water and sewer commissioners as certified by the town treasurer, based upon the interest rate for comparable municipal bonds issued in the commonwealth at the time of the assessment, shall be added by the assessors to the annual property tax for general municipal purposes on such estate for each year next ensuing, until all said parts have been paid, unless sooner paid as hereinafter provided in this act; provided, that nothing herein contained shall be construed to prevent payment at any time in one payment, notwithstanding prior apportionment, of any balances of said assessment then remaining unpaid, but interest on such balances at said interest shall be paid to the date of such payment, and thereupon the collector of taxes of the town shall receive the same and certify such payment or payments to the assessors, who shall preserve a record thereof.

SECTION 3. Chapter four hundred and ninety-two of the acts of nineteen hundred and forty-five, as amended by sections one and two of this act, shall not only apply to assessments made after the effective date of this act, but the assessors of the town of Danvers are hereby empowered to apportion any such assessment previously made and outstanding so as to allow twenty yearly payments from the date of the original assessment and shall, upon application by the property owner, make such reapportionment. *Approved July 13, 1972.*

Chap. 722. AN ACT AUTHORIZING THE TOWN OF ATHOL TO CONVEY CERTAIN PARK LAND IN SAID TOWN TO ROBERT H. ANDERSON AND JANICE H. ANDERSON.

Be it enacted, etc., as follows:

The town of Athol is hereby authorized to convey to Robert H. Anderson and Janice H. Anderson, for a consideration of not less than

one hundred and fifty dollars, certain park land in said town, bounded and described as follows: — A triangular shaped parcel of Silver Lake Park land located on the southerly side of Twichell Street, bounded and described as follows:

Beginning at a stone bound on the southerly line of Twichell Street, and being the northeasterly corner of land now of the grantee;

thence by the southerly line of said Twichell Street S. 73°-20′ E. twenty-eight and 48/100 (28.48) feet to a stone bound at an angle point in the street line;

thence N. 84°-53′ E. nine and 32/100 (9.32) feet to a point;

thence by other land of the grantor S. 21°-08′ W. one hundred twenty-seven and 26/100 (127.26) feet to a stone bound at the southeasterly corner of other land of the grantee;

thence by other land of the grantee N. 4°-17′ E. one hundred twenty-seven and 25/100 (127.25) feet to the point of beginning.

Bearings used refer to the 1940 Layout of Twichell Street.

Approved July 13, 1972.

Chap. 723. AN ACT AUTHORIZING THE TOWN OF EASTON TO REIMBURSE LEO J. SULLIVAN, SR. A CERTAIN SUM FOR THE PAYMENT OF A BETTERMENT ASSESSMENT ERRONEOUSLY COLLECTED FROM HIM.

Be it enacted, etc., as follows:

The town of Easton is hereby authorized to appropriate and the treasurer of said town is hereby authorized to pay to Leo J. Sullivan, Sr. the sum of one thousand and twelve dollars and fifty cents, with interest, as reimbursement for an erroneous water betterment assessment collected from him. *Approved July 13, 1972.*

Chap. 724. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONVEY CERTAIN LAND IN THE TOWN OF FOXBOROUGH TO THE FOXBOROUGH HOUSING AUTHORITY.

Be it enacted, etc., as follows:

The commissioner of mental health, acting for and on behalf of the commonwealth, is hereby authorized to sell and convey to the Foxborough Housing Authority for the sum of one dollar, certain parcels of land in the town of Foxborough located on the grounds of the Foxborough state hospital for the purposes of constructing housing for elderly persons, by a deed approved as to form by the attorney general and subject to approval by the commissioner of administration.

Said conveyance shall be subject to further conditions and restrictions as said commissioner may deem advisable including a provision that title to the said land shall revert to the commonwealth if such conditions and restrictions are not complied with within a period of five years after the date of said conveyance. Said parcels of land being bounded and described as follows: —

Parcel 1.

A certain parcel of land in Foxborough in the county of Norfolk and Commonwealth of Massachusetts: northerly on Chestnut Street 319.44 feet; easterly on the location of the Northern Division of the Old Colony Railroad Company's land 490.34 feet, southerly on land now or late of Nathan S. Small, 324.6 feet and westerly on Baker Street 575.52 feet containing 3.856 acres more or less and shown on a plan entitled "plan of land in Foxborough, Massachusetts, belonging to William T. Cook", surveyed by Henry T. Jones, drawn by F. N. Wales, dated May 31, 1890 and lately filed for record in the Registry of Deeds for said county of Norfolk, being the same premises to said Olive, conveyed by Alexis C. Dean by his deed dated August 8, 1879 and recorded with Norfolk deeds, libro 528, Folio 564.

Parcel 2.

Land situated on the easterly side of Baker Street in Foxborough in the County of Norfolk and said Commonwealth containing two (2) acres be the same more or less, and bounded as follows:

Beginning at an iron pipe driven in the ground at easterly line of said Baker Street at south west corner of granted parcel, thence by said easterly line of Baker Street according to survey made May 10, 1911 by Henry T. Jones N 2½* West 258.s feet to an iron pipe driven in the ground; thence by land now and formerly of Mary A. Carpenter N 87½* East 334.2 feet to an iron pipe driven in the ground at westerly line of the railroad land; thence by said westerly line of railroad land S 4* 22′ East 257 feet to an iron pipe driven in the ground at the line of land supposed to be of F. T. Bragg; thence S. 87* 15′ West 342.25 feet to the point of beginning.

Parcel 3.

The land in Foxborough, Norfolk County, Massachusetts on the easterly side of Baker Street containing two (2) acres and six (6) rods more or less, bounded and described as follows: Beginning at the northwesterly corner of the granted premises on said Baker Street at corner of the land now or late of Nathan S. Small; thence about N 85* 30′ E, by said Small land 325.7 feet to land occupied by the New York, New Haven and Hartford Railroad Company: thence about S 4* 22′ E, by said railroad land 271 feet to land now or late of Nelson J. Sim; thence by said Sim land about S 87½* W 334.2 feet to said Baker Street; thence N 4*w. by said Baker Street 267.2 feet to the point of beginning.

Parcel 4.

Land in Foxborough consisting of a certain lot or parcel situated on the easterly side of Baker Street, containing 36,900 sq. ft. more or less and bounded and described as follows; beginning at the southwesterly corner of the granted premises; thence easterly by land of The Foxborough Associates, 329.50 feet to land of New York, New Haven and Hartford Railroad Company; thence northerly by land of said railroad company 111.25 feet to other land of this grantee (Small); thence westerly by land of said grantee 325.40 feet to said Baker Street; thence southerly by said Baker Street 115 feet to the point of beginning.

Approved July 13, 1972.

Chap. 725. AN ACT AUTHORIZING AND ENABLING THE CREATION OF ECONOMIC DEVELOPMENT AND INDUSTRIAL CORPORATIONS BY MUNICIPALITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to improve the economic climate of the Commonwealth and its municipalities and to reduce the unemployment which now constitute a serious emergency detrimental to the public peace, health, safety and convenience, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public peace, health, safety, welfare and convenience.

Be it enacted, etc., as follows:

The General Laws are hereby amended by inserting after chapter 121B the following chapter: —

CHAPTER 121C.

ECONOMIC DEVELOPMENT AND INDUSTRIAL CORPORATIONS.

Section 1. In this chapter, unless a different meaning clearly appears from the context, the following words and phrases shall have the following meanings: —

1) "Corporation", the Economic Development and Industrial Corporation created by section three.

2) "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 completion or estimate completion date of any project, planning, engineering and legal service, administrative expense, the funding of notes issued for capital purposes, such reserve 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.

3) "Department", the department of commerce and development.

4) "Economic development area", any blighted open area or any decadent area, as respectively defined in section one of chapter one hundred twenty-one B, which is located in the municipality 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.

5) "Economic development plan", a detailed plan, as it may be approved from time to time by the municipality as herein provided, 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, 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 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 without the specific approval of the city or town within which the project lies.

6) "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 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 which, under such plan, are to be repaired, moved or rehabilitated.

7) "Municipality", any city or town in the commonwealth which is designated by the department of labor as being in an area of 'substantial unemployment'. The secretary may certify a municipality located in a labor area not meeting the criteria of 'substantial unemployment' as eligible under this chapter if it is determined that the municipality would by itself meet the criteria of 'substantial unemployment' were the appropriate statistics available. In order for a town to be eligible under this chapter it must also be certified by the secretary as satisfying the following requirements: —

a. That the corporation is to become an integral part of a comprehensive development program;

b. That the town has a demonstrable and significant demand for industrial land;

c. That the assembly of local industrial land by private developers or realtors is non-competitive with similar land assemblies in surrounding cities and towns due either to absolute shortage of land or to existing zoning restrictions; and

d. That the local redevelopment authority, if one exists, is unable to provide such assemblies of land as are necessary for economic development.

8) "Pollution control facilities", facilities for the prevention, avoidance, reduction, control, abatement or elimination of pollution of air or waters by industrial establishments by any means.

9) "Secretary", the secretary of communities and development.

Section 2. It is hereby declared that decadent or blighted open areas exist in the municipalities of the commonwealth 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 municipalities; that each such area constitutes an economic liability, substantially, impairs or arrests the sound growth of the municipalities, 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 municipalities 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 aid 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 improvements 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 municipality, 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 municipality and of this commonwealth.

It is hereby further found and declared that there exists in the commonwealth 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 municipalities 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 municipalities; that many existing industrial and manufacturing facilities within the municipalities 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 injury to the economy of the municipalities; that the manufacturing and industrial sector of the

economy provides one of the best immediate opportunities for better jobs at higher wages for inhabitants of the municipalities 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 sufficient private capital for development, and the inability of private enterprise alone to plan, finance and coordinate industrial development projects; that in many metropolitan areas of the commonwealth, municipalities want and need to revitalize their industrial job base, but are frequently at a competitive disadvantage with suburban areas in the process of assembling and developing industrial land resources.

Section 3. There is hereby authorized in each municipality in the commonwealth the organization of an economic development and industrial corporation, a public body politic and corporate, hereinafter referred to as the corporation. No such corporation, however, shall be organized, transact any business, employ any personnel or exercise any powers until the city council with the approval of the city manager, in a city having a Plan D or Plan E form of charter, or with the approval of the mayor in any other city, or a town at an annual town meeting or a special town meeting called for the purpose, shall by vote declare a need for such a corporation because unemployment or the threat thereof exists in the city or town or that security against future unemployment and lack of business opportunity is required and that attracting new industry into the municipality and substantially expanding existing industry through an economic development project or projects financed under this chapter and implemented by such a corporation would alleviate the unemployment and lack of business opportunity problems.

In the event that two or more municipalities wish to consolidate their economic development and industrial corporations, each such municipality desirous of such a consolidation shall so vote as a city or town in the manner hereinbefore described. Such a vote may be made at the same time as the vote to organize the corporation or may be made at a time subsequent thereto.

There shall be seven members of the board of directors of the corporation who shall be appointed by the municipality. At least one member shall be experienced in industrial development, one in financial matters, one in real estate matters, one in municipal government, at least one member representative of low income people who shall be chosen from a list of three submitted by the regional or local community action agency or, where there is no such agency, from a list of three submitted by the department of community affairs. The appointing municipality 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 director of the corporation. A majority of the seven directors shall constitute a quorum for the transaction of any business, but the action of a majority of the entire board shall be necessary 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 cor-

poration 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 municipality 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, and after approval by the Department. For purposes of chapter two hundred 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 legal counsel of the municipality 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.

Section 4. The directors 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 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 municipality, the department and to the secretary, 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 office 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 board of

directors or in like manner to authorize such sale and conveyance by any of its office 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 said board may determine, the premium therefor to be paid by the corporation. Neither chapter thirty-one nor any rule made thereunder shall apply to any person employed or engaged by the corporation under this act.

Section 5. 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, the commonwealth or the municipality 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. A municipality may borrow outside its debt limits to obtain money for loan to a corporation, or within its debt limits to obtain money for grants to a corporation, with the approval of the department and secretary.

(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, except that a municipality may, upon request by a corporation, may pledge its full faith and credit to the solvency of a corporation.

(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 necessary or desirable to carry out the purposes of this 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) To finance pollution control facilities in the same manner provided by this chapter for economic development projects, in which event all

provisions of this chapter which are applicable to economic development projects apply to the pollution control facilities, insofar as such provisions are apt, except as otherwise provided.

(k) Subject to the approval of the municipality to designate areas of the city as economic development areas.

(l) 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 following a public hearing and an affirmative two thirds vote of the city council with the approval of the mayor or city manager, as the case may be in a city, or by an affirmative two thirds vote at an annual town meeting or a special town meeting called for the purpose, in a town, with the advice of the department and the secretary, with the provisions of chapter seventy-nine or chapter eighty A in so far as such provisions may be applicable, such private lands, or any interests 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 treasurer of the municipality 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 approval of an economic development plan by the municipality after such a public hearing and in the manner described in this subsection, with the advice of the department and secretary, 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 the said plan is approved by the municipality with the advice of the department and secretary, the date as of which the value of such lands shall be determined for eminent domain purposes shall be the date on which the said economic development plan was first submitted to the municipality.

(m) 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.

(n) 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.

(o) 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.

(p) To arrange or contract with the municipality 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 municipality of property or property rights or for the furnishing of property or services in connection with a project or projects.

(q) 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.

(r) 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.

(s) To manage any project whether owned or leased by the corporation and to enter into agreements with the commonwealth or the municipality 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.

(t) To act with respect to one or more projects as a corporation organized under section three or section eighteen B of chapter one hundred 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.

(u) To borrow money for the purposes of aiding in the construction of equipment required by the commonwealth or United States to abate air or water pollution.

(v) 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. 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; (b) the economic development plan has been approved by the municipality by an affirmative two thirds vote of the city council with the approval of the mayor or city manager, as the case may be in a city or by an affirmative two thirds vote of an annual town meeting or a special town meeting called for the purpose in a town. 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 municipality 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 municipality and (ii) shall be accompanied by a report on such plan by the planning agency of the municipality to whom such plan shall have been submitted before its submission to the municipality 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) the department and secretary and 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 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 so far as in the judgment of the corporation it is practicable.

If an economic development plan is so approved by the municipality 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. Except as provided herein 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. The corporation shall be liable in contract or in tort in the same manner as a private corporation. The directors, 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 fifty-four but the provisions of sections twenty-eight and twenty-nine of chapter one hundred forty-nine shall be applicable to any construction work by the corporation.

Section 9. 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 municipality may determine a sum to be paid to it 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 municipality may, however, agree with the corporation upon the payments to be made, or the corporation may make and the municipality may accept such payments, the amount of which shall not in either case be subject to the foregoing limitation. The last paragraph of section six and all of section seven of chapter fifty-nine shall, so far as apt, be applicable to payments under this section.

Nothing in this 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 twenty-one A or to an insurance company or savings bank or group of savings banks operating under said chapter, shall be taxed as provided in said chapter and not otherwise.

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. 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 unless specifically approved by the department and the secretary. Such debentures unless otherwise authorized by law shall not be deemed to constitute a debt of the commonwealth or of the municipality or a pledge of the faith and credit of the commonwealth or of the municipality 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 debenture holders 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.

Section 11. The municipality 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. Indebtedness of the municipality authorized under this section shall be outside the limit of indebtedness prescribed in section ten of chapter forty-four and shall be payable within twenty years and otherwise subject to sections sixteen to twenty-seven, inclusive, of said chapter forty-four; provided, however, that the total amount of indebtedness of the municipality, outstanding at any one time under this section and clauses one, two, and four of section twenty of chapter one hundred twenty-one B shall not exceed five per cent of the municipality equalized valuation as defined in section one of said chapter forty-four. Indebtedness incurred under this act shall also be subject to approval under section twenty-two of said chapter one hundred twenty-one B in like manner as indebtedness incurred under said section twenty.

Section 12. The corporation is hereby authorized to provide by resolution, one time or from time to time, for the issuance of revenue bonds of the corporation for the purposes 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 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. 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 corporations 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 subject only to those proceedings, conditions or things which are specifically required by this act.

The corporation is hereby authorized to provide by resolution for 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 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, unless otherwise authorized by law, 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. In the event that the corporation, or municipality or commonwealth is not obliged to pay said revenue and revenue refunding bonds, then, and in that event, 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 municipality shall be obliged to pay the same or the interest thereon except from revenues and that neither the faith and credit nor taxing power of the commonwealth or of the municipality 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 chapter shall have and are hereby declared to have all the quali-

ties and incidents of negotiable instruments as defined in section 3-104 of the Uniform Commercial Code of this commonwealth.

Section 13. 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 enforcing 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 of 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, betterment and special assessments, and (iv) reserves for all 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 pledge is created need be filled or recorded except in the records of the corporation, and no filing need be made under the Uniform Commercial Code.

Section 14. Revenue bonds and revenue refunding bonds issued under the provisions of this chapter are hereby made securities in which all public officers and public bodies of the commonwealth and its political subdivisions, all insurance companies, trust companies in their commercial departments and within the limits set by section fifty-four of chapter one hundred seventy-two, 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 sixty-eight. 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. Any holder of bonds or debentures issued under the provisions of this chapter 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. Insofar as the provisions of this chapter are inconsistent with the provisions of any other law, general or special, excluding any state or the municipal building code and the municipal zoning code, the provisions of this chapter shall be controlling.

Section 17. The provisions of this chapter 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. This chapter, being necessary for the welfare of the commonwealth and its inhabitants, shall be liberally construed to effect the purpose thereof. *Approved July 17, 1972.*

Chap. 726. AN ACT DIRECTING THE TRUSTEES OF THE UNIVERSITY OF MASSACHUSETTS TO CONVEY A CERTAIN PARCEL OF LAND IN THE TOWN OF HADLEY TO THE TOWN OF AMHERST.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the transfer of certain land under the control of the trustees of the University of Massachusetts to the town of Amherst, 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 trustees of the University of Massachusetts are hereby authorized and directed to sell and convey to the town of Amherst for sewage treatment facilities, by deed approved as to form by the attorney general, all the right, title and interest of the commonwealth in and to the following parcel of land located in the town of Hadley, bounded and described as follows: —

Beginning at a point on the easterly line of Route #116, a Massachusetts State Highway (layout of 1958), said point being N 05° 57′ 10″ E 7.00 feet along said line from a tack in lead in M.H.B. opposite Base Line Station 322+00 of said highway; thence along said line N 05° 57′ 10″ E 75.00 feet to a point; thence by the southeasterly line of the Mill River N 58° 47′ 29″ E 67.33 feet to a point; thence by same N 46° 57′ 26″ E 127.95 feet to a point; thence by a line through land of the Commonwealth of Massachusetts (University of Massachusetts) as recorded in DBV 1499 Page 333, S 61° 59′ 15″ E 223.00 feet to a point; thence by land of the Inhabitants of the town of Amherst as recorded in DBV 940, Page 517 the following three bearings and distances:

S 28° 00′ 45″ W 230.00 feet to a Conc. Bnd "M.S.C."
S 61° 59′ 30″ E 280.32 feet to a Conc. Bnd "M.S.C."
N 28° 00′ 45″ E 449.49 feet to a Conc. Bnd "M.S.C.", being a point on the southerly side of a discontinued county layout named North Hadley Road; thence through land of said University as recorded in DBV 249, Page 195 the following six bearings and distances:
S 16° 00′ 21″ E 821.58 feet to a point
N 84° 05′ 38″ W 553.94 feet to a point
N 08° 27′ 18″ W 37.41 feet to a point
N 24° 03′ 09″ W 193.83 feet to a point
N 32° 54′ 19″ W 121.49 feet to a point
N 41° 23′ 27″ W 349.91 feet to a point, being the point of beginning.
Area of the above described parcel is 8.406 acres.

SECTION 2. The trustees of the University of Massachusetts are further authorized and directed to grant an easement to the town of Amherst to pass and repass over an existing service road connecting the Old North Hadley road with the North Hadley road in said town and running along the easterly line of the granted premises described in section one and being shown as 821.58 feet in length. This easement shall also include the right to install all utility supports necessary for servicing the existing sewage treatment plant of said town located on Old North Hadley road. *Approved July 17, 1972.*

Chap. 727. AN ACT PROVIDING FOR THE APPOINTMENT OF FIVE TEMPORARY MEMBERS TO THE INDUSTRIAL ACCIDENT BOARD.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to enable the industrial accident board to reduce its present backlog of claims under the workmen's compensation act and to insure that compensation be paid when due, therefore it is declared to be an emergency law, necessary for the preservation of the public convenience and welfare.

Be it enacted, etc., as follows:

Chapter 23 of the General Laws is hereby amended by inserting after section 15A the following section: —

Section 15B. The industrial accident board, in addition to the members provided for in section fifteen shall also consist of five temporary members, one of whom shall be a member of organized labor affiliated with the Mass. State Labor Council AFL-CIO, appointed by the governor, with the advice and consent of the council, to serve for a period of two years only, and shall receive salaries not exceeding eighteen thousand one hundred twenty-six dollars each, as the governor and council shall determine. Said temporary members shall have all the powers and duties of regular members of the industrial accident board. They shall devote their full time during normal business hours to the duties of their office. No temporary member shall represent any person or party before the board for a period of six months following the end of his two-year term. *Approved July 17, 1972.*

Chap. 728. AN ACT RELATIVE TO THE JURISDICTIONAL LINES OF CERTAIN DISTRICT COURTS OF THE COMMONWEALTH AND PROVIDING FOR AN ADDITIONAL JUSTICE IN THE DISTRICT COURT OF BROCKTON.

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 *Plymouth*, as amended by chapter 198 of the acts of 1963, and inserting in place thereof the following paragraph: —

The second district court of Plymouth, held at Hingham; Hingham, Rockland, Hull, Hanover, Scituate, and Norwell.

SECTION 2. The second paragraph under said caption *Plymouth* in said section 1 of said chapter 218, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "Duxbury", in line 2, the words: — , Halifax, Hanson.

SECTION 3. The fourth paragraph under said caption *Plymouth* in said section 1 of said chapter 218, as so appearing, is hereby amended by striking out, in line 2, the word "Halifax" and inserting in place thereof the words: — Whitman, Abington.

SECTION 4. The first paragraph of section 6 of said chapter 218 is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 1090 of the acts of 1971, 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 Brockton, ~~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 5. This act shall take effect upon its passage.

Approved July 17, 1972.

Chap. 729. AN ACT RELATIVE TO THE ESTABLISHMENT OF A SEWERAGE COST APPORTIONMENT IN THE TOWN OF WESTBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. In lieu of sewer betterment assessments under chapters eighty and eighty-three of the General Laws, the town of Westborough shall charge a permanent sewer privilege fee as established by this act. The fees established herein may be changed from time to time by vote of the town at any annual town meeting.

SECTION 2. Whenever a connection is made, either directly or indirectly, to the town sewer system, or whenever the use of a sewer previously connected is subsequently changed as hereinafter provided, a permanent sewer privilege fee shall be assessed. Such fee shall be that which is in effect at the time the connection is made; or, in the case of a change in use of a sewer previously connected, then the fee shall be that which is in effect at the time an application for a building permit is filed; or if no such permit is required, then the fee shall be that which is in effect at the time an occupancy permit is issued; otherwise the fee shall be that which is in effect at the time the new use begins.

SECTION 3. The permanent sewer privilege fee shall be at the rate of two thousand dollars per unit. The number of units to be assessed on each such connection shall be as follows: —

A. Residential Use

1. Each single family building connected directly to the town sewer system shall be assessed as one unit.

2. Each dwelling unit in a multiple family dwelling, whether connected to the town sewer system directly or indirectly, and whether in one or more buildings, shall be one unit for the first dwelling unit and one-half unit for each additional dwelling unit. For the purpose of this section, multiple family dwellings shall be deemed to include, but not be limited to, more than single family buildings, apartment houses, complexes, town houses, condominiums, motels, hotels, or otherwise.

3. In the case of approved subdivisions, when branch or secondary mains are installed and paid for by developers, or by persons other than the town of Westborough each single family dwelling connected to the town sewer system shall be assessed one-half unit for a period of five years from the date of the original subdivision plan approval by the planning board. Clause 1 shall apply to all connections made after the original five year period.

B. Other Uses

1. For uses other than residential, there shall be an assessment of a minimum of one unit, and an additional unit for every ten thousand square feet of floor space, or major portion thereof, exceeding an initial

ten thousand square feet, up to a total of fifty thousand square feet of floor space; and an additional unit for every twenty-five thousand square feet of floor space, or major portion thereof exceeding the initial fifty thousand square feet.

2. In the case of approved commercial or industrial subdivisions, when branch or secondary mains are installed and paid for by developers or by persons other than the town of Westborough the charges assessed shall be one-half of the charges described in clause 1 for a period of five years from the date of the original subdivision plan approval. Said clause 1 shall apply to all connections made after the original five year period.

C. Changes in Use

1. When a sewer has previously been connected, in residential uses when additional dwelling units are added, a fee of one-half unit per additional dwelling shall be assessed.

2. When a sewer has previously been connected, in uses other than residential when additional floor space is added, a fee shall be assessed of one unit for each additional ten thousand square feet of floor space, or major portion thereof, up to a total of fifty thousand square feet of total floor space of the building; and an additional unit for every twenty-five thousand square feet of floor space, or major portion thereof, exceeding the initial fifty thousand square feet.

3. In any case under this subsection, where an assessment was made and paid in full prior to the effective date of this act, and said assessment exceeded the amount which would have been charged had this act been in effect at the time the assessment was made, then the fee charged under this subsection shall be reduced by the difference between the principal amount, exclusive of any interest, paid under the assessment and the amount which would have been charged had this act been then in effect. For the purpose of this clause, the unit charge shall be two thousand dollars per unit.

SECTION 4. The owner or occupant of any building upon land abutting on a public or private way, in which there is a common sewer, shall connect the same therewith by a sufficient drain. A variance from this requirement may be granted by the board of health on the following conditions: —

A. That said building has a private disposal system in use which meets the requirements of the board of health of said town said variance to be only for so long as said system continues to meet those requirements as they may be amended or revised; or

B. That said land, by reason of its grade or level or any other cause cannot be drained into such sewer, until such incapacity is removed, and further, provided that a private septic system is installed which meets the requirements as they may be amended or revised.

SECTION 5. The fee under this act shall be assessed by the sewer commissioners of said town upon the estate benefited thereby. Such assessment shall be made by filing with the board of assessors of said town a certificate, designating the way on which the premises connected lies, 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 thirty days after the filing of the same with the board of assessors, be recorded in the Worcester county registry of deeds, or, in

the case of registered land, filed in the office of the assistant recorder for the Worcester county registry district. The board of assessors of said town shall, upon receipt of such certificate, forthwith commit such assessment with a warrant to the collector of taxes of said town, who shall forthwith make a demand in writing for the payment of such assessment, and every owner shall, within three months after such demand is served upon him or on the occupant of such estate, or sent by mail to the last address of the owner known to said collector of taxes, pay to said collector of taxes the sum so assessed or charged.

SECTION 6. Except as herein provided, the provisions of the General Laws relative to the assessment, apportionment, division, re-assessment, abatement, and collection of sewer assessments, to liens therefor, and to interest thereon shall apply to assessments made under this act. In applying said provisions to assessments made under this act, the notice referred to herein shall be deemed to be the demand of the tax collector. The lien for any assessment made under this act shall attach upon the recording or filing for registration of the copy or duplicate of the certificate of assessment.

SECTION 7. In addition to the fees prescribed by this act, the owner shall pay the rates established from time to time for sewer usage and shall also pay for all service work, materials, and inspection from the main to the building or buildings serviced.

SECTION 8. This act shall take effect upon its passage.

Approved July 17, 1972.

Chap. 730. AN ACT RELATIVE TO THE ABATEMENT OF CERTAIN SEWER ASSESSMENTS AND THE REIMBURSEMENT TO CERTAIN PERSONS OF AMOUNTS PAID UNDER SAID ASSESSMENTS IN THE TOWN OF WESTBOROUGH.

Be it enacted, etc., as follows:

SECTION 1. Any sewer assessment levied on or after January first, nineteen hundred and sixty-five, under chapters eighty and eighty-three of the General Laws as in effect prior to the effective date of Section XVII of the by-laws of the town of Westborough, a person against whom said assessment was levied may, within a period of nine months from the effective date of this act, elect to have his property assessed under the terms of sewerage cost apportionment by-law, presently identified as said Section XVII of said by-laws. Such election shall be made by written notice to the sewer commissioners of said town. Said commissioners shall, within thirty days thereafter so notify the board of assessors and the tax collector of said town. Said commissioners shall further deliver to said person an appropriate discharge of any lien for said sewer assessment, sufficient in form to be recorded at the Worcester district registry of deeds, or, in the case of registered land, to be filed in the office of the assistant recorder for the Worcester county registry district. Said sewer commissioners shall comply with the terms of said sewerage cost apportionment by-law in giving the appropriate notices referred to therein as if the original assessment had not been made.

SECTION 2. Any person making the election provided for in section one of this act shall be credited for all payments of principal, exclusive

of interest, paid under the original assessment and shall have said principal amount applied toward the amount due under the provisions of said sewerage cost apportionment by-law as demanded by said collector of taxes. Any person whose payments of principal, exclusive of interest, made under the original assessment, exceed the amount due from them under the provisions of said sewerage cost apportionment by-law shall be reimbursed by said town for such excess upon appropriation of said monies by vote of the town.

SECTION 3. Any sewer extension voted by the town on or after January first, nineteen hundred and sixty-five, on which assessments were not levied prior to the effective date of Section XVII of the by-laws of the town of Westborough, the sewer commissioners of said town shall compute the amount of the assessment which would have been made under the terms and provisions in effect at the time said extension was voted by the town.

In such cases, all assessments shall be made in accordance with the terms and provisions in effect at the time said extension was voted by the town; provided, however, that any person so assessed may, within sixty days from the date of the demand received from said collector of taxes elect to have said property be assessed under the terms of said sewerage cost apportionment by-law based upon the structures in existence upon the property at that time. Such election shall be made by written notice to said sewer commissioners. Further action shall be taken as provided in section one of this act for the delivery of a discharge of the original lien and for compliance with the terms of the sewerage cost apportionment by-law. Nothing in the foregoing shall exempt such property from additional assessment in accordance with the provisions of said sewerage apportionment by-law for any structures or units not completed at time of enactment of such by-law.

SECTION 4. Any property assessed under said chapters eighty and eighty-three, in which an election was not made to be assessed under the terms of said sewerage cost apportionment by-law, shall, be subject to additional assessments under the terms of said by-law in the event of change in use of said property as provided therein.

SECTION 5. This act shall take effect upon its passage.

Approved July 17, 1972.

Chap. 731. AN ACT PROVIDING FOR THE ESTABLISHMENT OF A JUVENILE COURT IN BRISTOL COUNTY.

Be it enacted, etc., as follows:

SECTION 1. A juvenile court is hereby established in Bristol county, to be known as the Bristol county juvenile court.

SECTION 2. Suitable rooms for the sittings of the Bristol county juvenile court and for the officers thereof shall be provided in the courthouse of the third district court of Bristol, or at such other place in the city of New Bedford as the county commissioners of Bristol county may determine.

SECTION 3. Section 49 of chapter 35 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 2 of chapter 843 of the acts of 1971, and inserting in place thereof the following sentence: — Every office and position whereof the

salary is wholly payable from the treasury of one or more counties, or from funds administered by and through county officials, excluding the offices of county commissioners, the clerk and the assistant clerks of the superior court for civil business in the county of Suffolk, the clerk and assistant clerks of the superior court for criminal business in the county of Suffolk, clerks and assistant clerks of the courts, the assistant clerk and second assistant clerk of the supreme judicial court for the county of Suffolk, the register of deeds and the assistant registers of deeds for the county of Suffolk, the sheriff of the county of Suffolk, official stenographers, additional stenographers and temporary stenographers of the superior court in the county of Suffolk, justices and special justices of the district courts, the messenger of the superior court in the county of Suffolk, the secretary and assistant secretary of the municipal court of the city of Boston, clerks and assistant clerks of the district courts, and the Boston, Bristol county, Worcester and Springfield juvenile courts, and excluding other offices and positions filled by appointment of the governor with the advice and consent of the council, court officers in attendance upon the municipal court of the city of Boston, and probation officers, but including the officer described in the first sentence of section seventy-six of said chapter two hundred and twenty-one, and including also the clerk, assistant clerks, court officers and housing specialists of the housing court of the city of Boston, shall be classified by the board in the manner provided by sections forty-eight to fifty-six, inclusive, and every such office and position, now existing or hereafter established, shall be allocated by the board to its proper place in such classification.

SECTION 4. The first paragraph of section 65A of chapter 32 of the General Laws is hereby amended by striking out the first sentence, as amended by section 4 of chapter 859 of the acts of 1969, and inserting in place thereof the following sentence: — A chief justice or any associate justice of the supreme judicial court, the superior court or the municipal court of the city of Boston, any judge or associate judge of the land court, any judge of probate and insolvency, a justice of any district court other than the municipal court of the city of Boston, or a justice of the Boston juvenile court, the Worcester, Bristol county or the Springfield juvenile court, who shall be retired under Article LVIII of the Amendments to the Constitution shall thereupon be entitled to receive a pension for life at an annual rate equal to three fourths of the annual rate of salary payable to him at the time of such retirement, to be paid from the same source and in the same manner as the salaries of like judicial officers of his court are paid.

SECTION 5. Section 2 of chapter 76 of the General Laws is hereby further amended by inserting after the fifth sentence, as appearing in section 5 of said chapter 859, the following sentence: — The Bristol county juvenile court shall have jurisdiction, concurrent with all of the district courts of Bristol county, of complaints hereunder, and the presiding judge of said court shall establish hearing dates on a circuit basis to be held in such respective courts.

SECTION 6. Section 11 of chapter 77 of the General Laws is hereby amended by striking out the first sentence, as amended by section 6 of said chapter 859, and inserting in place thereof the following sentence: — The Boston juvenile court, the Worcester juvenile court, the Bristol county juvenile court, and the Springfield juvenile court and the district

courts, except the municipal and district courts located within the territorial limits of said juvenile courts, shall have jurisdiction of offenses arising under section one of chapter seventy-six and under this chapter.

SECTION 7. Section 23 of chapter 119 of the General Laws is hereby further amended by striking out subsection D, as amended by section 7 of said chapter 859, and inserting in place thereof the following subsection: —

D. The department shall accept on commitment from the Boston juvenile court, the Worcester juvenile court, the Bristol county juvenile court and the Springfield juvenile court and from any juvenile session of a district court of the commonwealth or from any superior civil court of the commonwealth any child under sixteen years of age declared in need of foster care under section twenty-six.

SECTION 8. Section 24 of said chapter 119 is hereby amended by striking out the first sentence, as amended by section 8 of said chapter 859, and inserting in place thereof the following sentence: — The Boston juvenile court, the Worcester juvenile court, the Bristol county juvenile court, and the Springfield juvenile court or the juvenile sessions of any district court of the commonwealth, except the municipal and district courts located within the territorial limits of said juvenile courts, upon the petition of any person alleging on behalf of a child under the age of sixteen years within the jurisdiction of said court that said child is without necessary and proper physical, educational or moral care and discipline, or is growing up under conditions or circumstances damaging to a child's sound character development, or who lacks proper attention of parent, guardian with care and custody, or custodian, and whose parents or guardian are unwilling, incompetent or unavailable to provide such care, may issue a precept to bring such child before said court, shall issue a notice to the department, and shall issue summonses to both parents of the child to show cause why the child should not be committed to the custody of the department of public welfare or other appropriate order made.

SECTION 9. Section 52 of said chapter 119 is hereby amended by striking out the definition of "Court", as most recently amended by section 9 of said chapter 859, and inserting in place thereof the following definition: — "Court", the Boston juvenile court, the Worcester juvenile court, the Springfield juvenile court, the Bristol county juvenile court or a district court, except the municipal court of the city of Boston, the municipal court of the Roxbury district, the central district court of Worcester, the district court of Springfield, the first district court of Bristol, the second district court of Bristol, the third district court of Bristol, and the fourth district court of Bristol.

SECTION 10. Section 58 of said chapter 119 is hereby amended by striking out the fourth paragraph, as amended by section 10 of said chapter 859, and inserting in place thereof the following paragraph: —

If a child adjudged a wayward child or delinquent child is placed on probation by the superior court, he may be placed in the care of a probation officer of the district court, including in that term the Boston, the Worcester, Bristol county and the Springfield juvenile courts, within the judicial district in which such child resides.

SECTION 11. Section 63 of said chapter 119, as most recently amended by section 11 of said chapter 859, is hereby further amended by adding the following sentence: — The Bristol county juvenile court shall have

jurisdiction, concurrent with all of the district courts in Bristol county, of complaints hereunder.

SECTION 12. Section 68 of said chapter 119 is hereby amended by striking out the third paragraph, as amended by section 12 of said chapter 859, and inserting in place thereof the following paragraph: —

A child between seven and seventeen years of age so committed by the court to jail or to the youth service board to await further examination or trial by the Boston juvenile court, the Worcester juvenile court, the Springfield juvenile court, the Bristol county juvenile court, a district court of the superior court shall be returned thereto within fifteen days after the date of the order of such commitment, and final disposition of the case shall thereupon be made by adjudication or otherwise, unless, in the opinion of the court, the interest of the child and the public otherwise require.

SECTION 13. Section 1 of chapter 218 of the General Laws is hereby amended by adding after the last paragraph under the caption "*Bristol*", as appearing in the Tercentenary Edition, the following paragraph: —

Cases of juvenile offenders under seventeen and cases of neglected, wayward, or delinquent children are excepted from the jurisdiction of all of the above courts of Bristol county.

SECTION 14. The caption preceding section 57 of said chapter 218, as amended by section 14A of chapter 859 of the acts of 1969, is hereby stricken out and the following caption inserted in place thereof: — SPECIAL PROVISIONS RELATIVE TO THE BOSTON JUVENILE COURT, THE WORCESTER JUVENILE COURT, THE BRISTOL COUNTY JUVENILE COURT AND THE SPRINGFIELD JUVENILE COURT.

SECTION 15. Section 57 of said chapter 218, as most recently amended by section 15 of said chapter 859, is hereby further amended by adding the following sentence: — The Bristol county juvenile court shall exercise jurisdiction within the same territorial limits as are now prescribed for the criminal jurisdiction of all of the district courts of Bristol county.

SECTION 16. Said chapter 218 is hereby further amended by striking out section 58, as most recently amended by chapter 252 of the acts of 1971, and inserting in place thereof the following section: —

Section 58. The Boston juvenile court, the Worcester juvenile court, the Bristol county juvenile court and the Springfield juvenile court shall each consist of one justice who shall be a member of the bar and shall devote his entire time during ordinary business hours to his duties and shall not, directly or indirectly, engage in the practice of law. Each court shall have a clerk, who shall be appointed by the governor, with the advice and consent of the council and shall hold office during good behavior, but subject, however, to retirement under the provisions of any applicable general or special law relative to retirement systems. 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, Bristol county 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.

The chief justice of the district courts may upon request of the justice of the Boston, the Worcester, the Bristol county or the Springfield juvenile court, or in his absence, of the clerk of said court, assign a

justice of any district court, other than the municipal or district courts located within the territorial jurisdiction of said juvenile courts, to sit in said juvenile courts.

SECTION 17. Section 70 of said chapter 218 is hereby further amended by striking out the last sentence, added by section 18 of chapter 859 of the acts of 1969, and inserting in place thereof the following sentence: — The clerk of the Worcester juvenile court, the clerk of the Springfield juvenile court and the clerk of the Bristol county juvenile court shall be allowed annually for clerical assistance such amount as the county commissioners may approve.

SECTION 18. Said chapter 218 is hereby further amended by striking out section 76A, inserted by section 19 of said chapter 859, and inserting in place thereof the following section: —

Section 76A. The salary of the justices of the Worcester juvenile court, the Bristol county juvenile court and the Springfield juvenile court shall be twenty-two thousand dollars.

SECTION 19. *Class I* of paragraph (1) of section 79 of said chapter 218 is hereby amended by inserting after the line reading "Worcester juvenile court,", as appearing in section 1 of chapter 668 of the acts of 1971, the following line: — Bristol county juvenile court.

SECTION 20. Chapter 273 of the General Laws is hereby amended by striking out section 2, as most recently amended by section 24 of said chapter 859, and inserting in place thereof the following section: —

Section 2. Proceedings under section one shall be begun if in the superior court, in the county in which is situated the place where the husband and wife last lived together or where the husband or wife or parent of the child is living, and, if begun in a district court, in the court having such place within its judicial district; provided, that such a proceeding for an offense committed within the territorial limits of the Boston, the Worcester, Bristol county or the Springfield juvenile court, as designated by section fifty-seven of chapter two hundred and eighteen, if founded upon the same allegations as a proceeding under sections twenty-four to twenty-seven, inclusive, of chapter one hundred and nineteen, may be brought, heard and disposed of in said juvenile courts. Such a proceeding for an offense committed within the territorial limits prescribed for the criminal jurisdiction of any court other than the courts within the territorial limits of the Boston, the Worcester, Bristol county and the Springfield juvenile courts, if founded upon the same allegations as a proceeding under said sections twenty-four to twenty-seven, inclusive, of chapter one hundred and nineteen, may be heard and disposed of in the juvenile session of the court. Any parent placed on probation in such a proceeding in any of said juvenile courts shall at the request of the justice thereof be supervised by the probation officers of the municipal or district courts located within the territorial limits of that juvenile court.

SECTION 21. The first paragraph of section 83 of chapter 276 of the General Laws is hereby amended by striking out the first sentence, as most recently amended by section 1 of chapter 875 of the acts of 1970, and inserting in place thereof the following sentence: — The superior court, the justices of the probate court for each county, other than for Barnstable, Nantucket, Hampshire and Franklin counties and the county of Dukes County, the chief justice of the municipal court of the city of Boston, subject to the approval of the associate justices thereof,

and the justice of each other district court and of the Boston juvenile court, the Bristol county juvenile court, the Worcester juvenile court and the Springfield juvenile court may appoint such male and female probation officers as they may respectively from time to time deem necessary for their respective courts; provided, that the justice of the probate court for Barnstable county shall appoint only one probation officer to serve the probate court of the counties of Barnstable and Nantucket and the county of Dukes County, and the justice of the probate court for Hampshire county shall appoint only one probation officer to serve the probate court of the counties of Hampshire and Franklin; provided, further, that no person shall be appointed until his or her qualifications have been examined by the commissioner of probation and approved by him as meeting the standards established by the committee on probation, as provided in section ninety-nine A; except, that no applicant for appointment shall be disqualified automatically because of nonpossession of a bachelor's degree from an accredited college if the committee on probation considers he has the practical equivalent thereof.

SECTION 22. The second paragraph of said section 83 of said chapter 276 is hereby amended by striking out the third and fourth sentences, as amended by section 26 of chapter 859 of the acts of 1969, and inserting in place thereof the following two sentences: — The compensation of probation officers in district courts, in the municipal court of the city of Boston and in the Boston juvenile court, the Worcester juvenile court, the Bristol county juvenile court and the Springfield juvenile court shall be paid by the county on vouchers approved respectively by the justice of such district court, by the chief justice of the municipal court of the city of Boston or by the respective justices of said juvenile courts. The justices of the Worcester, Bristol county and the Springfield juvenile courts and the justices of the district courts, other than the district courts in Suffolk county, the municipal court of the city of Boston and the Boston juvenile court, shall, annually, not later than the first Wednesday of December, submit to the county commissioners of their respective counties estimates of the amounts necessary to pay the compensation for the ensuing year of the probation officers appointed under this section, and said county commissioners shall include such estimates in the estimates required by section twenty-eight of chapter thirty-five.

SECTION 23. Said chapter 276 is hereby further amended by striking out section 87, as most recently amended by chapter 98 of the acts of 1970, and inserting in place thereof the following section: —

Section 87. The superior court may place upon probation under any of its probation officers any person before it charged with crime and any court may place any person convicted before it in the care of its probation officer for such time and upon such conditions as it deems proper; provided, that in the case of any child under the age of seventeen placed upon probation by the superior court, he may be placed in the care of a probation officer of the district court, including in such term the Boston juvenile court, the Worcester juvenile court, the Bristol county juvenile court and the Springfield juvenile court, within the judicial district of which such child resides; and provided, further, that no person convicted under section twenty-two A or twenty-four A of chapter two hundred and sixty-five, or section thirty-five A of chapter

two hundred and seventy-two shall, if it appears that he has previously been convicted under said sections and was over twenty-one years of age at the time of committing the offense for which he was so convicted, be released on parole or probation prior to the completion of five years of his sentence.

SECTION 24. The second paragraph of section 88 of said chapter 276 is hereby amended by striking out the first sentence, as amended by section 28 of chapter 859 of the acts of 1969, and inserting in place thereof the following sentence: — The administrative committee of the district courts, in consultation with the commissioner of probation, may designate and redesignate such district courts, including in such term the Worcester juvenile court, the Bristol county juvenile court and the Springfield juvenile court, within each of the counties of the commonwealth as in the opinion of said committee should join in the establishment of a probation district office for the clerical service of the probation officers of the district courts so designated or redesignated, and the district courts so designated or redesignated shall thereupon consult with the commissioner of probation as to the establishment of such a probation district office, and shall join in the employment of such clerical assistance as is necessary to keep, index and consolidate the records in such form as may be required by the commissioner of probation in connection with the probation service of the said courts.

SECTION 25. Section 89 of said chapter 276 is hereby amended by striking out the first sentence, as most recently amended by section 29 of said chapter 859, and inserting in place thereof the following sentence: — The superior court or the justice of a district court, including in such term the Worcester juvenile court, the Bristol county juvenile court and the Springfield juvenile court, may, in the case of a vacancy in the position of probation officer or in the absence of a probation officer, appoint a temporary probation officer, who shall have the powers and perform the duties of such probation officer and shall receive as compensation for each day's service an amount equal to the rate by the day of the minimum compensation of a regular probation officer according to the salary schedule established by the committee on probation.

SECTION 26. Section 94 of said chapter 276 is hereby amended by striking out the fifth sentence, as most recently amended by section 30 of said chapter 859, and inserting in place thereof the following sentence: — Subject to section eighty-one of chapter two hundred and eighteen, probation officers of district courts and of the Boston, Worcester, Bristol county and Springfield juvenile courts shall be reimbursed by the county for their actual disbursements for necessary expenses incurred while in the performance of their duties, including their reasonable traveling expenses in attending conferences authorized by section ninety-nine, not exceeding four hundred dollars to each in any one year, upon vouchers approved by the court by which they are appointed.

SECTION 27. Section 95 of said chapter 276 is hereby further amended by striking out the first sentence, as amended by section 31 of said chapter 859, and inserting in place thereof the following sentence: — The superior courts or the Boston, Springfield, Bristol county and Worcester Juvenile courts or a district court, except the municipal court of the city of Boston, may authorize a probation officer to expend such amount as the court considers expedient for the temporary support or transportation, or both, of a person placed on probation.

SECTION 28. Upon the establishment of the Bristol county juvenile court as provided in section one of this act, the chief probation officer, the assistant chief probation officer, the three probation officers, and the clerical assistant of the Fall River-New Bedford juvenile district probation office shall be transferred to the Bristol County juvenile court without loss of pay or seniority.

SECTION 29. This act shall take effect upon its passage, so far as the appointing, commissioning and qualifying of the justices and the clerks of the courts hereby established, and probation officers are concerned; and it shall be in full force and effect, and the authority and jurisdiction of the courts hereby established and of the probation officers thereof shall begin on the first day of September in the year nineteen hundred and seventy-two except that the district courts within its jurisdiction shall retain jurisdiction of all cases of juvenile offenders under seventeen and cases of neglected, wayward or delinquent children which are pending therein on said first day of September or upon the qualification of the justice of each court, whichever is later, until final disposition thereof.

Approved July 17, 1972.

Chap. 732. AN ACT RELATIVE TO THE IMPLEMENTATION OF THE LAW REQUIRING THE ISSUANCE OF CERTIFICATES OF TITLE OF MOTOR VEHICLES AS RELATES TO THE REGISTRATION OF SUCH VEHICLES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to implement the law requiring the issuance of certificates of title of motor vehicles as it relates to the registration of motor vehicles registered outside of the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the preservation of the public safety and convenience.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of chapter 90 of the General Laws is hereby amended by striking out the definition of "Owner", inserted by section 2 of chapter 266 of the acts of 1952, and inserting in place thereof the following definition: —

"Owner", a person, other than a lien holder, having title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security and a bailee of any description.

SECTION 2. Section 3 of said chapter 90 is hereby amended by adding the following paragraph: —

Except as provided in the preceding paragraph, a motor vehicle or trailer, owned by a non-resident, that is in the possession or under the control of a resident of this commonwealth for a period greater than thirty days, in the aggregate within a calendar year, whether under terms of a lease, or otherwise, and such vehicle is registered in another state or country, shall not be operated on the ways of this commonwealth, unless registered under this chapter.

SECTION 3. Section 1 of chapter 90D of the General Laws, as appearing in section 1 of chapter 754 of the acts of 1971, is hereby amended

by inserting after the definition "Special mobile equipment" the following definition: —

"Owner", a person, other than a lien holder, having title to a vehicle. The term includes a person entitled to the use and possession of a vehicle subject to a security interest in another person, but excludes a lessee under a lease not intended as security and a bailee of any description.

SECTION 4. Paragraph (*b*) of section 2 of said chapter 90D, as so appearing, is hereby amended by striking out clause (3) and inserting in place thereof the following clause: — (3) A vehicle owned by a nonresident of the commonwealth for which a currently effective certificate of title has been issued in another state or country;.

Approved July 17, 1972.

Chap. 733. AN ACT ESTABLISHING THE ABERJONA RIVER COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established the Aberjona River Commission, hereinafter called the commission, consisting of eight commissioners, one of whom shall be the mayor of the city of Woburn or his designee, one of whom shall be a member of the board of selectmen of the town of Winchester or its designee, one of whom shall be a member of the board of selectmen of the town of Burlington or its designee, one of whom shall be a member of the board of selectmen of the town of Stoneham or its designee, one of whom shall be the chairman of the water resources commission or his designee, one of whom shall be the commissioner of the metropolitan district commission or his designee, one of whom shall be the director of the division of environmental health of the department of public health or his designee, and one member to be appointed by the governor who shall be the chairman. The members of said commission shall serve without compensation.

The commission shall meet no later than one month after the effective date of this act and shall meet at least four times a year at the call of the chairman or any two members. The commission shall keep records of its deliberations and decisions.

SECTION 2. The commission shall investigate all pertinent matters relating to the control and condition of the Aberjona river and shall make studies and surveys of the river and the banks, marsh, meadow or swamps of its water-shed area for purposes, relating to pollution, conservation, construction of improvements and repair of damage occasioned by storms, floods or other destructive agencies to the aforesaid and shall take any other action necessary to implement the objectives of the commission. The commission may enter into agreements with the commonwealth or the federal government, or any agency of either, any corporation city or town and may accept grants of money from any aforesaid, as may be necessary or desirable to carry out the purposes of this act. The commission may expend such sums as may be appropriated therefore.

SECTION 3. This act shall take effect upon its passage and shall cease to be operative five years after said effective date.

Approved July 17, 1972.

Chap. 734. 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-two.

MIDDLESEX COUNTY.

Item		Subtotal	Total
1.	For interest on county debt		$1,549,292 71
2.	For reduction of county debt		2,517,167 27
3.	For county commissioners, salaries and expenses		366,567 04
	1. Personal services	$346,557 04	
	2. Contractual services	8,500 00	
	3. Supplies and materials	9,500 00	
	4. Current charges and obligations	1,460 00	
	5. Equipment	550 00	
4.	For transportation and expenses of county and acting commissioners		1,800 00
5.	For clerk of courts, salary and expenses		799,579 02
	1. Personal services	740,413 02	
	2. Contractual services	18,431 00	
	3. Supplies and materials	28,000 00	
	4. Current charges and obligations	10.735 00	
	5. Equipment	2,000 00	
6.	For county treasurer, salaries and expenses		170,316 56
	1. Personal services	151,546 81	
	2. Contractual services	5,592 75	
	3. Supplies and materials	7,450 00	
	4. Current charges and obligations	5,159 00	
	5. Equipment	568 00	
7.	For sheriff, salary and expenses		18,693 70
	1. Personal services	17,318 70	
	2. Contractual services	400 00	
	3. Supplies and materials	750 00	
	4. Current charges and obligations	225 00	
8.	For registry of deeds, salaries and expenses Northern District		315,040 04
	1. Personal services	300,059 24	
	2. Contractual services	5,800 00	
	3. Supplies and materials	4,480 80	
	4. Current charges and obligations	4,500 00	
	5. Equipment	200 00	

Item		Subtotal	Total
	For registry of deeds, salaries and expenses Southern District		$1,440,348 13
	1. Personal services	$1,322,634 13	
	2. Contractual services	28,000 00	
	3. Supplies and materials	30,000 00	
	4. Current charges and obligations	35,000 00	
	5. Equipment	24,714 00	
8a.	For registry of probate, salaries and expenses		48,515 00
	2. Contractual services	15,750 00	
	3. Supplies and materials	25,575 00	
	4. Current charges and obligations	5,000 00	
	5. Equipment	2,190 00	
9.	For law library, salaries and expenses Cambridge		79,826 41
	1. Personal services	47,054 41	
	2. Contractual services	140 00	
	3. Supplies and materials	850 00	
	4. Current charges and obligations	31,782 00	
	Lowell		47,932 40
	1. Personal services	27,267 40	
	2. Contractual services	345 00	
	3. Supplies and materials	260 00	
	4. Current charges and obligations	20,060 00	
10.	For highways, including state highways, bridges and land damages		2,135,563 81
	1. Personal services	1,221,414 81	
	2. Contractual services	31,700 00	
	3. Supplies and materials	21,420 00	
	4. Current charges and obligations	1,154 00	
	5. Equipment	9,575 00	
	6. All other	850,300 00	
12.	For criminal costs in superior court		1,359,513 03
	1. Personal services	566,301 03	
	2. Contractual services	763,250 00	
	3. Supplies and materials	12,375 00	
	4. Current charges and obligations	7,498 00	
	5. Equipment	10,089 00	
13.	For civil expenses in supreme judicial, superior, probate and land courts, including auditors, masters and referees		1,054,847 36
	1. Personal services	529,855 22	
	2. Contractual services	516,390 00	
	3. Supplies and materials	3,000 00	
	4. Current charges and obligations	2,035 00	
	5. Equipment	3,567 14	
14.	For district courts, salaries and expenses		
	District Court of Lowell		673,406 77
	1. Personal services	602,848 32	
	2. Contractual services	31,200 00	
	3. Supplies and materials	30,250 00	
	4. Current charges and obligations	4,335 00	
	5. Equipment	4,773 45	
	District Court of Somerville		633,964 28
	1. Personal services	588,447 28	
	2. Contractual services	19,500 00	
	3. Supplies and materials	17,200 00	
	4. Current charges and obligations	4,500 00	
	5. Equipment	4,317 00	

Item		Subtotal	Total
	District Court of Newton		$366,573 42
1.	Personal services	$324,045 17	
2.	Contractual services	20,325 00	
3.	Supplies and materials	11,975 00	
4.	Current charges and obligations	6,955 25	
5.	Equipment	3,273 00	
	District Court of Marlborough		193,035 60
1.	Personal services	170,439 65	
2.	Contractual services	4,900 00	
3.	Supplies and materials	8,500 00	
4.	Current charges and obligations	1,349 95	
5.	Equipment	2,846 00	
6.	All other	5,000 00	
	District Court of Natick		121,900 27
1.	Personal services	104,601 02	
2.	Contractual services	4,450 00	
3.	Supplies and materials	2,725 00	
4.	Current charges and obligations	9,274 25	
5.	Equipment	850 00	
	First District Court of Eastern Middlesex		566,931 40
1.	Personal services	518,536 40	
2.	Contractual services	26,895 00	
3.	Supplies and materials	15,550 00	
4.	Current charges and obligations	3,100 00	
5.	Equipment	2,850 00	
	Second District Court of Eastern Middlesex		364,870 36
1.	Personal services	328,006 61	
2.	Contractual services	20,600 00	
3.	Supplies and materials	9,470 50	
4.	Current charges and obligations	3,130 00	
5.	Equipment	3,663 25	
	Third District Court of Eastern Middlesex		1,135,166 43
1.	Personal services	1,053,426 93	
2.	Contractual services	19,231 50	
3.	Supplies and materials	53,699 00	
4.	Current charges and obligations	4,525 00	
5.	Equipment	4,284 00	
	Fourth District Court of Eastern Middlesex		510,727 07
1.	Personal services	476,764 07	
2.	Contractual services	19,646 00	
3.	Supplies and materials	10,020 00	
4.	Current charges and obligations	4,297 00	
	First District Court of Northern Middlesex		269,372 45
1.	Personal services	244,111 05	
2.	Contractual services	17,300 00	
3.	Supplies and materials	6,000 00	
4.	Current charges and obligations	1,586 40	
5.	Equipment	375 00	
	First District Court of Southern Middlesex		536,264 52
1.	Personal services	484,114 52	
2.	Contractual services	30,200 00	
3.	Supplies and materials	14,650 00	
4.	Current charges and obligations	4,850 00	
5.	Equipment	2,450 00	

Item		Subtotal	Total
	District Court of Central Middlesex		$331,516 38
	1. Personal services	$303,711 38	
	2. Contractual services	15,150 00	
	3. Supplies and materials	7,800 00	
	4. Current charges and obligations	4,855 00	
	District Court — Juvenile Division		229,874 36
	1. Personal services	213,674 96	
	2. Contractual services	12,335 00	
	3. Supplies and materials	1,500 00	
	4. Current charges and obligations	1,764 40	
	5. Equipment	600 00	
	District Court — Appellate Division		6,049 66
	1. Personal services	5,416 66	
	2. Contractual services	298 00	
	3. Supplies and materials	185 00	
	4. Current charges and obligations	150 00	
15.	For medical examiners and commitments of insane		150,000 00
16.	For jail and house of correction, maintenance and operation — Billerica		1,657,188 62
	1. Personal services	1,075,449 62	
	2. Contractual services	125,000 00	
	3. Supplies and materials	375,000 00	
	4. Current charges and obligations	23,000 00	
	5. Equipment	45,239 00	
	6. All other	13,500 00	
	For jail and house of correction, maintenance and operation — Cambridge		760,726 79
	1. Personal services	760,726 79	
17.	For training school		1,113,224 87
	1. Personal services	844,964 17	
	2. Contractual services	66,580 00	
	3. Supplies and materials	170,540 00	
	4. Current charges and obligations	27,366 00	
	5. Equipment	3,774 70	
18.	For court houses and registry buildings, maintenance and operation		2,024,207 55
	1. Personal services	1,657,509 55	
	2. Contractual services	234,100 00	
	3. Supplies and materials	68,175 00	
	4. Current charges and obligations	51,695 00	
	5. Equipment	12,728 00	
20.	For agricultural school or county aid to agriculture, maintenance and operation		228,087 24
	1. Personal services	209,369 24	
	2. Contractual services	13,000 00	
	3. Supplies and materials	4,000 00	
	4. Current charges and obligations	1,293 00	
	5. Equipment	425 00	
21.	For state reservation, maintenance and operation (Walden Pond)		125,526 01
	1. Personal services	112,561 01	
	2. Contractual services	4,325 00	
	3. Supplies and materials	5,925 00	
	4. Current charges and obligations	475 00	
	5. Equipment	2,240 00	

Item		Total
24.	For non-contributory pensions	$365,350 00
25.	For contributory retirement system and supervisory expenses	864,766 91
26.	For miscellaneous and contingent expenses	114,490 87
27.	For unpaid bills of previous year	133,968 29
28.	For reserve fund	70,000 00
28a.	For reserve for salary increases	700,000 00
28d.	For reserve — counsel for indigent defendants	50,000 00
39.	For group insurance	597,500 00
	Total amount of appropriations	$26,799,692 60
	Less estimated amount available for reduction of county tax	3,702,495 85
	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	$23,097,196 75

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

Approved July 17, 1972.

Chap. 735. AN ACT FACILITATING THE DIVISION OF THE COMMONWEALTH INTO REPRESENTATIVE, SENATORIAL AND COUNCILLOR DISTRICTS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to facilitate forthwith the division of the commonwealth into representative, senatorial and councillor districts 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. Chapter 9 of the General Laws is hereby amended by striking out section 7, as most recently amended by section 2 of chapter 820 of the acts of 1971, 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, except as provided in chapter fifty-four, 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 2. Chapter 12 of the General Laws is hereby amended by adding after section 30 the following section: —

Section 31. There shall be in the department of the attorney general, but not under his supervision or control, a local election districts review commission consisting of the attorney general or his designee, the commissioner of community affairs or his designee, and a person appointed by the governor. Members designated by the attorney general, the commissioner of community affairs, and by the governor shall serve during the pleasure of their respective designating officers. Each member of the commission shall receive the sum of twenty-five dollars for each day or part thereof for his service as a commissioner, provided (*a*) that such payments to any one member shall not exceed two thousand five hundred dollars in any one year, and (*b*) that such payments shall not be made to any commission member who holds another full-time paid office or position in the service of the commonwealth. Members of the commission shall receive from the commonwealth their necessary expenses incurred in the discharge of their statutory duties. Said commission shall be furnished with any books or records which it may require from any department or agency of the commonwealth or of any of its political subdivisions. Said commission shall oversee and supervise the division of the cities and towns into wards and precincts as required by chapter fifty-four. Said commission may travel within the commonwealth. The commission shall be provided with suitable offices in the state house, or elsewhere within the city of Boston. The commission may, subject to appropriation, incur such expenses as may be necessary to the execution of duties invested in it by said chapter fifty-four, or by any statute of the commonwealth not incorporated into the General Laws.

SECTION 3. Chapter 54 of the General Laws is hereby amended by striking out section 1, as most recently amended by section 3 of chapter 820 of the acts of 1971, and inserting in place thereof the following section: —

Section 1. In nineteen hundred and seventy-two, no later than the fifteenth day of August, a city 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 December thirty-first, nineteen hundred and seventy-one,

but for all other purposes shall take effect only as provided in section four. Not later than the twentieth day of August in such year the city clerk shall give written notice forthwith to the state secretary of the number and designation of wards and precincts provided for in this section and in section two, together with an official map and description of said wards and precincts indicating, as nearly as can be ascertained, the numbers of inhabitants residing therein.

The state secretary shall make available to the local election districts review commission, for its scrutiny, the written notices, maps and descriptive information submitted to him by city clerks in reference to the new or unrevised wards and precincts of their respective cities under this section. If said commission shall find that any such plan of new or unrevised wards or precincts of any city conflicts with the applicable requirements of this chapter, or is of questionable constitutionality, it shall transmit a written notice of such findings, with a clear indication of the deficiencies of such plan, to the mayor of such city, or in a city having a Plan E form of government, to the city manager, not later than the fifteenth day of September. Said mayor or city manager shall, within thirty days following his receipt of such notice, present to the city council of such city his recommendations for a division of the city into wards and precincts free of the defects cited by the commission. If the city council shall fail to ordain such division, or a substitute division, conformable to this chapter within thirty days after said presentation by said mayor or city manager, he shall issue forthwith an executive order making a division of said city into wards and precincts subject to the approval of the local election districts commission which shall take effect according to the provisions of this chapter, as though it had been ordained by the city council.

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. Not later than the tenth day of April in such year the city clerk shall give written notice to the state secretary of the number and designation of wards and precincts provided for in this section and in section two, together with an official map and description of said wards and precincts indicating, as nearly as can be ascertained, the numbers of inhabitants residing therein.

The state secretary shall make available to the local election districts review commission, for its scrutiny, the written notices, maps and descriptive information submitted to him by city clerks in reference to the new or unrevised wards and precincts of their respective cities under this section. If said commission shall find that any such plan of new or unrevised wards or precincts of any city conflicts with the applicable requirements of this chapter, or is of questionable constitutionality, it shall transmit a written notice of such findings, with a clear indication of the deficiencies of such plan, to the mayor of such city, or in a city having a Plan E form of government, to the city manager, not later

than the first day of July. Said mayor or city manager shall, within thirty days following his receipt of such notice, present to the city council of such city his recommendations for a division of the city into wards and precincts free of the defects cited by the commission. If the city council shall fail to ordain such division, or a substitute division, conformable to this chapter within thirty days after said presentation by said mayor or city manager, he shall issue forthwith an executive order making a division of said city into wards and precincts subject to the approval of the local election districts commission which shall take effect according to the provisions of this chapter, as though it had been ordained by the city council.

Except as provided for the years nineteen hundred and seventy-one and nineteen hundred and seventy-two, 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 most recently amended by section 4 of said chapter 820, is hereby further amended by striking out the first paragraph and inserting in place thereof the followng paragraph: —

Each city shall be divided into convenient voting precincts, designated by numbers or letters and containing not more than four thousand inhabitants. Every ward shall constitute a voting precinct by itself, or shall be divided into precincts containing as nearly as may be an equal number of inhabitants, consisting of compact and contiguous territory entirely within the ward, and bounded, so far as possible, by the center line of known streets or ways or by other well defined limits. If a ward constituting one precinct contains more than four thousand inhabitants, according to the preceding state census, the aldermen, on or before the first Monday of June, shall divide it into two or more voting precincts. They may so divide a ward or precinct containing less than four thousand inhabitants. Except as provided in section one, when new precincts are established, the new division shall take effect on the thirty-first day of December next following.

SECTION 5. Said chapter 54 is hereby further amended by striking out section 6, as most recently amended by section 7 of said chapter 820, and inserting in place thereof the following section: —

Section 6. The board of selectmen of every town of less than six thousand inhabitants and the board of selectmen of every town having more than one precinct and containing six thousand or more inhabitants may, upon direction of the town meeting, and the board of selectmen of every town containing six thousand inhabitants or more and having but one precinct shall in the year nineteen hundred and seventy-two no later than the fifteenth day of August divide the town in the manner hereinafter provided into convenient voting precincts, each of which shall contain, as nearly as may be, an equal number of inhabitants, but not more than four thousand inhabitants and shall be composed of compact and contiguous territory. The board of selectmen of every town containing six thousand inhabitants or more shall in the year nineteen hundred and eighty and every tenth year thereafter divide the town in the manner hereinafter provided into convenient voting precincts, each of which shall contain, as nearly as may be, an equal

number of inhabitants, but not more than four thousand inhabitants and shall be composed of compact and contiguous territory. The selectmen shall, so far as possible, make the center line of streets or ways, or other well defined limits, the boundaries of such precincts, and shall designate them by numbers or letters. Any such division shall, for the purpose of reporting, in the year nineteen hundred and seventy-two, the census of inhabitants required by Article XCII of the Amendments to the Constitution, take effect as of December thirty-first, nineteen hundred and seventy-one but for all other purposes shall not take effect until January first, nineteen hundred and seventy-three. If the number of precincts prescribed by law in any town for the election of members of its representative town meeting shall be such as to cause the establishment of precincts of more than four thousand inhabitants in any instance, the board of selectmen of said town shall increase the number of precincts beyond said number.

Such division of a town into precincts shall be made by the board of selectmen setting forth an official description of the precincts so established, together with a statement of the number of inhabitants residing in each such precinct as nearly as such number may be determined. The board of selectmen shall also cause an official map of the precincts proposed by them to be prepared. Said division shall take effect on the last day of December following its adoption, except as hereinbefore provided.

Upon the adoption by the board of selectmen of the town of such a division, the town clerk shall transmit forthwith to the state secretary a copy of the said division, together with an official map of said precincts and a statement by the board of selectmen of the number of inhabitants resident in each such precinct, as nearly as such number may be determined. The state secretary shall make the same available to the local election districts review commission for its scrutiny. If said commission shall find that any plan of town precincts established under this section conflicts with the applicable provisions of this chapter, or is of questionable constitutionality, it shall transmit a written notice of such findings, with a clear indication of the deficiencies of such plan, to the board of selectmen of the town not later than sixty days following the receipt by the state secretary of the documents transmitted by the town clerk. The board of selectmen of such town shall make a new or revised division of the town into precincts in the manner and within the time prescribed by said commission.

If any town required to be divided into precincts in the year nineteen hundred and seventy-two under this section shall not be so divided within the time specified above, the local election districts review commission shall, no later than the fifteenth day of October, make such division of the town into precincts conforming with the standards set forth in this section. The commission may appoint a master who shall, within twenty days, make such division of the town into precincts, said division to be subject to approval by the commission and to amendment by it. The division of the town so ordered shall take effect retroactively to the first day of January in the year nineteen hundred and seventy-one. Within seven days following receipt from the commission of a copy of said order, the town clerk of said town shall submit to the state secretary a statement of the number of inhabitants residing in

the year nineteen hundred and seventy-one in the territory of each precinct so created.

If any town of six thousand or more inhabitants had but one precinct on the first day of January, nineteen hundred and seventy-two, but was divided subsequently into precincts prior to the effective date of this act, it shall not be subject to the foregoing provisions provided that no precinct of said town contains more than four thousand inhabitants; and provided further that the town clerk of said town shall, by the fifteenth day of August, nineteen hundred and seventy-two, transmit to the state secretary an official map and description of said precincts, together with a statement of the number of inhabitants residing in the year nineteen hundred and seventy-one in the territory of each such precinct.

SECTION 6. Said chapter 54 is hereby further amended by striking out section 7, as most recently amended by section 8 of said chapter 820, and inserting in place thereof the following section: —

Section 7. Upon its own initiative a board of selectmen of a town may, and upon direction of the town meeting of such town said board shall, make any change in the voting precincts of said town, in the same manner provided in section six and subject to the restrictions contained in section nine A.

SECTION 7. Said chapter 54 is hereby further amended by striking out section 9, as amended by section 9 of said chapter 820, and inserting in place thereof the following section: —

Section 9. Any town of fewer than six thousand inhabitants may discontinue its voting precincts; and subsequent elections therein shall be held as if no such division had been made. 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.

SECTION 8. Section 9A of said chapter 54, as most recently amended by section 10 of said chapter 820, is hereby further amended by striking out the second and fourth paragraphs.

SECTION 9. Section 24 of said chapter 54 is hereby amended by striking out the fourth sentence, as amended by chapter 259 of the acts of 1969, and inserting in place thereof the following sentence: — It shall be in a public, orderly, and convenient portion of the precinct; provided, first, that in a city, if no suitable polling place can be had within such precinct, the aldermen may designate a polling place in an adjacent precinct of said city; and provided, secondly, that in a town, if no suitable polling place can be had within such precinct, or if the selectmen conclude that the public convenience would be better served by such action, they may designate a polling place in another precinct, or may house all polling places in a single building within the town.

SECTION 10. Section one hundred and sixty-one of said chapter fifty-four is hereby repealed.

SECTION 11. Upon the creation of any new precinct in any city or town under the provisions of this act during the year nineteen hundred and seventy-two, the state secretary, upon application by the city or town clerk, shall provide a ballot box for said precinct at the expense of such city or town. *Approved July 17, 1972.*

Chap. 736. AN ACT AUTHORIZING THE COUNTY COMMISSIONERS OF NORFOLK COUNTY TO ACQUIRE, DEVELOP AND CONTROL CERTAIN LAND IN THE CITY OF QUINCY AND THE TOWN OF MILTON, KNOWN AS WOLLASTON GOLF COURSE, FOR USE AS A MULTIFACETED RECREATIONAL FACILITY, AND TO BORROW MONEY THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The county commissioners of Norfolk county are hereby authorized, subject to the approval of the department of natural resources, the park department of the city of Quincy and the board of park commissioners of the town of Milton, to take by eminent domain or acquire by purchase or otherwise the fee or lesser interest in certain land within the city of Quincy and the town of Milton known as the Wollaston golf course; provided that on said land said county commissioners shall establish, develop, improve and maintain a multifaceted recreational facility; and provided further that said county commissioners shall control, manage or otherwise operate said facility. Said commissioners may expend for the purpose of this act such sums as may be necessary, not exceeding, in the aggregate, three million five hundred thousand dollars. Any sums received from the federal government for the purpose of this act shall be included in, and considered a part of, the total amount authorized to be expended hereunder.

SECTION 2. A panel of seven persons shall be established to serve at the direction of, and be responsible to, the county commissioners of Norfolk county. It shall be the function of said panel to make appropriate suggestions to the county commissioners regarding the development of said facility; to promulgate necessary rules and regulations concerned with the operation of said facility; and otherwise, following completion of development, to direct and to oversee the operation of said facility, including the fiscal and operational management of same. All decisions, rules, regulations, and other activities of the panel herein established shall be of no effect prior to their being ratified by said commissioners. The membership of the panel shall consist of the following persons: — the executive secretary to the park and recreation board of the city of Quincy; the chairman of the park board of the town of Milton; one member to be appointed by, and whose term on said panel shall be coterminous with, the mayor of the city of Quincy; one member to be appointed by the board of selectmen of the town of Milton for a term of two years; three members to be appointed by said commissioners, each for a term of years to be established by said commissioners, but in no case shall the term of such a member be for less than one nor more than four years. Persons appointed by said commissioners shall not be residents of the city of Quincy or the town of Milton, but shall be residents of Norfolk county.

SECTION 3. 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 million five hundred thousand dollars, and may issue bonds or notes of the county therefor, which shall bear on their face the words, Wollaston Recreational Facility Loan, Act of 1972. Each authorized issue shall constitute a separate loan and such loans shall be payable in not more than twenty

years from their dates. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell the said securities at public or private sale, upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to chapter thirty-five of the General Laws.

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

Approved July 17, 1972.

Chap. 737. AN ACT PROVIDING FOR THE CONSERVATION AND REGULATION OF CERTAIN LANDS UNDER THE CONTROL OF THE METROPOLITAN DISTRICT COMMISSION.

Be it enacted, etc., as follows:

SECTION 1. In this act, the following words and phrases, unless otherwise expressly provided or the context otherwise provides, shall have the following meanings:

"Commission", the metropolitan district commission.

"Commissioner", the commissioner of the metropolitan district commission.

"Ware river watershed", those parcels of land under the control of the commission and being situated wholly or partly in the towns of Rutland, Oakham, Barre, Hubbardston, Templeton and Princeton and being shown on plan of land entitled "Ware River Watershed, General Plan", dated November 22, 1965, Metropolitan District Commission, Commonwealth of Massachusetts, filed in the office of the commission.

"Quabbin reservoir area", those parcels of land including the Prescott Peninsula, so-called, contiguous to the reservoir under the control of the commission and presently lying within the bounds of Routes 9, 32, 32A, 122 and 202 and being situated wholly or partly in the towns of Pelham, Belchertown, Ware, Hardwick, Petersham, New Salem and Shutesbury, and being shown on plan of land entitled "General Plan of Quabbin Reservoir Watershed, dated February 18, 1959, Metropolitan District Commission, Water Division, Quabbin Section, Commonwealth of Massachusetts", filed in the office of the commission.

"District", the combined lands identified in this act as the Ware river watershed and the Quabbin reservoir area, which are a portion of the total lands comprising the Quabbin section of the metropolitan water district.

SECTION 2. The natural ecology of the district shall be maintained, and it shall be conserved in its present degree of wilderness character and shall be protected in its flora and fauna in all reasonable ways to assure the balanced wildlife habitat and to allow camping with the approval of the district superintendent and in areas subject to his approval. Except as otherwise specifically authorized herein, no act or practice shall be undertaken which will adversely affect the balance of nature in the district. The commission shall make and promulgate such rules and regulations regarding the uses authorized herein as are reasonably necessary to conserve the wilderness, watershed and reservoir character of the district.

SECTION 3. No lands or real property which are a part of the district shall be leased or sold or otherwise transferred without approval of the general court, nor shall there be any new or additional construction on said lands or real property except by the commission consistent with the purposes of this act.

SECTION 4. No new or additional roads or ways shall be constructed within the district, excepting only such ways as shall be required for forest management and fire control, or for watershed and reservoir purposes, nor shall existing soft surface roads or ways be hard surfaced, provided, however, that existing ways may be maintained and kept passable and in repair.

SECTION 5. The commission shall not permit the dumping of refuse or waste within the district except where such is allowed by permit granted by the commission prior to the effective date of this act for as long as such permit remains in effect, except, however, the commission may dispose of such refuse or waste resulting from normal operation of the district.

SECTION 6. No person shall take or remove and no town within the district shall authorize the taking or removal of sand, gravel, dirt or soil, nor any other mineral, from or within the district, except only that the commission may take such of these materials as are required for commission use within the district and may allow such use of these materials as may be required pursuant to section five.

SECTION 7. The commissioner, or his designee, shall annually prepare a plan detailing forestry activities, logging or lumbering activities, proposed plantings and the like which are to be undertaken for the next following year, which plan shall be open to inspection by the public.

SECTION 8. Lumbering or logging operations shall be permitted within the district to the extent and for the purpose of maintaining and conserving its forests in a healthful state of natural ecological balance consistent with reservoir and watershed purposes, but such lumbering and logging operations shall not be of a tree farming nature, so called, wherein natural diversification of tree species is upset nor wherein wildlife habitat or food chain growth is adversely affected. All lumbering or logging operations shall be performed under private contract pursuant to the bidding laws of the commonwealth the proceeds of which shall be used in whole or in part for the further management of the selfsame forests, excepting only for such emergency salvage operations as are deemed necessary by the forester, and with the further exception that the commission may take such lumber as is needed for its own use consistent with this act. All such lumbering or logging operations shall be supervised by the forester who shall designate cuttings and shall make and enforce such rules as are necessary regarding disposal of slash and toppings, construction of logging ways or ramps, or the like, to conserve said forests within the intent of this act. No tree shall be felled or cut within one hundred feet of any river or stream or flow line of reservoir or pond within the district which change the character of stream beds, except for such emergency or salvage cuttings as aforesaid.

SECTION 9. The public shall have access to the lands of the district for such recreational uses as are permitted by, and are consistent with the provisions of this act, except that the Prescott peninsula shall be set aside as a natural site for ecological and wildlife study and access thereto shall be regulated by the commission.

SECTION 10. Hunting shall not be allowed in the Quabbin reservoir area, however hunting may be permitted within the Ware river watershed subject to the rules and regulations of the commission and the division of fisheries and game regulating hunting.

SECTION 11. Powered boats or powered canoes shall not be used anywhere within that portion of the Ware river lying within the present bounds of Routes 68, 62, 122, 122A and 56, nor shall all-terrain or amphibious vehicles be operated in, on or through the streams, ponds or other waters within these same bounds except for official use.

SECTION 12. There shall be no overnight camping within the Quabbin reservoir area nor within that portion of the Ware River Watershed defined in the first sentence of section eleven of this act, nor shall tents be erected nor trailers or other vehicular sleeping accommodation be parked overnight therein.

SECTION 13. Motor vehicles, snowmobiles and other recreational vehicles may be operated within the Ware River Watershed only upon established vehicular ways and trails, or in such other areas as shall be designated by the commission. Public entry to the Quabbin reservoir area shall be limited to foot passage only, except that motor vehicles and manually operated bicycles may be admitted to such roads and ways within the Quabbin reservoir area as shall be designated by the commission. There shall be no racing of motor driven vehicles within the district, nor shall any associated rallies or commercial ventures be held therein. Snow vehicles or all-terrain vehicles shall be permitted within the Quabbin reservoir area only for official use.

SECTION 14. Notwithstanding any other provision of this act the establishment, construction and operation by the University of Massachusetts, hereinafter referred to as the university, of an astronomical observatory may be continued in compliance with and pursuant to the permit granted November twenty-sixth, nineteen hundred and sixty-nine by the commission, to the university, provided that access to the site of the said astronomical observatory shall be limited to such access road as may be specifically designated by the commission for the purpose, and provided further that no person or equipment, other than construction, maintenance and repair personnel and equipment, operating personnel and equipment and such students in the field of astronomy as may be authorized by the university for the purpose, shall be entitled to be admitted to the aforesaid site except in accordance with and under the provisions of this act. Any such person so admitted shall be subject to supervision while on the site by an officer or official of the university designated for said purpose. Similarly, the construction, maintenance and operation of the United States Air Force antenna installations in compliance with and pursuant to the permit granted November twenty-sixth, nineteen hundred and sixty-nine may be continued under the agreements pertaining thereto.

SECTION 15. The provisions of this act and of all rules and regulations made under the authority thereof shall be enforced by the commissioner, his duly appointed agents, by metropolitan district commission police officers, by police officers of any city or town, by members of the state police and by enforcement officers of the department of natural resources. *Approved July 17, 1972.*

Chap. 738. AN ACT DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO TAKE CERTAIN LAND BY EMINENT DOMAIN IN THE CITY OF BOSTON.

Be it enacted, etc., as follows:

The department of public works is hereby authorized and directed to take by eminent domain the following two parcels of land:—

Parcel 1. Certain land in the city of Boston, Suffolk County, Massachusetts, owned by Edward D. Sweeney and Mary B. Sweeney, husband and wife, as tenants by the entirety, being the land in that part of said Boston formerly West Roxbury being lot No. 5 on a plan drawn by J. Edwin Jones, Surveyor, dated May 14, 1884, and recorded with Suffolk Deeds, Book 1688, page 243, and bounded and described as follows; Northwesterly by Lamartine Street, fifty three and sixty eight hundredths (53.68) feet; Easterly by lot 4 on said plan, eighty and fifty three hundredths (80.53) feet; Southeasterly by lot 16 on said plan, fifty three and sixty eight hundredths (53.68) feet; Southwesterly by Lawndale Terrace, eighty and fifty three hundredths (80.53) feet. Containing 4,187.3 square feet. Being the same premises conveyed to the present owners by deed of one Saver dated June 29th, 1929 and recorded with Suffolk Deeds, Book 5112, page 135.

Parcel 2. Certain land in the city of Boston, Suffolk County, Massachusetts, owned by James P. Carley and Patricia A. Carley, as tenants by the entirety, husband and wife, being the land situated in that part of Boston formerly West Roxbury and being Lot #6 on a plan drawn by Edwin Jones, surveyor dated May 14, 1884 and recorded with Suffolk Deeds in Book 1688, Page 243 and bounded and described as follows:

WESTERLY	on Lamartine Street as laid out on said plan forty and 26/100 (40.26) feet;
NORTHERLY	on Lawndale Terrace, eighty and 53/100 (80.53) feet;
EASTERLY	on Lot 8 as shown on said plan, forty and 26/100 (40.26) feet; and
SOUTHERLY	by Lot 7 as shown on said plan eighty and 53/100 (80.53) feet.

Containing according to said plan, 3140.5 square feet. Being the same premises conveyed to the present owners by deed of Carley et. al. dated February 15th, 1972 and recorded with Suffolk Deeds, Book 8513, page 64.

Approved July 17, 1972.

Chap. 739. AN ACT AUTHORIZING MUNICIPALITIES TO PLEDGE CREDIT TO INDUSTRIAL FINANCING AUTHORITIES.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of section 10 of chapter 40D of the General Laws, as appearing in section 1 of chapter 772 of the acts of 1967, is hereby amended by striking out the third sentence.

SECTION 2. Said section 10 of said chapter 40D is hereby further amended by striking out the second paragraph, as so appearing, and inserting in place thereof the following paragraph: —

Bonds issued under this chapter may constitute a pledge of the faith and credit of the issuing municipality by a vote of the governing body, thereof, otherwise, such bonds shall be payable solely from the sale or lease of a project or projects and the income therefrom or by funds derived from the issuing of refunding bonds authorized by section seventeen. All bonds shall contain on the face thereof a statement to the effect that the bonds are or are not an obligation of the issuing municipality and if not an obligation of the municipality, are payable solely from the revenues pledged for their payment.

SECTION 3. Said section 10 of said chapter 40D is hereby further amended by striking the fourth paragraph, as so appearing, and inserting in place thereof the following paragraph: —

Bonds pledging the faith and credit of a municipality shall be included in computing the debt limit of a municipality under chapter forty-four and shall be subject to the provisions of all other laws and charter provisions relating to the issuance or sale of bonds. Bonds not pledging the faith and credit of a municipality shall not be included in computing the debt limit of a municipality under chapter forty-four and shall not be subject to the provisions of any other law or charter provision relating to the issuance or sale of bonds. *Approved July 17, 1972.*

Chap. 740. AN ACT ESTABLISHING AN INTERMEDIATE APPELLATE COURT.

Be it enacted, etc., as follows:

SECTION 1. The General Laws are hereby amended by inserting after chapter 211 the following chapter: —

CHAPTER 211A.

APPEALS COURT

Section 1. There shall be an intermediate appellate court to be known as the appeals court. The appeals court shall consist of a chief justice and five associate justices.

Section 2. The chief justice shall receive a salary of thirty-two thousand five hundred dollars and each associate justice a salary of thirty-one thousand three hundred dollars, and the chief justice and each associate justice shall annually receive from the commonwealth, upon the certificate of the chief justice, the amount of the expenses incurred by them in the discharge of their duties. Such justices shall devote their entire time during ordinary business hours to their respective duties and shall not, directly or indirectly, engage in the practice of law.

Section 3. Three justices shall constitute a quorum to decide all matters required to be heard by the appeals court or, upon order of the chief justice, four or more justices may sit. The court may sit in panels of three or more justices. The chief justice, insofar as practicable, shall assign justices to panels in such manner that each justice shall sit a substantially equal number of times with each other justice. The chief justice shall preside over any panel on which he shall sit, or, if the chief justice is not a member of a panel, the senior justice shall be the presiding justice.

Section 4. The appeals court shall sit in the city of Boston and at such other locations within the commonwealth as the supreme judicial court shall determine by rule or order. The commonwealth shall provide adequate quarters and facilities for the appeals court. The chief justice, with the approval of the supreme judicial court, shall arrange such sessions of the appeals court as may be required to discharge its business. Such sittings may be adjourned to such places and times as shall appear to the court to be most conducive to the dispatch of its business and to the interests of the public.

Section 5. The appeals court shall be vested with all powers and authority necessary to carry into execution its judgments, decrees, determinations and orders in matters within its jurisdiction according to the rules and principles of common law and the Constitution and laws of the commonwealth, and subject to the appellate jurisdiction, supervision and superintendence of the supreme judicial court.

Section 6. The clerk of the supreme judicial court for Suffolk county shall be the clerk of the appeals court and shall receive a salary of twenty-five hundred dollars in addition to the salary he receives as clerk of said supreme judicial court for Suffolk county. Said clerk shall appoint a first assistant clerk, a second assistant clerk and a third assistant clerk of the appeals court, each to serve at the pleasure of the clerk, and shall fix the salaries, in the case of the first assistant clerk, at an amount no greater than eighty-five per cent of his total combined salary, and in the case of the second and third assistant clerks, at an amount not greater than seventy-five per cent of his total combined salary. The salaries of the clerk and the assistant clerks shall be paid by the commonwealth.

Section 7. There may annually be expended out of the treasury of the commonwealth, upon the certificate of the chief justice, such sums as may be appropriated for law clerks, stenographers and other clerical assistance for printing, for transportation of papers and documents, and for certain other expenses incident to the work of the court.

Section 8. The clerk shall serve as the administrative officer of the court and shall maintain an office in Boston and at such other place or places as the supreme judicial court may designate. The cost of maintaining such office or offices shall be borne by the commonwealth. The clerk or one of the assistant clerks shall attend all sessions of the appeals court; keep and preserve all the papers, records and files thereof; maintain a docket of all matters presented to the appeals court and all proceedings therein and enter thereon accurate records of all orders, decrees, determinations or directions of the court in each case; transmit to the clerk and reporter of the supreme judicial court all papers, opinions, and decrees as required by statute or rule; and receive and keep safely all papers transmitted to him by the clerks of courts, registers of probate and recorder of the land court. He shall make copies of all papers on file in the appeals court and of its docket, upon request, and certify them, if desired, and charge the same fees payable for like services of clerks of courts. He shall issue such notice as the court or any justice thereof may order.

Section 9. In the determination of causes, all decisions of the appeals court shall be given in writing, except as otherwise provided herein, and the grounds for each decision shall be stated and filed in the cause in which rendered. The court may, in appropriate cases, enter a proper

order, direction, judgment or decree for the further disposition of a case without stating the reasons therefor, or may cause a rescript containing a brief statement of the grounds and reasons for the decision, to be filed therein. Opinions and rescripts of the appeals court shall be published by the reporter of decisions.

Section 10. Subject to such further appellate review by the supreme judicial court as may be permitted pursuant to section eleven or otherwise, the appeals court shall have concurrent appellate jurisdiction with the supreme judicial court, to the extent review is otherwise allowable, with respect to a determination made in the superior court, the land court and the probate courts, (*a*) in all civil proceedings at law or in equity without limit as to the subject matter or amount in controversy; (*b*) in proceedings in the superior court for the review of administrative determinations; (*c*) in proceedings in the superior court relating to mandamus, certiorari, and all other extraordinary writs; and (*d*) in criminal cases, irrespective of whether sentence has been imposed, except in review of convictions for first degree murder where a sentence of death or life imprisonment has been imposed. A report from the superior, land or probate courts of any case, in whole or in part, or any question of law arising therein shall be deemed within the concurrent appellate jurisdiction of the supreme judicial court and the appeals court.

Without regard to whether review is by appeal, bill of exceptions, report or otherwise, appellate review of decisions made in the superior, land or probate courts, if within the jurisdiction of the appeals court, shall be in the first instance by the appeals court except in the following cases in which appellate review shall be directly by the supreme judicial court without the necessity of any prior hearing or decision by the appeals court on the merits of the issues sought to be reviewed: —

(A) Whenever two justices of the supreme judicial court issue an order for direct review by the supreme judicial court in any case on appeal, either at the request of one of the parties or at the court's own initiative, upon finding that the questions to be decided are: (1) questions of first impression or novel questions of law which should be submitted for final determination to the supreme judicial court; (2) questions of law concerning the Constitution of the commonwealth or questions concerning the Constitution of the United States which have been raised in a court of the commonwealth; (3) questions of such public interest that justice requires a final determination by the supreme judicial court.

(B) Whenever the appeals court as a body or a majority of the justices of the appeals court considering a particular case certifies that direct review by the supreme judicial court is in the public interest.

In each case where appellate review is not within the jurisdiction of the appeals court, appellate review shall be directly by the supreme judicial court, unless such case is transferred by the supreme judicial court to the appeals court for determination in accordance with section twelve of this chapter.

Section 11. There shall be no further appellate review by the supreme judicial court of any matter within the jurisdiction of the appeals court which has been decided by that court, except: — (*a*) where a majority of the justices of the appeals court deciding the case, or of the appeals court as a whole, certifies that the public interest or the interests of justice make desirable a further appellate review, or (*b*) where leave to

obtain further appellate review or late review is specifically authorized by three justices of the supreme judicial court for substantial reasons affecting the public interest or the interests of justice. Upon the written order of a majority of the justices of the appeals court, the decision of a panel of the appeals court may be reviewed and revised by a majority of the justices of the appeals court. Such a review shall not be a condition precedent to obtaining further appellate review by the supreme judicial court.

Section 12. The appeals court may, prior to or after final determination, report any case in whole or in part or any question of law arising therein to the supreme judicial court for consideration and determination if in the opinion of the appeals court the unusual public or legal significance of the matter or the efficient administration of justice so requires. The supreme judicial court shall consider such report and accept the case or questions, in whole or in part, for final determination or, if no determination has been made by the appeals court, may remand the case or questions, in whole or in part, to the appeals court for determination. Except as otherwise provided in section four A of chapter two hundred and eleven, the supreme judicial court may transfer to the appeals court for determination any case or issue pending before it which has not been determined by the appeals court, including those within the original jurisdiction of the supreme judicial court, those of which a direct review by the supreme judicial court has been allowed or claimed, those improperly entered in the supreme judicial court, and those coming within the direct appellate jurisdiction of the supreme judicial court. The supreme judicial court may order any matter, in whole or in part, or any issue therein, pending before the appeals court, transferred to the supreme judicial court for further proceedings.

Section 13. The law governing the presentation of cases to the supreme judicial court for appellate review, except as to the printing of records and briefs, shall apply to the presentation to the appeals court of cases within the concurrent jurisdiction of that court. The appeals court shall, subject to the approval of the supreme judicial court, adopt rules regulating practices, procedures and internal administration of the appeals court. Such rules shall not require the printing of records and briefs, but may require the reproduction of relevant portions of records and briefs by xerography or a similar method producing legible pages in a reasonable number of copies.

The supreme judicial court shall adopt rules regulating the review by it, whether by transfer, report, bill of exceptions or appeal, and the time within which review may be sought; and may make such other rules and orders as may facilitate, or are desirable to regulate, appellate review by either court.

Section 14. In the case of a vacancy in the office of chief justice of the appeals court, or of his illness or absence, his duties shall be performed by the senior justice.

Section 15. If, upon the hearing of an appeal or exceptions in any proceeding, it appears that the appeal or exceptions are frivolous, immaterial or intended for delay, the appeals court may, either upon motion of a party or on its own motion, award against the appellant or excepting party double costs from the time when the appeal was taken or the exceptions were allowed, and also interest from the same time at the rate of twelve per cent a year on any amount which has been

found due for debt and damages, or which he has been ordered to pay, or for which judgment has been recovered against him, or may award any part of such additional costs and interest.

SECTION 2. Chapter 211 of the General Laws is hereby amended by striking out section 4A, inserted by section 2 of chapter 722 of the acts of 1962, and inserting in place thereof the following section: —

Section 4A. The supreme judicial court or a justice thereof may transfer for partial or final disposition in any appropriate lower court any cause or matter which might otherwise be disposed of by a single justice, and said lower court shall thereupon have jurisdiction thereof, subject to appeal, exceptions, or other proceeding in the nature of an appeal, and shall have such assistance from other departments or from the use of other writs and processes as the law provides shall be available to it or any other court with respect to like causes or matters; provided, however, that no transfer shall be made of the following: —

(1) petitions to vacate, or writs or bills to review a judgment or decree of the supreme judicial court, or a writ of audita querela as to a judgment of the supreme judicial court.

(2) writs of prohibition or of mandamus to the supreme judicial court or the appeals court or a judicial officer thereof, or the superintendence of insolvency cases under chapter two hundred and sixteen.

(3) dismissal under section thirteen of chapter fifty-eight A of appeals from the appellate tax board or stays of execution of sentence after exceptions or appeal under section forty-nine A of chapter two hundred and seventy-nine.

(4) any matter incidental to the exclusive appellate jurisdiction of the full court for which provision may hereafter be made; and further provided, that no transfer shall be made to any court other than the appeals court of the following: —

(1) writs of prohibition, or of mandamus to any court other than the supreme judicial court or the appeals court or to a judicial officer thereof;

(2) stays of execution of sentence after the filing or allowance of exceptions or the entry of an appeal under section four of chapter two hundred and seventy-nine; reductions of bail under section fifty-eight of chapter two hundred and seventy-six; summary review of questions of law pertaining to issuance or denial of preliminary injunctions in labor dispute cases under subsection (6) of section nine A of chapter two hundred and fourteen; summary review of workmen's compensation orders pending appeal under section sixty A of chapter one hundred and fifty-two; suspension, modification, or annulment of orders or decrees under section twenty-two of chapter two hundred and fourteen pending an appeal; stays of orders or decrees in equity and other certain matters in the probate court under sections twenty-three and twenty-four of chapter two hundred and fifteen; petitions for leave to appeal late under section twenty-eight of chapter two hundred and fourteen or section fifteen of chapter two hundred and fifteen; late entry of appeals, bills of exceptions or reports under section eleven of this chapter; or the establishment of exceptions under section one hundred and seventeen of chapter two hundred and thirty-one.

In any case involving public utility rates, insurance rates, or other matter clearly affecting the public interest or an entire industry, a single justice shall file with the order of transfer a statement of his reasons therefor.

The supreme judicial court may also direct any cause or matter to be transferred from a lower court to it in whole or in part for further action or directions, and in case of partial transfer may issue such orders or direction in regards to the part of such cause or matter not so transferred as justice may require.

SECTION 3. Section 30 of chapter 214 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out in lines 1 and 2, the words "the justice" and inserting in place thereof the words: — a justice of the supreme judicial court, — by inserting after the word "court", in line 4, the words: — or by the appeals court, — and by inserting after the word "question", in line 4, the words: — to either court.

SECTION 4. Said chapter 214 is hereby further amended by inserting after said section 30 the following section: —

Section 30A. If, upon making an interlocutory decree or order, a justice of the superior court is of opinion that it so affects the merits of the controversy that the matter ought, before further proceedings, to be determined by the appeals 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 5. Section 31 of said chapter 214, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 1, the words "of either court" and inserting in place thereof the words: — of the supreme judicial court, — and by striking out, in line 3, the words "for the consideration of the full court" and inserting in place thereof the words: — to the full court or appeals court for consideration.

SECTION 6. Said chapter 214 is hereby further amended by inserting after said section 31 the following section: —

Section 31A. A justice of the superior court by whom a case is heard for final decree may reserve and report the evidence and questions of law therein to the appeals court for consideration; and thereupon like proceedings shall be had as upon appeals from final decrees.

SECTION 7. Section 69 of chapter 221 of the General Laws is hereby amended by adding the following sentence: — Not more than eight deputy sheriffs or court officers shall receive compensation for attendance upon any sitting of the appeals court unless the presiding justice in writing requires the sheriff to procure the attendance for a whole or a portion of such sitting of an additional number.

SECTION 8. Said chapter 221 is hereby further amended by striking out section 70, as most recently amended by chapter 830 of the acts of 1971, and inserting in place thereof the following section: —

Section 70. The sheriffs of Suffolk, Bristol, Hampden, Middlesex, Norfolk and Worcester counties may each appoint, subject to the approval of the justices of the superior court, officers for attendance upon the several sessions of the superior court in their respective counties, as follows:

For Suffolk, not exceeding four for each session for civil business held with juries; three for each session held without juries; six for the session for criminal business; and eight for use as may be necessary; said officers shall be interchanged between the several sessions so as to secure as nearly as may be equal service for all.

For Bristol, four for civil and criminal business, and one for civil business only, who shall, when required by the sheriff, attend the sessions

of the supreme judicial, appeals or probate court when not in attendance on the superior court.

For Hampden, six for civil and criminal business, who shall, when required by the sheriff, attend the sessions of the supreme judicial, appeals or probate court when not in attendance on the superior court.

For Middlesex, not exceeding four for each sessions for civil business held with juries; three for each session held without juries, and six for the session for criminal business, who shall, when required by the sheriff, attend the sessions of the supreme judicial, appeals or probate court when not in attendance on the superior court.

For Norfolk, seven for civil and criminal business, who shall, when required by the sheriff, attend the sessions of the supreme judicial, appeals or probate court when not in attendance on the superior court.

For Worcester, for civil or criminal business, such number as may be necessary, who shall also attend upon the sessions of the supreme judicial, appeals, probate and insolvency and land court.

Each of said officers shall give to the sheriff appointing him a bond with sufficient sureties, in the sum of fifteen hundred dollars, for the faithful performance of his duties. They shall have the authority of constables to serve venires for jurors and the processes of said courts, and in Worcester county to summon witnesses; and they shall be paid by the county their actual expenses necessarily incurred in making such services.

SECTION 9. Section 71 of said chapter 221, as most recently amended by section 3 of chapter 570 of the acts of 1964, is hereby further amended by inserting after the first sentence the following sentence: — The sheriff of Suffolk county shall designate one court officer to act as chief deputy sheriff for attendance on the appeals court in said county.

SECTION 9A. Section 71A of said chapter 221, as amended by chapter 707 of the acts of 1971, is hereby further amended by inserting after the second sentence the following sentence: — The sheriff of Suffolk county may designate one of the court officers of the appeals court to act as assistant chief deputy sheriff for attendance on the appeals court in said county.

SECTION 10. Said chapter 221 is hereby further amended by striking out section 72, as most recently amended by section 4 of chapter 570 of the acts of 1964, and inserting in place thereof the following section: —

Section 72. Officers appointed as court officers to attend upon the sessions of the supreme judicial, appeals or superior court in any county, including chief deputies and the chief court officer in Hampden, Norfolk and Worcester counties designated under section seventy-one, shall hold office during good behavior but not beyond age sixty-five and until they are removed by the sheriff of the county for which they were appointed, for cause approved by the justices of the court for attendance upon which they were appointed. Court officers appointed to attend upon any of said courts may be removed for cause approved by the justices of any said courts. In Suffolk county officers in attendance upon the supreme judicial court or upon the superior court may be interchanged or transferred from any of said courts to another by the sheriff, with the approval in each instance, of the chief justice of the court to which the transfer is proposed to be made.

SECTION 11. Section 73 of said chapter 221, as appearing in section 1 of chapter 766 of the acts of 1963, is hereby amended by inserting after the word "judicial", in line 1, the words: — or appeals.

SECTION 12. Said chapter 221 is hereby further amended by striking out section 75 and inserting in place thereof the following section: —

Section 75. The compensation of deputy sheriffs not on salary and of constables for attendance upon the supreme judicial, appeals, superior or probate court, or upon the sessions of the county commissioners, shall be paid by the respective counties, except that for attendance upon the supreme judicial or appeals court in Suffolk county when said courts are sitting for the commonwealth it shall be paid by the commonwealth.

SECTION 13. Section 76 of said chapter 221, as most recently amended by section 1 of chapter 258 of the acts of 1939, is hereby further amended by inserting after the second sentence the following two sentences: — The messenger to the justices of the appeals court shall be appointed by the justices of said court and shall also act as clerical assistant of said justices. His salary shall be established by the justices of said court.

SECTION 14. Section 77 of said chapter 221, as most recently amended by section 5 of chapter 570 of the acts of 1964, is hereby further amended by inserting after the word "judicial", in line 3, the word: — , appeals.

SECTION 15. Said chapter is hereby further amended by striking out section 80, as most recently amended by section 6 of said chapter 570, and inserting in place thereof the following section: —

Section 80. Court officers receiving stated salaries and deputy sheriffs in attendance upon the supreme judicial, appeals or superior court in Suffolk, Middlesex, Bristol, Hampden, Norfolk and Worcester counties shall while on duty in said courts, wear uniforms which shall be designated by the sheriff of the county and which shall be furnished at the expense of the respective counties.

SECTION 16. The second sentence of the first paragraph of section 28E of chapter 278 of the General Laws, as appearing in section 1 of chapter 878 of the acts of 1967, is hereby amended by inserting after the word "court", in line 9, the words: — or to the appeals court.

SECTION 17. The second sentence of the first paragraph of section 4 of chapter 279 of the General Laws, as most recently amended by chapter 678 of the acts of 1966, is hereby further amended by inserting after the word "court", in line 5, the words: — or a justice of the appeals court.

Approved July 17, 1972.

Chap. 741. AN ACT INCREASING THE PAYMENTS UNDER WORKMEN'S COMPENSATION LAW FOR SPECIFIC INJURIES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 152 of the General Laws is hereby amended by striking out section 36, as most recently amended by chapter 584 of the acts of 1966, and inserting in place thereof the following section: —

Section 36. In addition to all other compensation the employee shall be paid the sums hereafter designated for the following specified injuries: —

(a) For the loss by enucleation or otherwise, or the total loss of use of one eye, or for injury to one eye which produces an inability which is not correctible to use both eyes together for single binocular vision, or the reduction to twenty seventieths of normal vision in one eye, with glasses, the sum of six thousand dollars.

(b) For the loss by enucleation or otherwise, or the total loss of use of both eyes, or the reduction to twenty seventieths of normal vision in both eyes, with glasses, the sum of fifteen thousand dollars.

(c) For any correctible permanent but partial reduction in either the acuity or field of vision of one or both eyes, such sum in proportion to the amount applicable in the event of total loss, total loss of use, or the reduction to twenty seventieths of normal vision of one or both eyes as the correctible partial reduction bears to such total loss, total loss of use or reduction to twenty seventieths of normal vision; provided that, for any permanent but partial reduction in either acuity or field of vision of either eye which requires the use of a corrective device, such as glasses or contact lens, to produce normal vision, the sum of one thousand dollars shall be awarded.

(d) For the loss of hearing of one ear, the sum of four thousand five hundred dollars; for the loss of hearing of both ears, the sum of twelve thousand dollars.

(e) For the amputation or permanent total loss of use of the right or major arm, the sum of six thousand seven hundred and fifty dollars; for the amputation or permanent total loss of use of the left or minor arm, the sum of six thousand dollars; for the amputation or permanent total loss of use of both arms, the sum of fifteen thousand dollars.

(f) For the amputation or permanent total loss of use of the right or major hand at the wrist, the sum of five thousand two hundred and fifty dollars; for the amputation or permanent total loss of use of the left or minor hand at the wrist, the sum of four thousand five hundred dollars; for the amputation or permanent total loss of use of both hands at the wrists; the sum of twelve thousand dollars.

(g) For the amputation or permanent total loss of use of either leg, the sum of six thousand dollars; for the amputation or permanent total loss of use of both legs, the sum of fifteen thousand dollars.

(h) For the amputation or permanent total loss of use of either foot at any point above the ankle joint, the sum of four thousand five hundred dollars; for the amputation or permanent total loss of use of both feet at any point above the ankle joints, the sum of ten thousand five hundred dollars.

(i) For any permanent but partial loss of use of a member, whether leg, foot, arm or hand, such sum in proportion to the amount applicable in the event of amputation or permanent total loss of use of said member as the said partial loss bears to the total loss of use of said member.

(j) For each loss of bodily function or sense, other than those specified in preceding paragraphs of this section, the amount which, according to the determination of the industrial accident board, reviewing board or single member, is a proper and equitable compensation, not to exceed five thousand dollars; provided, however, that the total amount payable under this paragraph shall not exceed twelve thousand five hundred dollars.

(k) For bodily disfigurement, an amount which, according to the determination of the said board, reviewing board or single member, is a proper and equitable compensation, not to exceed six thousand six hundred dollars; which sum shall be payable in addition to all other sums due under this section.

Nothing in this section shall adversely affect the employee's right to any compensation which is or may become due under the provisions of this or any other section.

SECTION 2. The provisions of section thirty-six of chapter one hundred and fifty-two of the General Laws, as amended by section one of this act, shall apply to injuries arising on or after November first, nineteen hundred and seventy-two. *Approved July 17, 1972.*

Chap. 742. 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 1. Chapter 152 of the General Laws is hereby amended by striking out section 7, as most recently amended by chapter 974 of the acts of 1971, and inserting in place thereof the following section: —

Section 7. If the insurer and the injured employee fail to reach an agreement in regard to compensation, or if they have reached such an agreement, which has been signed and filed in accordance with this chapter, and compensation has been paid or is due in accordance therewith, and the parties thereto then disagree as to the continuance of any weekly payments under such agreement, either party may notify the division, which shall thereupon assign the case 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 shall 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 within ten days from the filing of such an order 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 discontinuation 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.

SECTION 2. Section 8 of said chapter 152, as most recently amended by section 8 of chapter 611 of the acts of 1961, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence: — The decision shall be enforceable under section eleven.

SECTION 3. Said chapter 152 is hereby further amended by striking out the section 8A, as most recently amended by section 1 of chapter 693 of the acts of 1957, and inserting in place thereof the following section: —

Section 8A. A party who has by accident, mistake or through other reasonable cause, omitted to request a hearing from an order rendered under section seven or to claim a review from a decision rendered under section eight within the time limited under section ten may, within two years from the filing of such order or decision with the division, petition the superior court for the county in which the injury occurred, or for the county of Suffolk or the municipal court of the city of Boston, if the injury occurred in Suffolk county, for leave to request such hearing or claim such review, and the court may grant such petition and permit such hearing to be requested or claim to be filed if it finds that justice and equity require it, notwithstanding that a decree has previously been rendered on such order or decision as provided in section eleven.

SECTION 4. Section 10 of said chapter 152, as most recently amended by chapter 546 of the acts of 1947, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — If a claim for review is filed by either party within ten days from the filing of a decision rendered under section eight, the reviewing board shall hear the parties, and may hear evidence in regard to pertinent matters and may revise the decision in whole or in part, or may refer the matter back to the member for further findings of fact, and shall file its decision with the records of the proceedings and notify the parties.

SECTION 5. Section 11 of said chapter 152, as most recently amended by section 2 of chapter 693 of the acts of 1957, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

Any party in interest may present certified copies of an order or decision of the division, of a member or of the reviewing board or a memorandum of agreement approved by the division, and all papers in connection therewith, to the superior court for the county in which the injury occurred or for the county of Suffolk, or if the injury occurred in Suffolk county, to the municipal court of the city of Boston, but if so presented to the municipal court of the city of Boston, the court shall, on motion of any party in interest, order the case removed to the superior court for the county of Suffolk, and if so presented to the superior court for the county of Suffolk, the court may, on motion of any party in interest, order the case removed to the superior court for the county in which the injury occurred. The court shall thereupon render a decree in accordance therewith and notify the parties. Such decree shall have the same effect, and all proceedings in relation thereto shall thereafter be the same, as though rendered in a suit duly heard and determined by said court, except that there shall be no appeal therefrom upon questions of fact or where the decree is based upon a decision of a member from which no claim of review has been filed within the time allowed therefor or a memorandum of agreement, and except that there shall

be no appeal from a decree based upon an order or decision of the reviewing board which has not been presented to the court within ten days after the notice of the filing thereof by said board. Upon the presentation to it of a certified copy of a decision ending, diminishing or increasing a weekly payment under section twelve the court shall revoke or modify the decree to conform to such decisions.

SECTION 6. Said chapter 152 is hereby further amended by striking out the section 12A, inserted by chapter 585 of the acts of 1959, and inserting in place thereof the following section: —

Section 12A. In any hearing requested by an insurer aggrieved by an order filed under section seven or in any proceeding brought by an insurer as to the continuance of compensation being paid under this chapter, there shall be awarded an amount sufficient to compensate the employee for the reasonable costs of such hearing or proceeding, including reasonable counsel fees, provided the employee prevails at such hearing or proceedings. *Approved July 17, 1972.*

Chap. 743. AN ACT FURTHER REGULATING THE GRANTING OF CERTAIN SALARY INCREASES BY THE CITY OF LOWELL.

Be it enacted, etc., as follows:

Notwithstanding any provision or law to the contrary, the school committee of the city of Lowell may annually, no later than June first by vote or contract, make effective from January first of the same year any salary or compensation of teachers in its employ.

Approved July 17, 1972.

Chap. 744. AN ACT RELATIVE TO ESTABLISHING BRISTOL COUNTY AND THE COUNTIES OF BARNSTABLE, NANTUCKET AND DUKES COUNTIES AS SEPARATE DISTRICTS FOR THE ADMINISTRATION OF CRIMINAL JUSTICE.

Be it enacted, etc., as follows:

SECTION 1. Section 13 of chapter 12 of the General Laws as appearing in section 1 of chapter 423 of the acts of 1948, is hereby amended by striking out in lines 5 to 7, inclusive, the words "Bristol, Barnstable, Nantucket and Dukes counties, the southern district" and inserting in place thereof the words: — Bristol county, the Bristol district; Barnstable, Nantucket and Dukes Counties, the Cape and Islands district.

SECTION 2. Section 14 of said chapter 12, as appearing in section 1 of chapter 1117 of the acts of 1971, is hereby amended by striking out the eighth paragraph and inserting in place thereof the following two paragraphs:

For the Bristol district, four assistant district attorneys.

For the Cape and Islands district, four assistant district attorneys.

SECTION 3. Section 15 of said chapter 12, as appearing in section 1 of chapter 769 of the acts of 1969, is hereby amended by striking out the eighth paragraph and inserting in place thereof the following two paragraphs: —

For the Bristol district, fifteen thousand dollars.

For the Cape and Islands district, fifteen thousand dollars.

SECTION 4. Section 16 of said Chapter 12, as appearing in section 2 of chapter 1117 of the acts of 1971, is hereby amended by striking out the eighth paragraph and inserting in place thereof the following two paragraphs: —

For the Bristol district, one assistant, ten thousand five hundred dollars and three assistants, nine thousand five hundred dollars.

For the Cape and Islands district, one assistant, ten thousand five hundred dollars; and three assistants, nine thousand five hundred dollars.

SECTION 5. This act shall take effect at the biennial state election to be held in nineteen hundred and seventy-four.

Approved July 17, 1972.

Chap. 745. AN ACT INCREASING THE MONTHLY INCOME EXEMPTION FOR ELIGIBILITY FOR MEDICAL CARE AND ASSISTANCE.

Be it enacted, etc., as follows:

Section 10 of chapter 118E of the General Laws, as appearing in section 1 of chapter 800 of the acts of 1969, is hereby amended by striking out paragraph (1) and inserting in place thereof the following paragraph: —

(1) Monthly income in an amount not exceeding the level of the minimum dollar amount required under Title XIX.

Approved July 17, 1972.

Chap. 746. AN ACT INCREASING THE INVESTMENT CREDIT UNDER THE CORPORATION EXCISE LAW FOR MANUFACTURING, RESEARCH AND DEVELOPMENT, AGRICULTURAL AND COMMERCIAL FISHING CORPORATIONS IN ORDER TO STIMULATE NEW AND EXPANDED INVESTMENT AND JOB OPPORTUNITIES.

Be it enacted, etc., as follows:

Notwithstanding the provisions of subsection (*a*) of section thirty-one A of chapter sixty-three of the General Laws, the credit allowed by said section shall be three per cent for taxable years ending on and after December thirty-first, nineteen hundred and seventy-two and before December thirty-first, nineteen hundred and seventy-four and as limited by paragraph twelve of section thirty of said chapter sixty-three; provided, however, that any corporation claiming such credit meets all other requirements of said section thirty-one A; and provided further, that any corporation claiming such credit shall furnish such information relative to the job opportunities created by the investment for which the credit is allowed as is required by the commissioner of corporations and taxation, in a form approved by the state tax commission.

Approved July 17, 1972.

Chap. 747. AN ACT DIRECTING THE METROPOLITAN DISTRICT COMMISSION TO REPLACE A CERTAIN BRIDGE OVER THE MALDEN RIVER IN THE CITY OF MALDEN.

Be it enacted, etc., as follows:

Chapter 645 of the acts of 1971 is hereby amended by striking out the second sentence and inserting the following sentence: — 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 six hundred and sixteen of the acts of nineteen hundred and sixty-seven.

Approved July 17, 1972.

Chap. 748. AN ACT RELATIVE TO THE ALLOCATION OF SALES FOR PURPOSES OF INCOME APPORTIONMENT UNDER THE BUSINESS CORPORATION EXCISE LAW.

Be it enacted, etc., as follows:

SECTION 1. The first paragraph of subsection (*f*) of section 38 of chapter 63 of the General Laws is hereby amended by striking out clause 2, as amended by chapter 562 of the acts of 1970, and inserting in place thereof the following clause: —

2. the corporation is not taxable in the state of the purchaser and the property was not sold by an agent or agencies chiefly situated at, connected with or sent out from premises for the transaction of business owned or rented by the corporation outside this commonwealth. "Purchaser", as used in clauses 1 and 2 of this paragraph, shall include the United States government.

SECTION 2. This act shall apply to taxable years ending on and after December thirty-first, nineteen hundred and seventy-two.

Approved July 17, 1972.

Chap. 749. AN ACT FURTHER REGULATING THE APPROVAL OF A DEFINITIVE PLAN OF A SUBDIVISION BY A PLANNING BOARD.

Be it enacted, etc., as follows:

SECTION 1. Section 81U of chapter 41 of the General Laws, as amended by section 2 of chapter 105 of the acts of 1964, is hereby further amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

When a definitive plan of a subdivision is submitted to the planning board, as provided in section eighty-one O, a copy thereof shall also be filed with the board of health or board or officer having like powers and duties. Such health board or officer shall report to the planning board in writing approval or disapproval of said plan, and in the event of disapproval shall make specific findings as to which, if any, of the lots shown on such plan cannot be used for building sites without injury to the public health, and include such specific findings and the reasons therefor in such report, and, where possible, shall make recommendations for the adjustment thereof, provided, however, if a municipal sewerage system will service the proposed subdivision, then failure of the board to make such a report within forty-five days after the plan is filed with their office shall be deemed approval by such board or officer. Such health board or officer shall send a copy of such report, if any, to the person who submitted said plan.

SECTION 2. The second paragraph of said section 81U of said chapter 41, as amended by chapter 153 of the acts of 1960, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — After the hearing required by section eighty-one T and after the report of said health board or officer as provided in

the preceding paragraph or the lapse of forty-five days without such report, when the proposed subdivision will be serviced by a municipal sewerage system the planning board shall approve, or, if such plan does not comply with the subdivision control law or the rules and regulations of the planning board or the recommendations of the health board or officer, shall modify and approve or shall disapprove such plan.

Approved July 17, 1972.

Chap. 750. AN ACT REDUCING THE TIME WITHIN WHICH REAL ESTATE MAY BE SOLD FOR PAYMENT OF LEGACIES.

Be it enacted, etc., as follows:

SECTION 1. Section 19 of chapter 197 of the General Laws, as amended by section 2 of chapter 465 of the acts of 1954, is hereby further amended by striking out, in line 11, the word "twenty" and inserting in place thereof the word: — six.

SECTION 2. Notwithstanding the provisions of section nineteen of chapter one hundred and ninety-seven of the General Laws, as amended by section one of this act, in cases where the testator died prior to the effective date of this act a legatee shall have the following periods to bring an action in the probate court in which the will was proved to recover a legacy, the payment of which the real estate of the testator is liable: —

(1) In the case of a testator whose death occurred within six years of the effective date of this act, six years from the date of death or December thirty-first in the year nineteen hundred and seventy-four, whichever date is later; or

(2) In the case of a testator whose death occurred within twenty years of the effective date of this act, twenty years from the date of death or December thirty-first in the year nineteen hundred and seventy-four, whichever date is earlier.

Approved July 17, 1972.

Chap. 751. AN ACT DIRECTING THE COMMISSIONER OF MENTAL HEALTH TO ACCEPT A CONVEYANCE OF A CERTAIN PARCEL OF LAND FROM THE FRIENDS OF RETARDED CHILDREN, INC. AND TO CONSTRUCT GROUP HOMES AND A WORK SHOP ON SAID LAND.

Be it enacted, etc., as follows:

SECTION 1. The commissioner of mental health, acting for and on behalf of the commonwealth, is hereby authorized and directed to accept a conveyance from the Friends of Retarded Children, Inc., by deed approved as to form by the attorney general, a parcel of land located in the city of Chicopee, bounded by Coolidge avenue, Lincoln street and Main boulevard in said city, containing two acres of land, more or less.

The metes and bounds of said two acres of land are to be determined by mutual consent of the commissioner of mental health and the Friends of Retarded Children, Inc. and are then to be described in the deed at the time of conveyance.

SECTION 2. The department of mental health is hereby authorized and directed to construct two group homes and a work shop on the land

described in section one and for such purposes may expend such sums as may be appropriated therefor not exceeding four hundred thousand dollars. *Approved July 17, 1972.*

Chap. 752. 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 1 of chapter 892 of the acts of 1971, and inserting in place thereof the following two sentences: — A wage of less than one dollar and eighty-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. In no event, however, shall such rate be less than that established by the federal government.

SECTION 2. Section 7 of said chapter 151 is hereby amended by striking out the second paragraph, as most recently amended by section 2 of chapter 892, and inserting in place thereof the following paragraph: —

No wage board, however, can recommend minimum fair wage rates below one dollar and eighty-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 July 17, 1972.

Chap. 753. AN ACT PROVIDING REIMBURSEMENT FOR CERTAIN CITIES AND TOWNS PARTICIPATING IN MODEL EDUCATIONAL PROGRAMS.

Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by striking out section 4E, inserted by chapter 889 of the acts of 1970, and inserting in place thereof the following section: —

Section 4E. Any school committee or regional district school committee, acting for and in behalf of its city, town, or regional school district, may enter into an agreement with one or more other such committees to conduct jointly or for such other committee or committees model educational programs which permit such committees to supplement or strengthen school programs provided, that such agreement has been approved by the commissioner of education and authorized by vote of each such committee.

Such agreement shall designate one city, town, or regional school district which is party thereto as the operating agent. Funds received by such operating agent from other cities, towns, or districts party to such agreement or from the commonwealth as reimbursement may be expended for the programs authorized under this section without appropriation or credited to general revenue. All appropriated by such operating agent for the purposes of such agreement, in addition to gifts and grants, shall be deposited with and held as a separate account by, its treasurer; and payments from such account shall be made by said treasurer according to duly approved warrants, as provided by general or special law.

All bills and payrolls submitted for services rendered, or for equipment or supplies delivered, in connection with any such agreement shall be plainly marked to indicate that such services were rendered, or such equipment or supplies delivered, under authority thereof. Any reimbursement for, or payment on account of, such services, equipment, or supplies shall be made at such intervals as such agreement provides.

Such agreement may be terminated at the end of any fiscal year by written notice of termination given by any committee which has entered into such agreement to each other such committee at least sixty days before the end of such year. Such agreement shall provide for the disposition, upon termination thereof, of all unencumbered funds and all equipment and supplies held pursuant thereto.

Approved July 17, 1972.

Chap. 754. AN ACT PROVIDING FOR THE LICENSING AND REGULATION OF AUTOMOBILE CLUBS BY THE DIVISION OF INSURANCE OF THE DEPARTMENT OF BANKING AND INSURANCE.

Be it enacted, etc., as follows:

The General Laws are hereby amended by inserting after chapter 174A the following chapter: —

CHAPTER 174B.

REGULATION OF AUTOMOBILE CLUBS

Section 1. This chapter shall be known and may be cited as the "Automobile Club Services Act".

Section 2. In this chapter, unless otherwise expressly provided or the context otherwise provides, the following words and phrases shall have the following meanings: —

"Automobile Club", any person who in consideration of dues, assessments, or periodic payments of money, promises its members or subscribers to assist them in matters relating to travel and the operation, the use and maintenance of a motor vehicle and the supplying of services which, by way of illustration and not by way of limitation, may include such services as community traffic safety service, travel and touring service, theft or reward service, map service, towing service, emergency road service, bail bond service, legal fee reimbursement service in the defense of traffic offenses, and the participation in an accident and sickness or death insurance benefit program.

"Person", any person, firm, partnership, corporation or association which conducts an automobile club service business within the commonwealth.

"Commissioner", the commissioner of insurance.

Section 3. Automobile clubs furnishing bail bond service and accident and sickness or death insurance benefits to its members shall purchase such insurance from a company licensed and authorized to sell such coverages in the commonwealth.

Section 4. An automobile club which offers its members accident and sickness or death insurance benefits shall not render or agree to render any automobile club service prior to being licensed by the commissioner. The annual license fee shall be one hundred dollars payable to the commonwealth.

Section 5. An automobile club licensed by the commissioner shall file a statement appointing the commissioner its attorney for the service of process.

Section 6. An automobile club licensed pursuant to this chapter shall file a bond in the amount of fifty thousand dollars with the state treasurer or shall file evidence of financial responsibility satisfactory to said treasurer.

Approved July 17, 1972.

Chap. 755. AN ACT RELATIVE TO THE POWERS AND DUTIES OF THE SOUTHEASTERN REGIONAL PLANNING AND ECONOMIC DEVELOPMENT DISTRICT.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 40B of the General Laws, as appearing in chapter 663 of the acts of 1968, is hereby amended by adding the following sentence: — Notwithstanding any of the foregoing provisions, the commission may increase its membership by not more than six in order to provide representation to low-income and minority groups.

SECTION 2. Section 13 of said chapter 40B, as so appearing, is hereby amended by striking out the fifth and sixth sentences and inserting in place thereof the following two sentences: — Upon the expiration of a term of a member of the advisory committee or upon written resignation, his successor shall be appointed in like manner for a term of three years, or for the balance of the unexpired term. A member may be removed and a vacancy declared by majority vote of the advisory com-

mittee at a regular meeting thereof, consequent upon three consecutive absences from regular advisory committee meetings, and his successor shall be appointed in like manner as the original appointment for the balance of the unexpired term.

SECTION 3. Section 12 of said chapter 40B, as so appearing, is hereby amended by adding the following sentence: — Said district may not authorize debt in anticipation of revenue to be received by the district unless the regional planning and economic development commission of said district so votes in accordance with section eight.

SECTION 4. Said chapter 40B is hereby further amended by striking out section 15, as so appearing, and inserting in place thereof the following section: —

Section 15. The commission shall elect annually at its meeting held in the month of April by and from its members a chairman, a vice-chairman, a secretary and a treasurer, each of whom shall hold office until his successor is elected and qualified. The commission shall from time to time fill any vacancy in such an office for the unexpired term thereof.

The immediate past chairman shall be an officer ex-officio.

The commission may also elect an assistant treasurer who may exercise all the powers and duties of the treasurer in the absence of the treasurer.

The commission shall meet during the months of April, July, October and January and at such other times as the commission shall determine.

The commission shall establish rules of procedure for its activities and the activities of all committees, and shall keep a complete and accurate record of the substance of its meetings, transactions, resolutions, findings and determinations, all of which shall be a public record.

The executive director, treasurer and assistant treasurer shall give the commission a bond, with a surety company authorized to transact business in the commonwealth as surety for the faithful performance of their duties in such sum and upon such conditions as the commission may require.

There may be an executive committee, elected annually, consisting of (1) the officers of the commission, who shall serve as the officers of the executive committee, (2) four members of the commission who shall be elected by a majority vote of the commission and who shall be selectmen or designees of selectmen, (3) four members of the commission who shall be elected by a majority vote of the commission and who shall be representatives of the planning boards, and (4) the mayor or city manager or his designee of each city serving as a member of the commission; provided, however, that each redevelopment area within the district as designated by the Secretary of Commerce of the United States pursuant to the Public Works and Economic Development Act of 1965, shall be entitled to have at least one member on the executive committee among the members who are either mayors or their designees or the selectmen or their appointees.

The commission may appoint from among its members or their designees such other special and standing committees as it shall deem necessary and all such committees shall exercise such powers, discharge such responsibilities, and perform such duties as the commission may delegate thereto by vote or by its by-laws.

The members of the commission shall serve without compensation, but the officers shall receive payment for necessary expenses, including travel incurred in the performance of their duties.

The commission shall establish such technical advisory committees as may be needed to assist the executive director in planning and developing the programs and projects of the commission. The commission, at its discretion, may appoint additional persons to any committee from outside the membership of the commission. The chairman, commissioner or head of any state, county or municipal agency, and any public authority operating within the district if permitted by its trust indentures to do so, shall delegate one or more well qualified representatives from the agency or authority to serve on any of the said technical advisory committees when so requested by the commission.

Approved July 17, 1972.

Chap. 756. AN ACT PROVIDING THAT PERSONS SUBJECT TO THE CIVIL SERVICE LAW MAY BE ASSIGNED TO ADMINISTER THE LAW REQUIRING THE ISSUANCE OF CERTIFICATES OF TITLE OF MOTOR VEHICLES.

Be it enacted, etc., as follows:

Section 29 of chapter 90D of the General Laws is hereby amended by striking out the second paragraph, as appearing in section 1 of chapter 754 of the acts of 1971, and inserting in place thereof the following paragraph: —

Officers and employees engaged in carrying out the provisions of this chapter shall be exempt from the provisions of chapter thirty-one; provided, however, that officers or employees who are subject to said chapter thirty-one may be assigned by the registrar to assist in the administration of the provisions of this chapter whenever he deems it to be necessary. Nothing in this paragraph shall be deemed to authorize any person engaged to carry out the provisions of this chapter to be assigned to or be employed in any office or position subject to said chapter thirty-one. *Approved July 17, 1972.*

Chap. 757. AN ACT RELATIVE TO PAYMENTS MADE BY THE STATE TREASURER TO MUNICIPALITIES IN THE GREATER NEW BEDFORD VOCATIONAL REGIONAL SCHOOL DISTRICT.

Be it enacted, etc., as follows:

Section 10 of chapter 428 of the acts of 1971 is hereby amended by striking out the second sentence and inserting in place thereof the following sentence: — 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 municipality in the regional school district an amount equal to fifteen per cent of the amount of school aid determined to be due such municipality under the provisions of chapter seventy of the General Laws and subsection (*b*) of section eighteen A of chapter fifty-eight of the General Laws; provided, however, that no such additional amount shall be paid to any such municipality prior to the date of award of a contract for the construction of a regional school by the regional district school committee. *Approved July 17, 1972.*

Chap. 758. AN ACT AUTHORIZING THE METROPOLITAN DISTRICT COMMISSION TO CONSTRUCT A PIER FOR RECREATIONAL FISHING IN LYNN HARBOR.

Be it enacted, etc., as follows:

The metropolitan district commission is hereby authorized to construct a pier for recreational fishing in Lynn harbor extending channelward beyond the harbor line from property now owned by the New England Power Company.

The fishing pier shall extend channelward from the existing timber bulkhead, the limits of which are established by and described in chapter two hundred and sixty-seven of the acts of nineteen hundred and twenty-seven and the department of public works division of waterways license number nine hundred and fifty-eight. Said fishing pier shall be located within an area described as follows:

Beginning at a point approximately 540 feet in a southeasterly direction from the intersection of the harbor line and the bulkhead adjacent to the easterly corner of the northerly abutment of the General Edwards Bridge, then turning 90 degrees to the line of the bulkhead and extending 445 feet in a southwesterly direction, then turning 90 degrees and extending 95 feet in a southeasterly direction, then turning 90 degrees and extending 38 feet in a northeasterly direction, then turning 90 degrees and extending 67 feet in a northwesterly direction, then turning 90 degrees and extending 407 feet in a northeasterly direction to a point on the existing bulkhead about 70 feet from the bend point of the bulkhead.

Approved July 17, 1972.

Chap. 759. AN ACT AUTHORIZING THE TOWN OF HINGHAM TO GRANT A PENSION TO GEORGE WIRKALA, TAX COLLECTOR FOR SAID TOWN.

Be it enacted, etc., as follows:

Notwithstanding any provision of law to the contrary, the town of Hingham is hereby authorized to grant a pension to George Wirkala, present tax collector of said town, upon his retirement, in an annual amount not in excess of fifty per cent of the annual rate of Grade PS-1C on Schedule 3, the Police Department Salary Schedule, of the Classification and Salary Plan By-Law of said town as in effect at the time of such retirement, less the annual amount, if any, received by him under the ordinary disability pension authorized for him by the Hingham retirement board on April thirtieth, nineteen hundred and forty-seven.

Approved July 17, 1972.

Chap. 760. AN ACT PROVIDING FOR THE CONDUCT OF CERTAIN CLASSES UNDER THE STATE APPRENTICESHIP PROGRAM.

Be it enacted, etc., as follows:

Chapter 74 of the General Laws is hereby amended by inserting after section 7A the following section: —

Section 7B. An apprentice, as defined in section eleven H of chapter twenty-three, shall, upon the concurrence of the commissioner of labor and industries, be approved by the commissioner for related vocational

training in any city or town regardless of residential qualification under the direction of the state board. Related classes for an approved apprenticeship program shall be conducted in a single school system, unless the commissioner in agreement with the commissioner of labor and industries determines that it would be in the best interests of said program to conduct such classes in more than one such school system.

Approved July 17, 1972.

Chap. 761. AN ACT AUTHORIZING CITIES AND TOWNS TO BORROW OUTSIDE THEIR DEBT LIMIT FOR THE PURPOSE OF LENDING OR GRANTING MONEY TO CERTAIN ECONOMIC AND INDUSTRIAL DEVELOPMENT FINANCING AUTHORITIES.

Be it enacted, etc., as follows:

Section 8 of chapter 44 of the General Laws is hereby amended by inserting after clause (18) the following clause: —

(19) For the lending or granting of money to industrial development financing authorities and economic development and industrial corporations, with the approval of the emergency finance board, the department of commerce and development and the secretary of communities and development. For the purpose of this clause the city or town may borrow outside its debt limit to an amount not to exceed one hundred thousand dollars or two and one half per cent of its equalized valuation, whichever is the lesser. *Approved July 17, 1972.*

Chap. 762. AN ACT PROVIDING THAT CERTAIN LICENSES FOR THE PURPOSE OF PLACING AND MAINTAINING FILL OVER CERTAIN TIDEWATERS IN THE CITY OF SALEM BE IRREVOCABLE.

Be it enacted, etc., as follows:

The licenses granted by the harbor commissioners, being license numbered 156 and dated May 21 and August 27, 1873, and license numbered 189 and dated November 12, 1873, the license granted by the harbor and land commissioners, being license numbered 3507 and dated September 30, 1910, and the licenses granted by the department of public works, being license numbered 2120 and dated October 4, 1939 and license numbered 2541 and dated October 6, 1942, and any and all other licenses or authorizations granted by the department of public works or by any predecessor to construct and maintain sea walls, bulkheads, dolphins, rip-rap, walk-ways and wharves and to place and maintain fill, piles, pipes and other structures in certain tidewaters in the city of Salem in the area shown as lots A and B on a plan drawn by Essex Survey Service, Inc., dated October 5, 1970, and recorded in the southern district registry of deeds in Essex county Plan Book 119, Plan 46, 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 percent annually from such effective date or date such cost was incurred as the case may be. *Approved July 17, 1972.*

Chap. 763. AN ACT INCREASING GROUP LIFE INSURANCE BENEFITS TO RETIRED EMPLOYEES OF COUNTIES, CITIES, TOWNS AND DISTRICTS.

Be it enacted, etc., as follows:

SECTION 1. Section 9 of chapter 32B of the General Laws is hereby amended by striking out the first paragraph, as appearing in section 6 of chapter 946 of the acts of 1971, and inserting in place thereof the following paragraph: —

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, unless the governmental unit has accepted section nine F, 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 such 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.

SECTION 2. Said chapter 32B is hereby amended by inserting after section 9E the following section: —

Section 9F. A county by vote of the county commissioners, 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; a district, except as herein provided, by vote of the registered voters of the district at a district meeting; a regional school district by vote of the regional district school committee; a veterans' service district by vote of the district board; a health district established under section twenty-seven A of chapter one hundred and eleven by vote of the joint committee, may provide that an employee receiving a pension or annuity allowance having retired from the governmental unit may be insured for two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance in lieu of the one thousand dollars of group life insurance as provided in section nine. A town may provide such insurance coverage either by vote of the board of selectmen, or, by a majority of the votes cast if in the affirmative in answer to the following question which shall be printed on the official ballot: — "Shall the town provide two thousand dollars of group life insurance and two thousand dollars of accidental death and dismemberment insurance for a retired employee in lieu of one thousand dollars of group life insurance?" Acceptance of this section as aforesaid by a governmental unit having accepted section eleven E shall hereby authorize the commission to provide two thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance, in lieu of one

thousand dollars of group life insurance, retired teachers insured under section twelve of chapter thirty-two A.

SECTION 3. Said chapter 32B is hereby further amended by striking out section 10, as most recently amended by section 7 of chapter 946 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, nine F, 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, nine F, 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.

SECTION 4. The first paragraph of section 12 of chapter 32A of the General Laws, as appearing in section 1 of chapter 626 of the acts of 1970, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — The commission shall negotiate with and purchase on such terms as it deems to be in the best interests of the commonwealth, the political subdivisions that have accepted the provisions of this section and teachers retired from such political subdivision who are receiving a pension, annuity or retirement allowance from the state teachers' retirement system, as provided in chapter thirty-two, a policy or policies of group life insurance in the amount of one thousand dollars of group life insurance and two thousand dollars of group accidental death and dismemberment insurance for teachers retired from governmental units having accepted section nine F of chapter thirty-two B, and, a policy or policies of group hospital, surgical, medical and other health insurance including optional medicare extension from one or more insurance companies, savings banks or non-profit hospital, medical or dental service corporations for such retired teachers and their dependents and the surviving spouse and dependents of such retired teachers. *Approved July 17, 1972.*

Chap. 764. AN ACT PROVIDING FOR THE RETURN OF CERTAIN DEPOSITS BY SELF-INSURERS UNDER THE WORKMEN'S COMPENSATION LAW.

Be it enacted, etc., as follows:

The last sentence of subparagraph (*a*) of paragraph (2) of section 25A of chapter 152 of the General Laws, added by chapter 567 of the acts of 1969, is hereby amended by striking out, in line 4, the word "may" and inserting in place thereof the word: — shall.

Approved July 17, 1972.

Chap. 765. AN ACT RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM.

Be it enacted, etc., as follows:

SECTION 1. The state department of public works, hereinafter called the department, is hereby authorized and directed to expend a sum not to exceed five hundred and nine million nine hundred and fifty thousand dollars for projects for the laying out, construction, reconstruction, resurfacing, relocation or improvement of highways, parkways, bridges, grade crossing eliminations and alteration of crossings at other than grade, parking facilities, scenic easements, and for construction of needed improvements on other routes not designated as state highways and without acceptance by the commonwealth of responsibility for maintenance; provided, that any portion of the sum authorized herein may be used in conjunction with county, city or town funds, and for traffic safety devices on state highways, and on roads constructed under the provisions of section thirty-four of chapter ninety of the General Laws, and for traffic and parking studies, including the establishment of school zones in cities and towns in accordance with the provisions of section seventeen of said chapter ninety; and, provided further, that when dwellings or other structures are removed the excavations or cellar holes remaining shall be filled in and brought to grade within one month, and notwithstanding any law to the contrary to relocate persons residing in or carrying on business in, or to replace such dwellings or other structures, and to pay relocation benefits in amounts equal to levels of benefits provided for by the Uniform Relocation Assistance and Real Property Acquisition Policies of 1970, Public Law 91-646, as amended.

Funds authorized in this section shall, except as otherwise specifically provided in this act, be subject to the provisions of the last paragraph of section one of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six, the first paragraph of section six of said chapter seven hundred and eighteen and sections seven and nine of said chapter seven hundred and eighteen.

No funds authorized under this act shall be expended for the construction of that portion of the proposed interstate route 95 which lies between Cutler Circle in the city of Revere to state highway route 128 in the town of Lynnfield.

SECTION 2. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum not less than sixty million dollars for projects in the following four areas: not less

than fifteen million dollars of said sum shall be expended in the area west of the Connecticut river, including therein any bridges across said river with their approaches and connections; not less than fifteen million dollars in the area lying between the Connecticut river and the easterly boundary line of Worcester county; not less than fifteen million dollars in the area comprising Essex, Middlesex and Norfolk counties and not less than fifteen million dollars in the area comprising Bristol, Plymouth, Barnstable, Dukes and Nantucket counties.

SECTION 2A. In each of the four regions listed in section two, a sum not exceeding five hundred thousand dollars shall be expended for the installation of emergency communications systems on limited access highways for the safety and convenience of the motoring public.

It is further provided that not less than twenty-five million dollars be provided in section two to be expended in Suffolk county.

SECTION 2B. Pursuant to the provisions of section one, not less than one million dollars shall be expended for the beautification of interstate route 93 in the city of Somerville.

SECTION 2C. Pursuant to the provisions of section one, not less than twenty-five million dollars shall be expended for the plans, design, construction and reconstruction of state highway Route 146.

SECTION 3. No payment in excess of twenty thousand dollars by way of purchase of real estate or any interest therein shall be made, and no settlement in excess of twenty-thousand dollars shall be made out of court for damages recoverable under chapter seventy-nine of the General Laws, in excess of the amount recommended by the real estate review board established by section six of chapter seven hundred and eighteen of the acts of nineteen hundred and fifty-six, by reason of a purchase or taking under this act or under chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five, or chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven, or chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine. Each recommendation of said real estate review board shall be in writing and shall be accompanied by a written statement indicating the reasons for such recommendation.

No settlement, by reason of a taking under this act or under said chapters six hundred and seventy-nine and six hundred and sixteen in excess of twenty-thousand dollars and in excess of the recommendation of the real estate review board, shall be made by agreement of the parties during or after trial except with the written approval of the court; provided that settlements in excess of the recommendation of the board may be made without such approval if the settlement does not exceed the amount of any verdict or finding which may have been rendered, together with interest and costs.

The department is hereby ordered and directed to file reports of all payments in excess of ten thousand dollars for damages resulting from a taking or for a purchase under this act or under said chapters six hundred and seventy-nine and six hundred and sixteen with the clerk of the house of representatives and with the clerk of the senate not later than ninety days after payment. Such reports shall contain the amount of the payment, an affidavit that the amount was not in excess of the amount recommended by said board if payment in excess of said amount is prohibited hereunder, by whom and what manner settled, the name

of the owner or owners of the land involved, and a description of said land sufficient to identify it.

SECTION 4. Pursuant to the provisions of section 1 the department is authorized and directed to expend a sum not less than fifty-million dollars for projects for construction of town and county ways under subdivision (*a*) of clause (2) of section thirty-four of chapter ninety of the General Laws, provided, however, that no municipality or county shall be required to provide any matching funds on a project unless they so desire.

The department is also authorized and directed to expend a sum not to exceed one million five hundred thousand dollars for the acquisition and improvement of maintenance sites, including the construction of sanitary facilities and the erection of protection fences.

SECTION 5. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum not less than five million dollars for improvements to and reconstruction of, state highway and other bridges.

SECTION 5A. Pursuant to the provisions of section one, the department is hereby authorized and directed to expend a sum not less than twenty-two million dollars for the relocation of state highway route 140 in the towns of Gardner and Westminster, in the location and along the corridor indicated by the lines shown on a plan as on file with the department of public works entitled, "Preliminary study location lines for Route 140 relocation in Gardner and Westminster".

SECTION 6. The department shall accept any federal funds available for projects authorized in section one of this act and such federal funds when received shall be credited to the Highway Fund. To meet a portion of the expenditures authorized by section one of this act there is hereby appropriated from the Highway Fund the sum of three hundred and thirty-seven million three hundred and fifty thousand dollars to be in addition to the amounts appropriated in section six of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and section seven of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven, and section six of chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine.

SECTION 7. In anticipation of the receipt of the federal funds authorized to be expended from the Highway Fund pursuant to section six, the state treasurer may borrow, from time to time, on the credit of the commonwealth, such sums of money as may be necessary for the purpose of meeting payments authorized by this act, and may issue and renew, as hereinafter provided, notes of the commonwealth therefore, bearing interest payable at such times and at such rates as shall be fixed by the state treasurer.

Such notes shall be issued and may be renewed one or more times for such terms, not exceeding one year, as the governor may recommend to the general court in accordance with Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth; provided, that the total amount of such notes, outstanding at any one time, shall not exceed fifty million dollars, and the final maturity of such notes, whether original or renewal, shall be not later than June thirtieth, nineteen hundred and seventy-seven. All payments on account of principal on such notes shall be repaid from the Highway Fund; provided, that

notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

SECTION 8. The state treasurer may borrow from time to time on the credit of the commonwealth such sums of money as may be necessary for the purposes of meeting additional payments as authorized by section four 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. All payments on account of principal on such notes shall be repaid from the Highway Fund; provided, that notwithstanding any provision of this act, such notes shall be general obligations of the commonwealth.

SECTION 9. To meet a portion of the expenditures necessary in carrying out the provisions of section one of this act, or to refinance notes issued as provided in section seven 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-two million six hundred thousand dollars to be in addition to bonds authorized to be issued and sold in section ten of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and section eleven of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven.

To meet the expenditures necessary in carrying out the provisions of section four of this act, the state treasurer shall upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding in the aggregate, the sum of fifty-one million five hundred thousand dollars.

All bonds issued by the commonwealth as aforesaid shall be designated on their face, Highway Improvement Loan, Act of 1972, and shall be on the serial payment plan for such maximum term of years, not exceeding twenty years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization, other than the final year, shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof, and the entire issue not later than June thirtieth, nineteen hundred and ninety-seven. All interest payments and payments on account of principal on such bonds shall be payable from the Highway Fund; provided that notwithstanding the foregoing, such bonds shall be general obligations of the commonwealth.

SECTION 10. Any amounts made available by this act or heretofore made available by section one of chapter six hundred and seventy-nine of the acts of nineteen hundred and sixty-five and section one of chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven and section one of chapter seven hundred and sixty-eight of the acts of nineteen hundred and sixty-nine shall be available for expenditure until June thirtieth, nineteen hundred and seventy-seven.

SECTION 11. Pursuant to the provisions of section one, the department is hereby authorized and directed to perform the preliminary engineering to Federal Interstate Standards necessary for the construction of a highway along the so-called southwest corridor in the towns of Canton and Milton and in the City of Boston from the present terminus of Interstate Route 95 in Canton, thence in a generally northerly northeasterly and easterly direction to a point in the vicinity of the junction of the southwest expressway and the central artery in the City of Boston said highway to be planned in conformance with Chapter seven hundred and twenty-four of the acts of nineteen hundred and sixty-nine.

Approved July 17, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 17, 1972

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 765 of the Acts of 1972, entitled "AN ACT RELATIVE TO THE ACCELERATED HIGHWAY PROGRAM." and the enactment of which received my approval on July 17, 1972, 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 bond authorization permitted by this act may be immediately implemented.

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

OFFICE OF THE SECRETARY, BOSTON, July 18, 1972.

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 sixty-five of the acts of nineteen hundred and seventy-two.

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

Chap. 766. AN ACT FURTHER REGULATING PROGRAMS FOR CHILDREN REQUIRING SPECIAL EDUCATION AND PROVIDING REIMBURSEMENT THEREFOR.

Be it enacted, etc., as follows:

SECTION 1. The General Court finds that past development of special education programs has resulted in a great variation of services to children with special needs with some children having a greater educational opportunity than others in less favored categories or environments. The General Court further finds that past methods of labeling and defining the needs of children have had a stigmatizing effect and have caused special education programs to be overly narrow and rigid, both in their content and their inclusion and exclusion policies.

In the light of the policy of the commonwealth to provide an adequate, publicly supported education to every child resident therein, it is the purpose of this act to provide for a flexible and uniform system of special education program opportunities for all children requiring special education; to provide a flexible and non-discriminatory system for identifying and evaluating the individual needs of children requiring special education; requiring evaluation of the needs of the child and adequacy of the special education program before placement and periodic evaluation of the benefit of the program to the child and the nature of the child's needs thereafter; and to prevent denials of equal educational opportunity on the basis of national origin, sex, economic status, race, religion, and physical or mental handicap in the provision of differential education services.

This act is designed to remedy past inadequacies and inequities by defining the needs of children requiring special education in a broad and flexible manner, leaving it to state agencies to provide more detailed definitions which recognize that such children have a variety of characteristics and needs, all of which must be considered if the educational potential of each child is to be realized; by providing the opportunity for a full range of special education programs for children requiring special education; by requiring that a program which holds out the promise of being special actually benefits children assigned thereto; and by replacing the present inadequate and anti-equalizing formula for distribution of state aid for special education programs with an equalizing one which encourages cities, towns and regional school districts to develop adequate special education programs within a reasonable period of time.

Recognizing that professional services and resources must be made available to cities, towns and regional school districts on a regional basis if this act is to be implemented successfully, and within a reasonable period of time, this act strengthens and regionalizes the division of special education in the department of education and provides for and urges meaningful cooperation among agencies concerned with children with special needs.

Recognizing, finally, that present inadequacies and inequities in the provision of special education services to children with special needs have resulted largely from a lack of significant parent and lay involvement in overseeing, evaluating and operating special education programs, this act is designed to build such involvement through the creation of regional and state advisory committees with significant powers and by specifying an accountable procedure for evaluating each child's special

needs thoroughly before placement in a program and periodically thereafter.

SECTION 2. Chapter 15 of the General Laws is hereby amended by adding after section 1L the following five sections: —

Section 1M. The powers and duties of the division of special education, established by section one F, shall include the following: (1) to regulate, consult with and assist school committees in the identification, classification, referral and placement of children requiring special education; (2) to regulate all aspects of, and assist with, the development of all special education programs supported in whole or in part by the commonwealth; (3) to coordinate the expertise of professionals from appropriate disciplines, both within and outside of the department and to be the coordinating agency for all state agencies providing educational assessment services and educational services to children requiring special education; (4) to compile data on, and to require all public schools and agencies and any private schools or agencies receiving any funds from the commonwealth to provide information relating to, all children requiring special education who reside in the commonwealth and on all available special education programs supported in whole or in part by the commonwealth; (5) to periodically review and analyze said data in order to evaluate said programs and to disseminate statistical data to any citizen or agency within the commonwealth upon request; provided, however, that records pertaining to individuals shall be kept confidential; (6) to develop public information programs regarding the nature and extent of special educational needs of children residing in the commonwealth and the availability of special education programs to meet those needs; (7) to develop and recommend to the board of education certification standards for educational personnel employed in special education programs and regulations to encourage greater use of ancillary personnel; (8) to cooperate with and assist public and private colleges and universities within the commonwealth in developing courses and programs best designed to prepare graduates to serve the educational requirements of children requiring special education; (9) to receive and investigate complaints and to conduct public and executive hearings with power of subpoena on behalf of an individual child or group of children receiving or requiring special education regarding any aspect of any special educational programs and to initiate its own investigation without a complaint; (10) to receive and allocate federal and state funds for programs for children requiring special education, subject to the priorities established by this section and chapter seventy-one B and such other additional priorities as may be established pursuant to section one P by the board of education; (11) to recommend to the board of education such rules, regulations and guidelines and to issue such directives as are necessary to carry out the purposes of sections one N to one Q, inclusive, and to execute other provisions of law relative to the administration of educational programs for children requiring or receiving special education; (12) to provide for the maximum practicable involvement of parents of children in special education programs in the planning, development, and evaluation of special education programs in the districts serving their children; (13) to approve the purchase, lease and maintenance of all special equipment for the instruction outside of the classroom of handicapped children for whom attendance in public school is not feasible and to regulate the conditions under which

such a child may be considered so handicapped; (14) to investigate into and hold hearings upon prima facie denials of equal educational opportunities by reason of national origin, sex, economic status, race, religion, or physical or mental handicap of school aged children requiring special education as defined in section one of said chapter seventy-one B and thereafter issue such declaratory and injunctive orders as may be necessary to cure any actual denials of equal educational opportunities by reason of national origin, sex, economic status, race, religion, and physical or mental handicap of school aged children requiring special education; (15) to require public or private schools and educational agencies receiving any funds from the commonwealth to establish cost accounting and reporting procedures, forms, schedules, rates and audits in conformity with department standards; and to make reports to the department at such times, in such fashion and on such forms as the department may require; (16) to conduct or contract with any federal, state or private agency for the conduct of research and development projects designed to improve the quality of special education programs or increase the efficiency of such programs; (17) in the event of funding shortages, to allocate resources proportionately; (18) to provide for placement of children requiring special education into public schools or agency programs near their place of residence and to allow other placements in the event that suitable public programs or services can not be provided; (19) to take all steps, including but not limited to public hearings and investigations necessary to insure that state and local expenditures for special education provide the maximum feasible benefit to every child receiving or requiring special education; (20) to develop and recommend any appropriate parent or guardian counseling or educational programs which are deemed necessary for the educational development of a child with special needs; (21) to recommend to the board that it withhold funds for special education programs from cities, towns or school districts, private schools or agencies which do not comply with regulations or statutes related to special education programs or do not carry out plans for such compliance within a reasonable period of time provided; however, that nothing contained in this clause shall be construed to prevent the board from withholding state and federal funds to the extent it deems necessary as provided in section one G.

Section 1N. There shall be in the division of special education a sufficient number of bureaus to enable it to carry out its powers and duties under section one M, and the board of education, upon the recommendation of the commissioner of education and the associate commissioner for special education, shall appoint a director with experience in the education of children with special needs for each bureau. One bureau shall be responsible for holding hearings and conducting investigations pursuant to clauses (8), (13) and (18) of section one M, section one P and section three of chapter seventy-one B.

Section 1O. There shall be established in each of the department of education regional offices a regional branch of the division of special education. Each regional branch shall be headed by a director with experience in the education of children with special needs and who shall be appointed by the board of education upon the recommendations of the commissioner of education and the associate commissioner for special education. Said regional branch shall have the following functions: (1) to consult with and assist school committees in imple-

menting the regulations, guidelines and directives of the department in the area of special education; (2) to directly assist school committees in identifying, diagnosing and evaluating children with special needs and in developing special education programs to meet their individual educational needs; (3) to approve all special education placements by school committees of children with special needs; (4) to assist and encourage the formation of joint agreements between two or more school committees for the provision of special education pursuant to section four of chapter seventy-one B; (5) to investigate and evaluate any special education program at the request of the department or on its own initiative; (6) to maintain a list and inform school committees of professional personnel within and without the region qualified to assess children with special needs pursuant to the provisions of section three of said chapter seventy-one B and to make such information available upon request to parents, guardians or persons with custody of such children; (7) to have such other responsibilities as may be delegated to it by the department.

Section 1P. There shall be established in each region a special education advisory council, hereinafter called the advisory council, consisting of at least sixteen members, appointed by the department in consultation with the director of said regional branch. At least eight of the members of an advisory council shall be parents who reside in the region, and whose children are enrolled in a special education program; provided, however, that no more than two parents on each such advisory council shall be parents of children who are not in public school day programs.

Each member shall be appointed for a term of three years. No member may be appointed for more than two consecutive terms. Each advisory council shall advise the regional branch regarding all aspects of special education programs within the region and shall submit a written report annually on the quality and adequacy of such programs to the state advisory commission established under section one Q. In addition to its other powers and duties, the advisory council shall hear and transmit to said state advisory commission, complaints and suggestions of persons interested in special education in the region. Members of each advisory council shall be granted access to special education programs and to information about such programs, subject to restrictions established by the board of education regarding confidentiality, and shall be assisted in carrying out their duties by the regional branch of the division of special education. Members of the advisory councils shall be reimbursed by the commonwealth for expenses necessarily incurred in the performance of their duties.

Section 1Q. There shall be established in the department a state advisory commission for special education, hereinafter called the commission.

Each special education advisory council established pursuant to section one P shall elect two representatives to the commission, at least one of whom shall be a parent or guardian whose child is receiving special education.

The commissioners of the departments of mental health, public health and public welfare shall each appoint a representative to serve as ex officio members of the commission. Members of the commission shall be reimbursed for expenses which are necessarily incurred in the per-

formance of their duties. The commission shall annually submit a report to the department evaluating the quality and adequacy of special education programs in the commonwealth and recommending improvements in those programs. The department shall implement the recommendations of the commission or shall state in a written reply to said commission the reasons why such recommendations can not or should not be implemented. In such circumstances, the bureau responsible for hearing complaints and conducting investigations in the division of special education pursuant to section one N shall attempt to resolve the disagreement informally; provided, however, if a settlement cannot be reached the state board of education shall conduct public hearings to investigate the bases for the disagreement and resolve any dispute between the department and the commission.

SECTION 3. The second sentence of section 35 of chapter 41 of the General Laws, as appearing in section 2 of chapter 143 of the acts of 1937, is hereby amended by inserting after the word "officers", in line 3, the following words: — ; provided, however, reimbursements made to a city or town under section thirteen of chapter seventy-one B shall be made to the school committees of such cities and towns and shall be used for special education programs pursuant to said chapter seventy-one B without further appropriation.

SECTION 4. Section 53 of chapter 44 of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — All moneys received by any city, town or district officer or department, except as otherwise provided by section thirteen of chapter seventy-one B and by special acts and except fees provided for by statute, shall be paid by such officers or department upon their receipt into the city, town or district treasury.

SECTION 5. Subsection (*b*) of section 18A of chapter 58 of the General Laws is hereby amended by striking out paragraph (3), as most recently amended by section 3 of chapter 1005 of the acts of 1971, and inserting in place thereof the following paragraph: —

(3) On or before November twentieth, the reimbursement for the special education programs required to be paid by the commonwealth under chapters seventy-one A and seventy-one B.

SECTION 6. The third sentence of the second paragraph of section 7C of chapter 69 of the General Laws, as appearing in section 2 of chapter 403 of the acts of 1960, is hereby amended by striking out the words "of the mentally retarded", in line 5.

SECTION 7. The third sentence of the second paragraph of section 7D of said chapter 69, as appearing in chapter 702 of the acts of 1963, is hereby amended by striking out the words "of the mentally retarded", in line 4.

SECTION 8. Sections twenty-six to twenty-nine E, inclusive, and sections thirty-two to thirty-four, inclusive, of said chapter sixty-nine are hereby repealed.

SECTION 9. 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 striking out the words, "for special classes for the physically handicapped and the mentally retarded", in lines 4 and 5.

SECTION 10. Sections forty-six to forty-six B, inclusive, sections forty-six D to forty-six F, inclusive, and sections forty-six H to forty-six M,

inclusive, of chapter seventy-one of the General Laws are hereby repealed.

SECTION 11. The General Laws is hereby amended by inserting after chapter 71A the following chapter: —

CHAPTER 71B

CHILDREN WITH SPECIAL NEEDS

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 age child", any person of ages three through twenty-one who has not attained a high school diploma or its equivalent; "School age child with special needs", a school age child who, because of temporary or more permanent adjustment difficulties or attributes arising from intellectual, sensory, emotional, or physical factors, cerebral dysfunctions, perceptual factors, or other specific learning disabilities or any combination thereof, is unable to progress effectively in a regular school program and requires special classes, instruction periods, or other special education services in order to successfully develop his individual educational potential; "Regular education", the school program and pupil assignment which normally leads to college preparatory or technical education or to a career; "Special education", educational programs and assignments, namely special classes, programs or services designed to develop the educational potential of children with special needs including but not limited to educational placements of children by school committees, the departments of public health, mental health, and youth services and the division of family and children's services in accordance with the regulations of the department of education; "School age child requiring special education", any child with special needs who requires special education as determined in accordance with the regulations set forth by the department.

Section 2. The department shall promulgate, in cooperation with the departments of mental health, public health and welfare, regulations regarding programs for children with special needs including but not limited to a definition of special needs; provided, however, that such definition shall emphasize a thorough narrative description of each child's developmental potential so as to minimize the possibility of stigmatization and to assure the maximum possible development of a child with special needs, and, provided further, that such definition shall be sufficiently flexible to include children with multiple special needs. Children receiving or requiring special education shall be entitled to participate in any of the following programs: (1) additional direct or indirect instruction consultation service, materials, equipment or aid provided children or their regular classroom teachers which directly benefits children requiring special education; (2) supplementary individual or small group instruction or treatment in conjunction with a regular classroom program; (3) integrated programs in which children are assigned to special resource classrooms but attend regular classes to the extent that they are able to function therein; (4) full-time special class teaching or treatment in a public school building; (5) teaching or treatment at home; (6) full-time teaching or treatment in a special day school or

other day facility; (7) teaching or treatment at a hospital; (8) teaching or treatment at a short or long term residential school; (9) occupational and pre-occupational training in conjunction with the regular occupational training program in a public school; (10) occupational and pre-occupational training in conjunction with full-time special class teaching in a public school building, at home, special day school or other day facility, hospital, or short or long-term residential school; (11) any combination or modification of programs (1) through (10) or other programs, services, treatments or experimental provisions which obtain the prior approval of the department.

Admission to such programs on the pre-school level at an earlier age than at which schooling is ordinarily provided shall be regulated by the department in conjunction with the departments of public health and mental health and shall be restricted to children with substantial disabilities who are judged by said departments to require such programming.

No child shall be assigned to a special education class unless it is first determined by an evaluation of the child's needs and the particular special education program that the child is likely to benefit from such program; periodically thereafter, and in no event less often than annually the child and his program shall be reevaluated to determine whether said child is benefiting from such program in accordance with the procedures set forth in section three. In the event that said program is not benefiting the child and that another program may benefit the child more, or said program has benefited the child sufficiently to permit reassignment, the child shall be reassigned, and in the event of consistent failure of a program to benefit children there assigned, the program shall be abolished or altered.

Section 3. In accordance with the regulations, guidelines and directives of the department issued jointly with the departments of mental health and public health and with assistance of the department, the school committee of every city, town or school district shall identify the school age children residing therein who have special needs, diagnose and evaluate the needs of such children, propose a special education program to meet those needs, provide or arrange for the provision of such special education program, maintain a record of such identification, diagnosis, proposal and program actually provided and make such reports as the department may require. Until proven otherwise every child shall be presumed to be appropriately assigned to a regular education program and presumed not to be a school age child with special needs or a school age child requiring special education.

No school committee shall refuse a school age child with special needs admission to or continued attendance in public school without the prior written approval of the department. No child who is so refused shall be denied an alternative form of education approved by the department, as provided for in section ten, through a tutoring program at home, through enrollment in an institution operated by a state agency or through any other program which is approved for the child by the department.

No child shall be placed in a special education program without prior consultation, evaluation, reevaluation, and consent as set forth and implemented by regulations promulgated by the department.

Within five days after the referral of a child enrolled in a regular education program by a school official, parent or guardian, judicial officer, social worker, family physician, or person having custody of the child for purposes of determining whether such child requires special education, the school committee shall notify the parents or guardians of such child in writing in the primary language of the home of such referral, the evaluation procedure to be followed, and the child's right to an independent evaluation at clinics or facilities approved by the department under regulations adopted jointly by the department and the departments of mental health and public health and the right to appeal from any evaluation, first to the department, and then to the courts.

Within thirty days after said notification the school committee shall provide an evaluation as hereinafter defined. Said evaluation shall include an assessment of the child's current educational status by a representative of the local school department, an assessment by a classroom teacher who has dealt with the child in the classroom, a complete medical assessment by a physician, an assessment by a psychologist, an assessment by a nurse, social worker, or a guidance or adjustment counselor of the general home situation and pertinent family history factors; and assessments by such specialists as may be required in accordance with the diagnosis including when necessary, but not limited to an assessment by a neurologist, an audiologist, an ophthalmologist, a specialist competent in speech, language and perceptual factors and a psychiatrist.

The department jointly with the departments of mental health and public health shall issue regulations to specify qualifications for persons assessing said child.

These departments through their joint regulations may define circumstances under which the requirement of any or all of these assessments may be waived so long as an evaluation appropriate to the needs of the child is provided.

Those persons assessing said child shall maintain a complete and specific record of diagnostic procedures attempted and their results, the conclusions reached, the suggested courses of special education and medical treatment best suited to the child's needs, and the specific benefits expected from such action. A suggested special education program may include family guidance or counseling services. When the suggested course of study is other than regular education those persons assessing said child shall present a method of monitoring the benefits of such special education and conditions that would indicate that the child should return to regular classes, and a comparison of expected outcomes in regular class placement.

If a child with special needs requires of a medical or psychological treatment as part of a special education program provided pursuant to this section, or if his parent or guardian requires social services related to the child's special needs, such treatment or services, or both, shall be made available, in accordance with regulations promulgated jointly by the departments of education, mental health, public health and public welfare in connection with the child's special education program. Reimbursement of the costs of such treatment or services or both shall be made according to the provisions of section thirteen.

Upon completion of said evaluation the child may obtain an independent evaluation from child evaluation clinics or facilities approved

by the department jointly with the departments of mental health and public health or, at private expense, from any specialists.

The written record and clinical history from both the evaluation provided by the school committee and any independent evaluation, shall be made available to the parents, guardians, or persons with custody of the child. Separate instructions, limited to the information required for adequate care of the child, shall be distributed only to those persons directly concerned with the care of the child. Otherwise said records shall be confidential.

The department may hold hearings regarding said evaluation, said hearings to be held in accordance with the provisions of chapter thirty A. The parents, guardians, or persons with custody may refuse the education program suggested by the initial evaluation and request said hearing by the department into the evaluation of the child and the appropriate education program. At the conclusion of said hearing, with the advice and consultation of appropriate advisory councils established under section one P of chapter fifteen, the department may recommend alternative educational placements to the parents, guardians or persons with custody, and said parents, guardians and persons with custody may either consent to or reject such proposals. If rejected, and the program desired by the parents, guardian or person with custody is a regular education program, the department and the local school committee shall provide the child with the educational program chosen by the parent, guardian or persons with custody except where such placement would seriously endanger the health or safety of the child or substantially disrupt the program for other students. In such circumstances the local school committee may proceed to the superior court with jurisdiction over the residence of the child to make such showing. Said court upon such showing shall be authorized to place the child in an appropriate education program.

If the parents, guardians or persons with custody reject the educational placements recommended by the department and desire a program other than a regular education program, the matter shall be referred to the state advisory commission on special education to be heard at its next meeting. The commission shall make a determination within thirty days of said meeting regarding the placement of the child. If the parents, guardians or person with custody reject this determination, they may proceed to the superior court with jurisdiction over the residence of the child and said court shall be authorized to order the placement of the child in an appropriate education program.

During the course of the evaluations, assessments, or hearings provided for above, a child shall be placed in a regular education program unless such placement endangers the health or safety of the child or substantially disrupts such education program for other children.

No parent or guardian of any child placed in a special education program shall be required to perform duties not required of a parent or guardian of a child in a regular school program.

Within ten months after placement of any child in a special education program, and at least annually thereafter the child's educational progress shall be evaluated as set forth above. If such evaluation suggests that the initial evaluation was in error or that a different program or medical treatment would now benefit the child more, appropriate reassignment or alteration in treatment shall be recommended to the

parents, guardians or persons having custody of the child. If the evaluation of the special education program shows that said program does not benefit the child to the maximum extent feasible, then such child shall be reassigned.

Evaluations and assessments of children and special education programs shall remain confidential and be used solely for the administration of special education in the commonwealth, including, but not limited to, inspection by the department and regional and state advisory councils to insure that every special education program does benefit the children there assigned.

Section 4. The school committee of any city, town or school district may, to meet its obligations under section three, with the approval of the department enter into an agreement with any other school committee to jointly provide special education or, subject to the consent of the parent or guardian affected thereby and subject to constitutional limitations, may enter into an agreement with any public or private school, agency, or institution to provide the necessary special education within the city, town or school district.

In the case of an agreement between school committees to jointly provide special education, said agreement shall designate one city, town or school district as the operating agent. Funds received by such operating agent from other cities, towns or school districts or appropriated by such operating agent for the purposes of such agreement, in addition to gifts and grants shall be deposited with and held as a separate account by its treasurer. The school committee may apply said funds to the costs of programs operated pursuant to the agreement without further appropriation.

Section 5. Any school committee which provides or arranges for the provision of special education pursuant to the provisions of section three shall pay for such special education personnel, materials and equipment, tuition, room and board, transportation, rent and consultant services as are necessary for the provision of such special education.

A school committee which incurs costs or obligations as a result of section five of chapter one hundred and seventy-one B of the General Laws, inserted by section eleven of this act, shall include within its budget for its fiscal year which includes September first, nineteen hundred and seventy-three, and annually thereafter, an amount of money to comply with the provisions of said chapter. Said amount shall be added to the annual budget appropriation for school purposes in each city or town and shall be a portion of the amount necessary in such city or town for the support of public schools for the purposes of, and enforceable pursuant to, section thirty-four of chapter seventy-one, notwithstanding any general or special laws or charter provisions which limit the amount of money that may be appropriated in any city or town for school purposes.

Section 6. School committees shall annually report to the department, pursuant to regulations promulgated by the department, the assignment by sex, national origin, economic status, race and religion, of children by age level to special education classes and the distribution of children residing in the district by sex, national origin, economic status, race and religion of children by age level. Within any school district if in any special education program there is a pattern of assignment throughout the district on the basis of sex, national origin, economic status, race or

religion of the students which is substantially disproportionate from the distribution, the department shall notify such school district of its prima facie denial of equal educational opportunities. The department shall hold public hearings to investigate into such prima facie denial, at which hearings the local school district must show that such disproportion is necessary to promote a compelling education interest of the children affected and of the commonwealth. If the local school district fails to make such showing, a denial of equal educational opportunities shall be declared by the department and it shall order said district to submit a plan to eliminate such denial to be effective for the school year immediately following such declaration and order. If in the view of the department the plan submitted is inadequate, or if implementation of said plan proves inadequate, the department may request the attorney general to proceed to the superior court for all necessary injunctive and other relief. If such prima facie denial has continued without elimination for a period of two consecutive years in any school district, any person residing in such school district may bring suit in the superior court of his residence to determine whether there is such adequate justification for the prima facie denial, and in the event there is not, to obtain the necessary and appropriate injunctive or other relief.

Section 7. No results of standardized or local tests of ability, aptitude, attitude, affect, achievement, or aspiration may be used exclusively in the selection of children for referral, diagnosis, or evaluation. Such tests must be approved by the department in accordance with regulations issued by the board to insure that they are as free as possible from cultural and linguistic bias or, wherever necessary, separately evaluated with reference to the linguistic and cultural groups to which the child belongs.

Section 8. If a school age child with special needs attends a school approved by the department within or without the city or town of residence of the parent or guardian, the school committee of the town where the child resides may be required by the department to provide transportation once each day including weekends where applicable to and from such school while the child is in attendance. The city or town providing transportation under this section shall be reimbursed according to the provisions of section thirteen.

Section 9. The department, after consultation with the departments of mental health and public health, shall define the circumstances in which school committees may be required to provide special classes, instruction periods or other special education programs for school age children with special needs and shall provide standards for class size, curriculum, personnel and other aspects of special education for such children.

Section 10. The department may, on an annual renewal basis, upon the request of the parents or guardians and the recommendations of a local school committee and a regional branch of the division of special education, and with the approval of the secretary of educational affairs refer children requiring special education to any institution within or without the commonwealth which offers curriculum, instruction and facilities which are appropriate to the child's needs and which are approved by the department under regulations prescribed by the departments of education, mental health and public health. The curriculum at such an institution must for approval be equivalent, insofar as the

department deems feasible, to the curriculum for children of comparable age and ability in the public schools of the commonwealth.

Before acting on said request the department shall determine the nature and extent of a child's special needs, shall require the local school committee and regional advisory council to prepare and submit plans detailing the time needed to establish facilities adequate for children with special needs in the city, town or school district where the child resides, and shall ascertain whether adequate facilities and instruction programs are available or when adequate facilities can be made available in the city, town or school district where the child with special needs resides. Until adequate facilities can be made available, such child shall be placed in the most adequate program available as determined by the department. The department shall further define by regulation the circumstances in which it shall be directly responsible for the placement of children in such special education programs, and by standards available to the public determine the methods and order of such placements; provided, however, that no child shall be denied access to any program operated by the department of mental health, public health or public welfare to which in the judgment of the operating department the child should be admitted.

The expenses of the instruction and support actually rendered or furnished to such children with special needs, including their necessary travelling expenses, whether daily or otherwise, but not exceeding ordinary and reasonable compensation therefor, may be paid by the commonwealth; but the department shall issue regulations jointly with the departments of mental health, public health, youth services and public welfare defining the circumstances in which the commonwealth shall bear all or part of such cost, the circumstances in which school committees shall be required to bear part or all of such cost, and the circumstances in which a parent or guardian may be required to reimburse the commonwealth for part or all of such cost; provided, however, that in no event shall the cost to the school committee for placement under this section be less than the average per pupil cost for pupils of comparable age within the city, town or school district; and, provided further, that in determining the cost to the parent or guardian, if any, no charge shall be made for any educational cost but only for support and care. In determining the cost to the parent or guardian the department shall apply criteria which take into account relative ability to pay.

The department shall direct and supervise the education of all such children, and the commissioner of education shall state in his annual report their number, the cost of their instruction and support, the manner in which the money appropriated therefor has been expended, to what extent reimbursed and such other information as he deems important.

Nothing contained herein shall affect the continued authority of the departments of mental health and public health over all non-educational programs and all treatment for residents or patients in institutions under their control.

Section 11. The department is hereby authorized to cooperate with cities and towns which establish recreation programs for school age children with special needs.

Such programs shall be under the direction and approval of the division of special education, and the department shall reimburse said cities

and towns for one half of the cost thereof, including transportation of said children to and from the site of such program on each day said program is held. The department shall also fully reimburse a city or town in which said children are residents for the cost of transportation to and from recreation programs at any state facility whose recreation programs are approved by the department for the purposes of this section.

Section 12. The department shall establish and maintain a school department for school-age children in each institution under the control of the departments of mental health, public health and youth services which provides support and care for resident children with special needs, acting jointly with the department which has control over the particular institution; provided, however, that appropriations for the administration of said school departments shall be administered by the department of education.

Each such school department shall be administered by a director, appointed jointly by the commissioner of education and the superintendent of said institution.

Each such school department shall have such staff as the department and the department which administers the institution involved deem appropriate.

Such school departments shall operate pursuant to regulations established jointly by the department and the department which administers said institution. Nothing contained herein shall affect the continued authority of departments operating such institutions over all non-educational programs and all treatment for residents or patients in institutions under their control.

The director and staff of such school departments shall be employees of the department of education, which shall assume the costs of all aspects of the educational programs in such departments. Said school departments may operate twelve months of the year. The salaries of school department personnel shall be paid at a rate at least equivalent to that of the average statewide public school salaries for comparable personnel employed in the public schools, as adjusted to account for the longer school year in the school departments. The total employee benefits accruing to such personnel in vacation, sick leave, tenure, and retirement benefits shall be similarly comparable to those of public school personnel, as adjusted to account for the longer school year in the school departments. Nothing contained herein shall operate to remove from employment any educational personnel already employed by any institution now under the administration of the department of mental health, public health or youth services, or to reduce their salaries or other employee benefits.

The per capita expenditure on education programs in such school departments shall be equivalent to or higher than the average expenditure for special education programs in the public schools of the commonwealth less the average transportation costs. Said average expenditure shall be computed annually by the department of education.

The city, town or regional school district in which each school-age child in any institution described hereinabove would normally be eligible to attend school shall pay to the commonwealth the costs of the education of said child in the school department of said institution in an amount determined according to the regulations issued under section

ten; provided, however, that said payment for each such child shall not be less than its average per pupil cost for pupils of comparable age within the said city, town or school district. The amount due the commonwealth each year shall be deducted from the annual distribution to said city, town or school district pursuant to section eighteen A of chapter fifty-eight.

Section 13. The cost of instruction, training and support, including the cost of special education personnel, materials and equipment, tuition, transportation, rent and consultant services, of the children in special classes, instruction periods or other programs provided under section three shall, for the amount by which such costs exceed the average per pupil expenditure of the city, town or school district for the education of children of comparable age, be reimbursed by the commonwealth to the city, town or school district as provided in section eighteen A of chapter fifty-eight; provided however, that the amount of such reimbursement for each special education pupil in the city, town or school district shall not exceed one hundred and ten per cent of the applicable state average expenditure for each special education pupil minus the state average expenditure per public school pupil. In determining the applicable state average expenditure for each special education pupil for the purposes of this section the department shall differentiate between types of programs on the basis of the amount of time a child requires special programs outside of the regular classroom to meet his particular needs and the ratio of personnel to pupils required for such programs. Such reimbursement shall be made only after approval and certification by the department that such expenditures are reasonable and that funds for such special education personnel, materials and equipment, tuition, transportation, rent and consultant services were actually expended and that such special education classes, instruction periods and other programs have met the standards and requirements prescribed by the department. The costs for each special education pupil shall be "reimbursable expenditures" within the meaning of chapter seventy, in an amount not to exceed the average per pupil expenditure for said city, town, or school district, and shall be reimbursed under said chapter.

The department shall reimburse a city or town in which a child resides who attends a clinical nursery school established under section twenty-seven of chapter nineteen or a child, who, because of insufficient classroom space in a clinical nursery school, attends a clinical nursery school, day care center or other institution for the care, education or treatment of retarded children conducted by an accredited school or college within the commonwealth, as provided in said section twenty-seven, or a retarded person who attends an educational, habilitational or day care program or facility of the department of mental health, as provided under section twenty-eight of said chapter nineteen, by paying one half of the cost of the transportation of each such child and the full cost of each such adult to and from such educational, habilitational or day care program or facility, as the case may be, one each day said school is in session.

Any reimbursements made to cities and towns under this section shall be made to the school committees of such cities and towns and shall be applied to the costs of programs provided for under this chapter without further appropriation.

Section 14. The state treasurer shall annually, on or before November twentieth, pay, under paragraph (3) of subsection (b) of section eighteen A of chapter fifty-eight, to any city or town or regional school district such sums as may be certified by the commissioner of education on account of special equipment purchased, leased and maintained or of classes or special instruction periods conducted as provided in section two.

SECTION 12. The first sentence of section 1 of chapter 76 of the General Laws, as amended by chapter 400 of the acts of 1950, is hereby further amended by inserting in line 22 after the word, "impracticable," the words, "subject to the provisions of section three of chapter seventy-one B".

SECTION 13. Said chapter 76 is hereby amended by striking out section 11 and inserting in place thereof the following section: —

Section 11. Any city or town which provides instruction to any child who is a resident of an institution and who was not theretofore a resident of such city or town may recover from the commonwealth the school expense incurred by reason of the school attendance of such child to be determined jointly by the school committee of such city or town and the department of education or, in case of their disagreement, by the probate court. The amount recoverable by a city or town under this section shall be limited to the annual per pupil cost of education as determined under section seven and no costs shall be reimbursed under this section which are reimbursable under section thirteen of chapter seventy-one B.

SECTION 14. The definition of "approved school projects" in section 5 of chapter 645 of the acts of 1948 is hereby amended by inserting after the second sentence the following sentence: — No school construction project shall be an approved school project unless and until the school building assistance bureau and the division of special education in the department of education are satisfied that adequate provisions have been made for children with special needs as defined in section one of chapter seventy-one B of the General Laws.

SECTION 15. The secretaries of the executive offices of human services and education shall jointly submit an annual report to the governor and the general court evaluating the success with which the departments under their administration have cooperated in the implementation of this act together with any recommendations for improving the ability of the commonwealth to meet the needs of children with special needs.

SECTION 16. A child who is in a special education program as of the effective date of this act shall be presumed to be appropriately assigned to said program until an evaluation pursuant to the provisions of section three of chapter seventy-one B of the General Laws, inserted by section eleven of this act, indicates that another program would benefit said child more.

SECTION 17. No child with special needs in a special education program on the effective date of this act shall be removed from said program he is in without the written consent of the parents, guardians, or persons with custody of said child.

SECTION 18. A school committee shall not be responsible for more than the average per pupil cost for pupils of comparable age within the respective city, town or school district as its share of the cost of con-

tinuing placement for those children with special needs enrolled in an institution with his tuition paid by the commonwealth as of the effective date of this act.

SECTION 19. Departments issuing regulations pursuant to chapter seventy-one B of the General Laws, inserted by section eleven of this act, shall make such regulations available at least six months prior to the effective date of the act for review by a committee appointed by the board of education for such purpose. Said committee shall be representative of the several types of institutions now serving children with special needs, both public and private, and shall include members experienced in providing educational services to the several existing categories of special needs. Said committee shall further include members who are parents of children with special needs, both in public programs and private programs, members who are regular classroom teachers, members who are teachers primarily of children with special needs and members representing any other groups directly affected by this act or having expertise in the implementation of programs for children with special needs. Said committee shall include for each statutory category of children with special needs on the effective date of this act at least one member knowledgeable and experienced in working with such category of children.

SECTION 20. The members of a regional special education advisory council, established by section two of this act, first created shall consist of five members appointed for a one year term, five members appointed for a two year term, and six members appointed for a three year term.

SECTION 21. The amount reimbursed to a city, town or school district under section thirteen of chapter seventy-one B of the General Laws, inserted by section eleven of this act, combined with reimbursements for special education programs under chapter seventy of the General Laws shall not be less than reimbursements for special education programs received for the fiscal year nineteen hundred and seventy-four, until and unless said city, town or school districts qualifies for a lesser amount after September first, nineteen hundred and seventy-nine.

SECTION 22. The provisions of this act are severable and if any provision shall be held unconstitutional by any court of competent jurisdiction, the decisions of such court shall not affect or impair any of the remaining provisions.

SECTION 23. This act shall take effect on September first, nineteen hundred and seventy-four. *Approved July 17, 1972.*

Chap. 767. AN ACT ESTABLISHING LIENS FOR MOTOR VEHICLE REPAIRMEN AND PROVIDING FOR THE PRIORITY OF SUCH LIENS AND FOR CERTAIN RIGHTS OF REPOSSESSION BY LIENORS AGAINST OWNERS OF MOTOR VEHICLES UNDER SUCH LIENS.

Be it enacted, etc., as follows:

Chapter 255 of the General Laws is hereby amended by striking out section 25, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 25. Persons maintaining public garages for the storage and care of motor vehicles brought to their premises or placed in their care

by or with the consent of the owners thereof and persons engaged in performing work upon or in connection with the inspection, reconditioning and repairing of motor vehicles shall have a lien upon such motor vehicles for proper charges due them for the storage, work and care of the same.

If the owner of such motor vehicle obtains possession of the same by fraud, trick or by check, draft or order upon any depository or bank which is not honored, the lien on said motor vehicle shall not be deemed to have been discharged and the lien holder may thereafter continue to enforce said lien until the proper charges due him have been paid.

Approved July 17, 1972.

Chap. 768. AN ACT RELATIVE TO THE PAYMENT OF CERTAIN EXPENSES BY THE METROPOLITAN DISTRICT COMMISSION FOR INJURIES SUSTAINED BY MEMBERS OF ITS POLICE DEPARTMENT IN THE PERFORMANCE OF THEIR DUTIES.

Be it enacted, etc., as follows:

Chapter 92 of the General Laws is hereby amended by striking out section 63A, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 63A. The commission may authorize the payment, out of the metropolitan parks or boulevard maintenance funds, of the reasonable hospital, medical, surgical, chiropractic, nursing, pharmaceutical, prosthetic and related expenses of any permanent member of its police department or of any call officer thereof disabled, either mentally or physically, by injuries sustained through no fault of his own in the actual performance of his duty, for useful service in the department either temporarily or permanently. Whenever the commission denies an application in whole or in part, the commission shall set forth in writing its reasons for such denial and cause a copy thereof to be delivered to the applicant. At any time within two years after the filing of an application as aforesaid, an applicant aggrieved by any denial of his application or by the failure of the commission to act thereon within six months from the filing thereof may petition the superior court in equity to determine whether the commission has without good cause failed to act on such an application or, in denying the application, in whole or in part, has committed an error of law or has been arbitrary or capricious, or has abused its discretion, or otherwise has acted not in accordance with law.

Approved July 17, 1972.

Chap. 769. AN ACT ERECTING AND CONSTITUTING A VOCATIONAL REGIONAL SCHOOL DISTRICT CONSISTING OF THE CITY OF NEW BEDFORD AND THE TOWNS OF DARTMOUTH AND FAIRHAVEN.

Be it enacted, etc., as follows:

SECTION 1. The city of New Bedford and the towns of Dartmouth and Fairhaven are hereby erected and constituted a vocational regional school district pursuant to the provisions of chapter four hundred and twenty-eight of the acts of nineteen hundred and seventy-one and the

agreement signed by the members of the vocational regional school district planning board and dated February twenty-fifth, nineteen hundred and seventy-two.

SECTION 2. This act shall take effect as of May twenty-fifth, nineteen hundred and seventy-two. *Approved July 17, 1972.*

Chap. 770. AN ACT DESIGNATING THE SWIMMING POOL TO BE CONSTRUCTED IN BLUNT PARK IN THE CITY OF SPRINGFIELD AS THE JOHN H. THOMAS MEMORIAL SWIMMING POOL.

Be it enacted, etc., as follows:

The swimming pool to be constructed in Blunt park in the city of Springfield shall upon its completion be known and designated as the John H. Thomas Memorial swimming pool, in memory of John H. Thomas, a public-spirited citizen, who devoted much time and effort for and in improving the community. A suitable marker bearing said designation shall be erected thereat by the department of natural resources. *Approved July 17, 1972.*

Chap. 771. AN ACT EXTENDING THE TIME DURING WHICH THE NEWBURYPORT REDEVELOPMENT AUTHORITY AND THE DEPARTMENT OF PUBLIC WORKS MAY EXERCISE CERTAIN POWERS IN REGARD TO CERTAIN TIDELANDS IN THE CITY OF NEWBURYPORT.

Be it enacted, etc., as follows:

Section 3 of chapter 702 of the acts of 1967 is hereby amended by striking out the first two sentences and inserting in place thereof the following two sentences: — From the time the certificate provided for by section two is filed in the Essex south district registry of deeds until January first, nineteen hundred and seventy-five, no license to fill or maintain fill or to erect or maintain a structure within the area described in section one shall be granted by the department unless the application therefor is approved in writing by the Authority nor unless the license is subject to such conditions, if any, as the Authority may prescribe in its approval and, if it is a license to build a structure or to do other work in, over or under the waters in said area, subject to the further condition that such license shall expire in five years from its date, except as to valuable structures, fillings or enclosures actually and in good faith built or made under such license during the term thereof. Notwithstanding the provisions of section fifteen of chapter ninety-one of the General Laws, every license granted with the approval of the Authority, between the time the certificate provided for by section two is filed as therein provided and January first, nineteen hundred and seventy-five with respect to valuable structures, fillings or enclosures which have been built within the five-year period from the date of the issuance of said license, shall be irrevocable. *Approved July 17, 1972.*

Chap. 772. AN ACT PROVIDING FOR THE REGULATION OF DEALERS' AGREEMENTS FOR THE SALE OF GASOLINE.

Be it enacted, etc., as follows:

The General Laws are hereby amended by inserting after chapter 93D the following chapter: —

CHAPTER 93E.

REGULATION OF DEALERS' AGREEMENTS FOR THE SALE OF GASOLINE.

Section 1. For the purpose of this chapter, the following words shall, unless the context otherwise requires, have the following meanings: —

"Supplier", any person engaged in the sale, consignment or distribution of petroleum products to retail outlets.

"Dealer", any person who is not a petroleum supplier, engaged in the retail sale of gasoline to the motoring public in the commonwealth under written agreements entered into with a petroleum supplier.

"Agreement", means written agreements between a petroleum supplier and a gasoline dealer under which the gasoline dealer is granted the right to use a trademark, trade name, service mark or other identifying symbol or name owned by the petroleum supplier.

Section 2. This chapter shall apply to agreements pertaining to the sale of gasoline and related products when (*a*) more than twenty percent of the dealer's gross sales are covered by such agreement and (*b*) such gross sales covered by such agreement are more than twenty-five thousand dollars yearly.

Section 3. A supplier shall disclose in writing to any prospective dealer the following information, before any agreement is concluded: —

(*a*) The gallonage volume history, if any, of the location under negotiation for and during the three year period immediately past or for the entire period which the location has been supplied by the supplier, whichever is shorter.

(*b*) The name and last known address of the previous dealer or dealers for the last three years, or for and during the entire period which the location has been supplied by the petroleum supplier, whichever is shorter, and the reason or reasons for the termination of each dealer agreement.

(*c*) Any legally binding commitments for the sale, demolition or other disposition of the location.

(*d*) The training programs, if any, and the specific goods and services the supplier will provide for and to the gasoline dealer.

(*e*) Full disclosure of any and all obligations which will be required of the dealer, including but not limited to, any obligation to exclusively deal in any of the products of the supplier, its subsidiaries or any other company or any advertising and promotional items that the dealer must accept.

(*f*) Full disclosure of all restrictions on the sale, transfer, renewal and termination of the agreement.

Section 4. In the event of any termination, cancellation or failure to renew, whether by mutual agreement or otherwise, a supplier shall make or cause to be made an offer in good faith to repurchase from the dealer at then current wholesale prices any and all merchantable prod-

ucts purchased by said dealer from the petroleum supplier, provided however, that in such event the petroleum supplier shall have the right to apply the proceeds against any existing indebtedness owed to him by the dealer and further provided that such repurchased obligation is conditioned upon there being no other claims or liens against such products by or on behalf of other creditors of the dealer.

Section 5. It shall be unlawful for a supplier to: —

(*a*) Cancel or terminate an ageement prior to its expiration date unless the dealer has defaulted under any term, condition or obligation set forth in his agreement,

(*b*) Fail to renew an agreement without giving the dealer written notice of the election not to renew at least sixty days prior to the expiration of the agreement. Such failure to renew shall be for cause, and shall include, but not be limited to, grounds for cancellation or termination under subsection (*a*).

Section 6. No supplier shall hinder, coerce or threaten any dealer for the purpose of preventing him from joining any trade association made up of dealers.

Section 7. A dealer may bring an action for damages sustained as a result of (1) failure to make such disclosures as are required in section three; or (2) failure to make an offer in good faith to repurchase as required in section four; or (3) wrongful termination of or failure to renew his agreement as set forth in section five; or (4) any violation of section six. This remedy is in addition to all other remedies available under contract or provided by law. If the court finds that the violation of this chapter has been willful the court may allow reasonable attorney fees.

Section 8. No action may be brought under this chapter for a cause of action which arose more than one year prior to the date such action is brought.

Section 9. This chapter shall apply only to agreements entered into, renewed or amended on or after November first, nineteen hundred and seventy-two. *Approved July 17, 1972.*

Chap. 773. AN ACT AUTHORIZING THE DEPARTMENT OF MENTAL HEALTH TO CONVEY CERTAIN LAND TO THE PRESIDENT AND FELLOWS OF HARVARD COLLEGE AND TO ACCEPT A CONVEYANCE FROM SAID COLLEGE.

Be it enacted, etc., as follows:

SECTION 1. In consideration of the conveyance to the department of mental health by the President and Fellows of Harvard College of certain land as provided in section two, the commissioner of mental health, acting for and on behalf of the commonwealth, is hereby authorized to convey to the President and Fellows of Harvard College, 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 Boston, county of Suffolk, bounded and described as follows: — a certain parcel of land with the buildings thereon situated now numbered 85 on Fenwood Road (formerly Kenwood Road), bounded and described as follows: — SOUTHWESTERLY by said Fenwood Road, forty feet; NORTHWESTERLY by

lot 10 on a plan hereinafter referred to, ninety feet; NORTHEASTERLY by lot 18 on said plan, forty feet; SOUTHEASTERLY by lot 12 on said plan, ninety feet.

Said parcel is shown as lot 11 on a plan by H. C. Mildram, Surveyor, dated January 15, 1898, and recorded with Suffolk Deeds, Book 2504, end, and contains according to said plan, 3,600 square feet of land.

Or however otherwise said premises may be bounded or described and be all or any of said measurements and contents more or less; and the trustees of the Massachusetts Mental Health Center, acting for and on behalf of the commonwealth, are hereby authorized, to convey to the President and Fellows of Harvard College, 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 Boston, county of Suffolk, bounded and described as follows: — the land in said Boston with the buildings thereon now known as and numbered 69 on Fenwood Road and bounded SOUTHWESTERLY by Fenwood Road formerly called Kenwood Road, forty (40.00) feet; SOUTHEASTERLY by land now or formerly of N. M. Dwyer, ninety (90.00) feet; NORTHEASTERLY by land now or formerly of N. & T. Flaherty and by land now or formerly of Joseph H. Touhy, forty (40.00) feet; and NORTHWESTERLY by land of Kathrine U. O'Hare, ninety (90.00) feet.

Containing 3,600 square feet of land and being lot 15 on a plan dated January 15, 1898, by H. C. Mildram, Surveyor, recorded with Suffolk Deeds at the end of Record Book 2504.

Or however otherwise said premises may be bounded or described and be all or any of said measurements and contents more or less.

SECTION 2. In consideration of such conveyance, the President and Fellows of Harvard College shall convey to the commonwealth a certain parcel of land containing a minimum of seventy-two hundred square feet of land adjoining an unnamed street in land owned by the commonwealth bounded by the Riverway, Brookline avenue, Fenwood road, Vining street and said unnamed private street running from Vining street to the Riverway. *Approved July 17, 1972.*

Chap. 774. AN ACT EXPEDITING PAYMENTS TO GENERAL CONTRACTORS AND TO SUBCONTRACTORS AND IMPROVING THE FLOW OF FUNDS IN THE CONSTRUCTION INDUSTRY.

Be it enacted, etc., as follows:

SECTION 1. Section 20A of chapter 29 of the General Laws is hereby amended by striking out the last paragraph, inserted by chapter 868 of the acts of 1969.

SECTION 2. Chapter 30 of the General Laws is hereby amended by striking out section 39F and inserting in place thereof the following section: —

Section 39F. (1) Every contract awarded pursuant to sections forty-four A to L, inclusive, of chapter one hundred and forty-nine shall contain the following subparagraphs (a) through (i) and every contract awarded pursuant to section thirty-nine M of chapter thirty shall contain the following subparagraphs (a) through (h) and in each case those

subparagraphs shall be binding between the general contractor and each subcontractor.

(a) Forthwith after the general contractor receives payment on account of a periodic estimate, the general contractor shall pay to each subcontractor the amount paid for the labor performed and the materials furnished by that subcontractor, less any amount specified in any court proceedings barring such payment and also less any amount claimed due from the subcontractor by the general contractor.

(b) Not later than the sixty-fifth day after each subcontractor substantially completes his work in accordance with the plans and specifications, the entire balance due under the subcontract less amounts retained by the awarding authority as the estimated cost of completing the incomplete and unsatisfactory items of work, shall be due the subcontractor; and the awarding authority shall pay that amount to the general contractor. The general contractor shall forthwith pay to the subcontractor the full amount received from the awarding authority less any amount specified in any court proceedings barring such payment and also less any amount claimed due from the subcontractor by the general contractor.

(c) Each payment made by the awarding authority to the general contractor pursuant to subparagraphs (a) and (b) of this paragraph for the labor performed and the materials furnished by a subcontractor shall be made to the general contractor for the account of that subcontractor; and the awarding authority shall take reasonable steps to compel the general contractor to make each such payment to each such subcontractor. If the awarding authority has received a demand for direct payment from a subcontractor for any amount which has already been included in a payment to the general contractor or which is to be included in a payment to the general contractor for payment to the subcontractor as provided in subparagraphs (a) and (b), the awarding authority shall act upon the demand as provided in this section.

(d) If, within seventy days after the subcontractor has substantially completed the subcontract work, the subcontractor has not received from the general contractor the balance due under the subcontract including any amount due for extra labor and materials furnished to the general contractor, less any amount retained by the awarding authority as the estimated cost of completing the incomplete and unsatisfactory items of work, the subcontractor may demand direct payment of that balance from the awarding authority. The demand shall be by a sworn statement delivered to or sent by certified mail to the awarding authority, and a copy shall be delivered to or sent by certified mail to the general contractor at the same time. The demand shall contain a detailed breakdown of the balance due under the subcontract and also a statement of the status of completion of the subcontract work. Any demand made after substantial completion of the subcontract work shall be valid even if delivered or mailed prior to the seventieth day after the subcontractor has substantially completed the subcontract work. Within ten days after the subcontractor has delivered or so mailed the demand to the awarding authority and delivered or so mailed a copy to the general contractor, the general contractor may reply to the demand. The reply shall be by a sworn statement delivered to or sent by certified mail to the awarding authority and a copy shall be delivered to or sent by certified mail to the subcontractor at the same time. The

reply shall contain a detailed breakdown of the balance due under the subcontract including any amount due for extra labor and materials furnished to the general contractor and of the amount due for each claim made by the general contractor against the subcontractor.

(e) Within fifteen days after receipt of the demand by the awarding authority, but in no event prior to the seventieth day after substantial completion of the subcontract work, the awarding authority shall make direct payment to the subcontractor of the balance due under the subcontract including any amount due for extra labor and materials furnished to the general contractor, less any amount (i) retained by the awarding authority as the estimated cost of completing the incomplete or unsatisfactory items of work, (ii) specified in any court proceedings barring such payment, or (iii) disputed by the general contractor in the sworn reply; provided, that the awarding authority shall not deduct from a direct payment any amount as provided in part (iii) if the reply is not sworn to, or for which the sworn reply does not contain the detailed breakdown required by subparagraph (d). The awarding authority shall make further direct payments to the subcontractor forthwith after the removal of the basis for deductions from direct payments made as provided in parts (i) and (ii) of this subparagraph.

(f) The awarding authority shall forthwith deposit the amount deducted from a direct payment as provided in part (iii) of subparagraph (e) in an interest-bearing joint account in the names of the general contractor and the subcontractor in a bank in Massachusetts selected by the awarding authority or agreed upon by the general contractor and the subcontractor and shall notify the general contractor and the subcontractor of the date of the deposit and the bank receiving the deposit. The bank shall pay the amount in the account, including accrued interest, as provided in an agreement between the general contractor and the subcontractor or as determined by decree of a court of competent jurisdiction.

(g) All direct payments and all deductions from demands for direct payments deposited in an interest-bearing account or accounts in a bank pursuant to subparagraph (f) shall be made out of amounts payable to the general contractor at the time of receipt of a demand for direct payment from a subcontractor and out of amounts which later become payable to the general contractor and in the order of receipt of such demands from subcontractors. All direct payments shall discharge the obligation of the awarding authority to the general contractor to the extent of the such payment.

(h) The awarding authority shall deduct from payments to a general contractor amounts which, together with the deposits in interest-bearing accounts pursuant to subparagraph (f), are sufficient to satisfy all unpaid balances of demands for direct payment received from subcontractors. All such amounts shall be earmarked for such direct payments, and the subcontractors shall have a right in such deductions prior to any claims against such amounts by creditors of the general contractor.

(i) If the subcontractor does not receive payment as provided in subparagraph (a) or if the general contractor does not submit a periodic estimate for the value of the labor or materials performed or furnished by the subcontractor and the subcontractor does not receive payment for same when due less the deductions provided for in subparagraph (a), the

subcontractor may demand direct payment by following the procedure in subparagraph (d) and the general contractor may file a sworn reply as provided in that same subparagraph. A demand made after the first day of the month following that for which the subcontractor performed or furnished the labor and materials for which the subcontractor seeks payment shall be valid even if delivered or mailed prior to the time payment was due on a periodic estimate from the general contractor. Thereafter the awarding authority shall proceed as provided in subparagraph (e), (f), (g) and (h).

(2) Any assignment by a subcontractor of the rights under this section to a surety company furnishing a bond under the provisions of section twenty-nine of chapter one hundred forty-nine shall be invalid. The assignment and subrogation rights of the surety to amounts included in a demand for direct payment which are in the possession of the awarding authority or which are on deposit pursuant to subparagraph (f) of paragraph (1) shall be subordinate to the rights of all subcontractors who are entitled to be paid under this section and who have not been paid in full.

(3) "Subcontractor" as used in this section (i) for contracts awarded as provided in sections forty-four A to forty-four L, inclusive, of chapter one hundred forty-nine shall mean a person who files a sub-bid and receives a subcontract as a result of that filed sub-bid or who is approved by the awarding authority in writing as a person performing labor or both performing labor and furnishing materials pursuant to a contract with the general contractor, (ii) for contracts awarded as provided in paragraph (a) of section thirty-nine M of chapter thirty shall mean a person approved by the awarding authority in writing as a person performing labor or both performing labor and furnishing materials pursuant to a contract with the general contractor, and (iii) for contracts with the commonwealth not awarded as provided in sections forty-four A to forty-four L, inclusive, of chapter one hundred forty-nine shall also mean a person contracting with the general contractor to supply materials used or employed in a public works project for a price in excess of five thousand dollars.

(4) A general contractor or a subcontractor shall enforce a claim to any portion of the amount of a demand for direct payment deposited as provided in subparagraph (f) of paragraph 1 by a petition in equity in the superior court against the other and the bank shall not be a necessary party. A subcontractor shall enforce a claim for direct payment or a right to require a deposit as provided in subparagraph (f) of paragraph 1 by a petition in equity in the superior court against the awarding authority and the general contractor shall not be a necessary party. Upon motion of any party the court shall advance for speedy trial any petition filed as provided in this paragraph. Sections fifty-nine and fifty-nine B of chapter two hundred thirty-one shall apply to such petitions. The court shall enter an interlocutory decree upon which execution shall issue for any part of a claim found due pursuant to sections fifty-nine and fifty-nine B and, upon motion of any party, shall advance for speedy trial the petition to collect the remainder of the claim. Any party aggrieved by such interlocutory decree shall have the right to appeal therefrom as from a final decree. The court shall not consolidate for trial the petition of any subcontractor with the petition of one or more subcontractors or the same general contract unless the court finds that a

substantial portion of the evidence of the same events during the course of construction (other than the fact that the claims sought to be consolidated arise under the same general contract) is applicable to the petitions sought to be consolidated and that such consolidation will prevent unnecessary duplication of evidence. A decree in any such proceeding shall not include interest on the disputed amount deposited in excess of the interest earned for the period of any such deposit. No person except a subcontractor filing a demand for direct payment for which no funds due the general contractor are available for direct payment shall have a right to file a petition in court of equity against the awarding authority claiming a demand for direct payment is premature and such subcontractor must file the petition before the awarding authority has made a direct payment to the subcontractor and has made a deposit of the disputed portion as provided in part (iii) of subparagraph (e) and in subparagraph (f) of paragraph (1).

(5) In any petition to collect any claim for which a subcontractor has filed a demand for direct payment the court shall, upon motion of the general contractor, reduce by the amount of any deposit of a disputed amount by the awarding authority as provided in part (iii) of subparagraph (e) and in subparagraph (f) of paragraph (1) any amount held under a trustee writ or pursuant to a restraining order or injunction.

SECTION 3. The first paragraph of section 39G of chapter 30 of the General Laws, as most recently amended by section 1 of chapter 461 of the acts of 1972, is hereby further amended by striking out the last sentence and by inserting in place thereof the following sentence: — The contracting authority shall deduct and retain from payment of said final estimate a sum sufficient to satisfy all demands for direct payment filed by subcontractors under the provisions of section thirty-nine F of this chapter but no contract subject to the provisions of section thirty-nine F shall contain any other provision authorizing the awarding authority to deduct or retain any sums by virtue of claims asserted against the contractor by subcontractors, material suppliers or others.

SECTION 4. Said chapter 30 is hereby amended by adding after section 39M the following section: —

Section 39N. Every contract subject to section forty-four A of chapter one hundred and forty-nine or subject to section thirty-nine M of chapter thirty shall contain the following paragraph in its entirety and an awarding authority may adopt reasonable rules or regulations in conformity with that paragraph concerning the filing, investigation and settlement of such claims:

If, during the progress of the work, the contractor or the awarding authority discovers that the actual subsurface or latent physical conditions encountered at the site differ substantially or materially from those shown on the plans or indicated in the contract documents either the contractor or the contracting authority may request an equitable adjustment in the contract price of the contract applying to work affected by the differing site conditions. A request for such an adjustment shall be in writing and shall be delivered by the party making such claim to the other party as soon as possible after such conditions are discovered. Upon receipt of such a claim from a contractor, or upon its own initiative, the contracting authority shall make an investigation of such physical conditions, and, if they differ substantially or materially from those shown on the plans or indicated in the contract documents

or from those ordinarily encountered and generally recognized as inherent in work of the character provided for in the plans and contract documents and are of such a nature as to cause an increase or decrease in the cost of performance of the work or a change in the construction methods required for the performance of the work which results in an increase or decrease in the cost of the work, the contracting authority shall make an equitable adjustment in the contract price and the contract shall be modified in writing accordingly.

SECTION 5. Section 29 of chapter 149 of the General Laws is hereby amended by striking out the second, third and fourth paragraphs and inserting in place thereof the following five paragraphs: —

In order to obtain the benefit of such bond for any amount claimed due and unpaid at any time, any claimant having a contractual relationship with the contractor principal furnishing the bond, who has not been paid in full for any amount claimed due for the labor, materials, equipment, appliances or transportation included in the paragraph (1) coverage within sixty-five days after the due date for same, shall have the right to enforce any such claim (a) by filing a petition in equity within one year after the day on which such claimant last performed the labor or furnished the labor, materials, equipment, appliances or transportation included in the claim and (b) by prosecuting the claim thereafter by trial in the superior court to final adjudication and execution for the sums justly due the claimant as provided in this section.

Any claimant having a contractual relationship with a subcontractor performing labor or both performing labor and furnishing materials pursuant to a contract with the general contractor but no contractual relationship with the contractor principal furnishing the bond shall have the right to enforce any such claim as provided in subparagraphs (a) and (b) of paragraph (2) only if such claimant gives written notice to the contractor principal within sixty-five days after the day on which the claimant last performed the labor or furnished the labor, materials, equipment, appliances or transportation included in the paragraphs (1) coverage, stating with substantial accuracy the amount claimed, the name of the party for whom such labor was performed or such labor, materials, equipment, appliances or transportation were furnished; provided, that any such claimant shall have the right to enforce any part of a claim covering specially fabricated material included in the paragraph (1) coverage only if such claimant has given the contractor principal written notice of the placement of the order and the amount thereof not later than twenty days after receiving the final approval in writing for the use of the material. The notices provided for in this paragraph (3) shall be served by mailing the same by registered or certified mail postage prepaid in an envelope addressed to the contractor principal at any place at which the contractor principal maintains an office or conducts his business, or at the contractor principal's residence, or in any manner in which civil process may be served.

Upon motion of any party, the court shall advance for speedy trial a petition to enforce a claim pursuant to this section. Sections fifty-nine and fifty-nine B of chapter two hundred thirty-one shall apply to petitions to enforce claims pursuant to this section. The court shall enter an interlocutory decree upon which execution shall issue for any part of a claim found due pursuant to said sections fifty-nine or fifty-nine B and shall, upon motion of any party, advance for speedy trial the

petition to enforce the remainder of the claim. Any party aggrieved by such interlocutory decree shall have the right to appeal therefrom as from a final decree. The court shall not consolidate for trial the petition of any claimant under this section with the petition of one or more other claimants on the same bond, unless the court finds that a substantial portion of the evidence of the same events during the course of construction (other than the fact that the claims sought to be consolidated arise under the same general contract) is applicable to the petitions sought to be consolidated, and that such consolidation will prevent unnecessary duplication of evidence.

The court shall not dismiss any petition on the ground that it was filed before the sixty-fifth day after the day the claimant last performed the labor or furnished the labor, materials, equipment, appliances or transportation included in the claim, nor shall the court dismiss any petition on the ground that a claim involves more than one contract with the same party and that the one year period has elapsed as to any one contract; provided, that the court shall not enter a decree upon any claim or part thereof prior to the seventieth day after the day the claimant last performed the labor or furnished the labor, materials, equipment, appliances or transportation included in the claim.

A decree in favor of any claimant under this section shall include reasonable legal fees based upon the time spent and the results accomplished as approved by the court and such legal fees shall not in any event be less than published rate of any recommended fee schedule of a state-wide bar association or of a bar association in which the office of counsel for claimant is located, whichever is higher.

SECTION 6. Section 2 of chapter 254 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 8, the word "thereafter", — and by inserting after the word "furnish", in line 3 of the notice, as appearing in the Tercentenary Edition, the words: — or has furnished.

SECTION 7. Said chapter 254 is hereby further amended by striking out section 3 and inserting in place thereof the following section 3: —

Section 3. If the notice described in section two shall have been filed or recorded in the registry of deeds, any person who shall furnish, or who has furnished labor or materials or both labor and material or who performs or has performed labor, under a contract with the contractor or with any subcontractor of said contractor shall be entitled to enforce a lien on the premises therein described for labor or material furnished prior to the date of completion of said contract as stated in said notice.

SECTION 8. Section 4 of said chapter 254, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "furnish", in line 3 of the notice, as appearing in the Tercentenary Edition, the words: — or has furnished.

SECTION 9. Said chapter 254 is hereby further amended by striking out section 12, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 12. Any person in interest in connection with a written contract covered by section two or section four may cause to be recorded in the registry of deeds in the county or district where the land lies a bond of a surety company authorized to do a surety business in Massachusetts and in a penal sum equal to the contract sum or, if the contract does not contain a contract sum, in a penal sum equal to that person's

fair estimate of the contract sum, all as set forth in the certificate on the bond. The bond shall describe the land in such detail as is required in a common conveyance of land, and shall be in the following form: —

Known All Men By These Presents:

That we.....of.....in the County of.....and Commonwealth of Massachusetts, as principal, and.....a surety company organized under the laws of.....and authorized to do business in the Commonwealth as a surety company, are holden and stand firmly bound and obliged unto.....Register of Deeds for the..... District, County of....., in the principal sum of .....Dollars ($) to be paid unto said Register and his successors in said office, to which payment, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Whereas, said principal is interested in the erection, alteration, repair or removal of a building or structure on a certain lot of land situated within the.....Registry District in the Commonwealth, bounded and described as follows:

(Insert description)

and desires to free said land from liens for all labor and all labor and materials entitled to lien protection under chapter 254 and amendments thereto;

NOW, THEREFORE, the condition of this obligation is such that if the Principal shall pay for all labor and for all labor and materials entitled to lien protection under chapter 254 and amendments thereto under the contract referred to in the Certificate in this bond, irrespective of any agreement made between him and the owner or any other persons now interested or who may hereinafter be interested therein, then the above written obligation shall be null and void, otherwise to remain in full force and effect.

This bond is made for the use and benefit of all persons entitled to file the documents for lien protection as provided in Massachusetts General Laws, chapter 254 and they and each of them are hereby made Obligees hereunder, and in case of the failure of the principal to carry out the provisions of this bond made for their use and benefit they and each of them may sue hereon in their own name.

Signed, sealed and delivered this.....day of....., 19 .

.....

Principal

By .....

.....

Surety

By .....

Certificate

....., principal on the above bond, hereby certify that the (estimated) contract price for the proposed work to be performed on the land described in the above bond under a written contract between ..... and ..... dated ....., ..., 19.., is.....Dollars ($).

.....

(*Signed*)

After the recording of said bond no lien under this chapter shall thereafter attach for labor or for labor and materials performed under the contract in respect to which the bond is given.

The register of deeds may refuse to record the said bond if it be defective in form of substance, but no party to any such bond shall be discharged by any defect therein as against any party who has in good faith allowed his lien to be dissolved by lapse of time in reliance on the bond. The bond may be enforced by a bill in equity in the superior court brought by any party in interest. A copy of the subpoena shall be filed and recorded in the registry of deeds. No suit or action on the bond shall be commenced after the expiration of ninety days after the claimant last performed or furnished labor or labor and materials.

SECTION 10. Said chapter 254 is hereby further amended by striking out section 14, as so appearing, and inserting in place thereof the following section: —

Section 14. Any person in interest may dissolve a lien under this chapter by recording or causing to be recorded in the registry of deeds in the county or district where the land lies, a bond of a surety company authorized to do business in Massachusetts and in a penal sum equal to the amount of the lien sought to be dissolved conditioned for the payment of any sum which the claimant may recover on his claim for labor or labor and materials. Upon the recording of the bond, the lien shall be dissolved. Notice of the recording shall be given to the claimant by serving on the claimant a copy of the notice of recording together with a copy of the bond by an officer qualified to serve civil process or by delivering same to the claimant. The claimant may enforce the bond by a petition in equity filed within ninety days after receipt of notice of recording of the bond.

SECTION 11. Said chapter 254 is hereby further amended by adding the following section: —

Section 32. A covenant, promise, agreement of understanding in, or in connection with or collateral to, a contract or agreement relative to the construction, alteration, repair or maintenance of a building, structure, appurtenance and appliance, including moving, demolition and excavating connected therewith, purporting to bar the filing of a notice of contract or the taking of any steps to enforce a lien as set forth in this chapter is against public policy and is void and unenforceable.

SECTION 12. Sections one, two, three, four and five of this act shall apply to contracts entered into pursuant to an invitation for bids issued subsequent to the effective date of this act. Sections six, seven, eight, nine, ten and eleven shall apply to all contracts entered into subsequent to the effective date of this act. *Approved July 17, 1972.*

Chap. 775. AN ACT PROVIDING FOR THE FINANCING OF POLLUTION CONTROL FACILITIES WITH INDUSTRIAL REVENUE BONDS.

Be it enacted, etc., as follows:

SECTION 1. Section 1 of Chapter 40D of the General Laws is hereby amended by inserting after (o) the following clause: —

(o½) "Pollution control facilities", facilities for the prevention, avoidance, reduction, control, abatement or elimination of pollution by any means of air or of waters by industrial establishments.

SECTION 2. Said Chapter 40D is hereby further amended by adding after section 21, a new section 22 to read as follows: —

Section 22. (*a*) A municipality acting by and through an authority may finance pollution control 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 and to projects and industrial occupants shall apply to the pollution control facilities and the lessees thereof insofar as such provisions are apt, except as otherwise hereinafter provided.

(*b*) The requirements of clauses (e), (g), (i), and (k) of subsection (2) of section twelve shall not apply to projects for pollution control. It shall be necessary, however, that the state industrial finance board find that such a project will alleviate unemployment or the threat thereof in the municipality or provide security against future unemployment and lack of business opportunity in the municipality; that a substantial public benefit will result from the project and, in the case of pollution control facilities for water, the division of water pollution control in the department of natural resources, or, in the case of pollution control facilities for air, the commissioner of public health, has found that the project as designed is in furtherance of the purpose of abating or controlling water pollution or air pollution, as the case may be.

SECTION 3. Said chapter 40D is hereby further amended by adding after section 22 the following section: —

Section 23. A municipality acting by and through an authority in connection with a project for pollution control facilities financed or to be financed under this chapter may apply for and accept and use any grant, loan, or grant and loan of federal or state funds for such pollution control facilities. *Approved July 17, 1972.*

Chap. 776. AN ACT ESTABLISHING PROCEDURES FOR THE DETERMINATION BY THE DEPARTMENT OF PUBLIC HEALTH OF THE NEED TO EXPAND CERTAIN HEALTH CARE FACILITIES.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to provide forthwith for the appropriate allocation of certain resources for the provision of health care services in 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 165 the following section: —

Section 166. There shall be within the executive office of human services a health facilities appeals board, hereinafter called the board, which shall make determinations on appeals filed pursuant to section twenty-five E of chapter one hundred and eleven. The board shall consist of five persons to be appointed for terms of three years by the governor, at least three of whom shall be consumers of health care services who are not officers or employees of, and do not bear any fiduciary relationship to a person or institution providing health care services. One such consumer member shall be a member of the bar of

the commonwealth and shall be designated by the governor to serve as chairman of the board. Persons appointed to the board shall be knowledgeable in matters pertaining to the delivery of health care services; and the governor, in making said appointments, shall consider any persons recommended to him for such purpose by the comprehensive health planning agencies established pursuant to sections three hundred and fourteen (a) and three hundred and fourteen (b) of the Federal Public Health Service Act.

Each member of the board shall be paid fifty dollars for each day spent in the performance of his duty, not to exceed six thousand dollars in any fiscal year, and shall be reimbursed for expenses actually and necessarily incurred in the discharge of his duties.

The board, subject to appropriation, may employ such persons, none of whom shall be subject to the provisions of chapter thirty-one or section nine A of chapter thirty, as may be required to discharge its responsibilities. Such persons may include, without limitation, hearing officers and persons experienced in serving as masters and auditors in the supreme judicial and superior courts.

SECTION 2. Section 16 of chapter 6A of the General Laws, inserted by section 3 of chapter 704 of the acts of 1969, is hereby amended by inserting after the words "health and welfare commission;", in lines 21 and 22, the words: — health facilities appeals board;.

SECTION 2A. Section 3 of chapter 17 of the General Laws, as most recently amended by section 38 of chapter 801 of the acts of 1963, is hereby further amended by striking out the first sentence and inserting in place thereof the following four sentences: — The public health council shall consist of the commissioner of public health as chairman and eight members appointed by the governor. Three of the appointed members shall be providers of health services, of whom two shall be physicians. Five of the appointed members shall be non-providers. For the purposes of this section "nonprovider" shall mean a person whose background and experience indicate that he is qualified to act in the board public interest, who, and whose spouse, parents, siblings or children, has no financial interest in a health care facility, who, and whose spouse, has no employment relationship to a health care facility, to a nonprofit service corporation established in accordance with chapters one hundred and seventy-six A to one hundred and seventy-six E, inclusive, nor to a corporation authorized to insure the health of individuals, and who, and whose spouse, is not licensed to practice medicine.

SECTION 3. Chapter 111 of the General Laws is hereby amended by inserting after section 25A the following six sections: —

Section 25B. In this section and sections twenty-five C to twenty-five G, inclusive, the following words shall have the following meanings: —

"Appropriate regional comprehensive health planning agency," the regional agency designated pursuant to the provisions of section three hundred and fourteen (b) the Federal Public Health Service Act, which has geographical jurisdiction of the area served by a health care facility.

"Construction", construction of a new health care facility; the alteration of, expansion of, making of major repairs to, remodeling of, renovation of or replacement of an existing health care facility; the initial, additional or replacement equipping of any such facility; the acquisition of consulting, architectural, and engineering services, and of site, when such acquisition is directed toward an undertaking sufficiently specific

to constitute part the subject matter of an application for determination of need under section twenty-five C.

"Department", the department of public health; provided, however, that no member of the public health council who is an owner, in whole or in part, an officer or an employee of a health care facility, or who bears any other fiduciary relationship to such a facility, shall participate in any decision which would substantially affect the facility to which he is related.

"Health care facility", a hospital, institution for the care of unwed mothers or clinic, as defined in section fifty-two; a long-term care facility, which is an infirmary maintained in a town, a convalescent or nursing home, a rest home or a charitable home for the aged, as defined in section seventy-one; a public medical institution, which is any medical institution, and, after December first, nineteen hundred and seventy-two, any institution for the mentally ill or retarded, supported in whole or in part by public funds, 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; and any part of such facilities; provided, however, that "health care facility" shall not include a facility operated by a religious group relying solely on spiritual means through prayer and healing and in which health care by or under the supervision of doctors of medicine, osteopathy, or dentistry is not provided.

"State comprehensive health planning agency", the agency designated pursuant to the provisions of section three hundred fourteen (a) of the Federal Public Health Service Act.

"Substantial capital expenditure", the expenditure of a sum of money, including an expenditure for the lease of capital equipment at the purchase value of such equipment, for construction of a health care facility which exceeds, or may reasonably be regarded as leading to an expenditure for construction in excess of, one hundred thousand dollars for an undertaking sufficiently specific to constitute the subject matter of an application for determination of need under section twenty-five C.

"Substantial change in services", a change in kind, rather than degree, of service as further defined by the department; provided, however, that any increase in bed capacity of more than four beds shall be a substantial change in service; and, provided further, that any decrease in the level of service offered by a nursing, convalescent or rest home, and any change in service provided by a hospital to persons who are not admitted as inpatients, which does not involve a substantial capital expenditure shall not be subject to the provisions of sections twenty-five C to twenty-five G, inclusive.

Section 25C. Notwithstanding any contrary provision of law, no person or agency of the commonwealth or any political subdivision thereof shall make substantial capital expenditures for construction of a health care facility or substantially change the services of such a facility unless there is a determination by the department that there is need therefor.

The department, in making any such determination, shall encourage appropriate allocation of private and public health care resources and the development of alternative or substitute methods of delivering

health care services so that adequate health care services will be made reasonably available to every person within the commonwealth at the lowest reasonable aggregate cost.

Applications for such determination shall be filed with the department, together with such other forms and information as shall be prescribed by, or acceptable to, the department. A duplicate copy of such application, together with supporting documentation therefor, shall be a public record and kept on file in the department. The department may require a public hearing on any such application. A reasonable fee, established by the department, shall be paid upon the filing of such application; provided, that in no event shall such fee exceed one tenth of one per cent of the capital expenditures, if any, proposed by the applicant.

Except in the case of an emergency situation determined by the department as requiring immediate action to prevent further damage to the public health or to a health care facility, the department shall not act upon an application for such determination unless (*a*) the application has been on file with the department for at least thirty days, (*b*) the state and appropriate regional comprehensive health planning agencies have been provided copies of such application and supporting documents and given reasonable opportunity to comment thereon, and (*c*) a public hearing has been held thereon when requested by the applicant, the state or appropriate regional comprehensive health planning agency, or any ten taxpayers of the commonwealth. The department may establish filing periods for such applications; and in such event shall not act only upon an individual application filed during such a period when such action would implicitly decide any other application filed during such period.

The department shall approve or disapprove, in whole or in part, or otherwise act upon every such application in a timely manner, but in any event within one hundred and twenty days after filing. Such determinations of need shall be made in writing, setting forth the reasons therefor, and, when any such determination is inconsistent with specific recommendations filed in a timely manner with the department by any person or group empowered to request a public hearing by clause (*c*) of the preceding paragraph, shall specifically discuss such inconsistent reasons. Every determination of need and the reasons therefor shall constitute a public record and be filed in the department.

The department shall stipulate the period during which a determination of need shall remain in effect, which in no event shall originally be longer than three years but which may be extended by the department for cause shown. Any such determination shall continue to be effective only upon the applicant (*a*) making reasonable progress toward completing the construction or substantial change in services for which need was determined to exist, (*b*) complying with all other provisions of law relating to the construction, licensure, and operation of health care facilities, and (*c*) complying with such further terms and conditions as the department reasonably shall require.

Section 25D. Every person, at least thirty days prior to making a public solicitation of funds or otherwise securing financing for construction of a health care facility or a substantial change in the services of a facility, shall file written notice of his intent to do so with the department. In the case of a solicitation of funds from the general public, the

department may require such person to file an application for a determination of need for such construction or substantial change in services and to postpone any such public solicitation of funds until such application has been acted upon by the department and such need has been found to exist; provided, however, that failure of the department to comment upon a notice of intent shall not be construed to constitute a determination that such need exists. Nothing in this section shall be construed to prohibit any person or agency subject to sections twenty-five C to twenty-five G, inclusive, from accepting gifts, and the provisions of this section shall not apply to any such solicitation or securing of financing where the undertaking to be funded is not sufficiently specific to constitute the subject matter of an application for determination of need under section twenty-five C.

Each agency of the commonwealth and its political subdivisions desiring to make substantial capital expenditure for construction of a health care facility or to substantially change the services of such a facility shall make application for determination of need therefor pursuant to section twenty-five C, and the department shall transmit a report of its determination thereon to the agencies empowered to recommend and to make appropriations of money for the applicant agency.

Section 25E. Any person or agency filing an application for determination of need or empowered to request a public hearing under the provisions of section twenty-five C, and aggrieved by the determination thereof may, within fourteen days after such determination, file an appeal to the health facilities appeals board established by section one hundred and sixty-six of chapter six. The appellant shall include with any such appeal a certificate stating that said appeal is not knowingly interposed for delay.

The board in considering any such appeal shall restrict itself to a review of materials on file with the department and to consideration of whether the determination appealed from was an abuse of discretion, without observance of procedure required by law or in violation of applicable provisions of law. In the event the board determines that the materials available to it are inadequate to allow the required consideration, it may order a hearing on the appeal. Such appeal shall be heard by the board or its designated hearing officer within thirty days after its filing. If the matter is heard by a hearing officer, such officer, within thirty days after hearing, shall submit a recommended decision, reasons therefor and a determination of each issue of fact or law incident to said recommended decision to the board. The board shall, within sixty days after filing of the appeal, issue a final decision, either denying the appeal, in which case said decision shall be subject to judicial review under the provisions of section fourteen of chapter thirty A to the extent they are not inconsistent with the provisions of this section, or order the matter remanded to the department for action consistent with the opinion of the board. All proceedings of the board shall be subject to the provisions of chapter thirty A to the extent they are not inconsistent with the provisions of this section.

Section 25F. The department and the health facilities appeals board are hereby authorized and directed to promulgate rules and regulations necessary for the implementation of sections twenty-five C to twenty-five G, inclusive.

Section 25G. The superior and supreme judicial courts shall have jurisdiction, upon request of the department, the appropriate regional comprehensive health planning agency, or of any ten taxpayers in the commonwealth to enforce the provisions of sections twenty-five C to twenty-five G, inclusive. Any violation of such provisions also shall constitute grounds for refusing to grant or renew, modifying or revoking the license of a health care facility or of any part thereof.

SECTION 4. All proceedings related to applications for determinations of need filed pursuant to chapter one thousand and eighty of the acts of nineteen hundred and seventy-one and pending before the department of public health immediately prior to the expiration date of said chapter shall, on the effective date of this act, continue unabated and be deemed to be commenced under and pending before said department under the provisions of sections twenty-five B to twenty-five G, inclusive, of chapter one hundred eleven of the General Laws, inserted by section three of this act; provided, however, that any such proceeding which relates to a transfer of ownership and does not involve a substantial capital expenditure or a substantial change in services as defined in said section twenty-five B, shall terminate on the expiration date of said chapter one thousand and eighty. All determinations of need granted and actions taken by said department under the provisions of said chapter one thousand and eighty shall remain in full force and effect and be deemed to be granted or taken under the provisions of said sections twenty-five B to twenty-five G, inclusive. Health care facility construction which was not subject to said chapter one thousand and eighty and was commenced prior to the effective date of this act may be completed without any determination of need therefor; provided, however, that any substantial capital expenditure for construction beyond the scope of the construction so commenced and any substantial change in services beyond the scope of those services, provision for which was made in said construction, shall be subject to the provisions of said sections twenty-five B to twenty-five G, inclusive, as so inserted. For the purposes of this section, substantial capital expenditure and substantial change in services shall be defined as in said section twenty-five B, as so inserted. Notwithstanding any other provision of this act, all such determinations and actions taken by said department under an instruction issued to said department by the governor on June seventh, nineteen hundred and seventy-two, to continue to accept and process applications for such determinations as if said chapter one thousand eighty had continued in effect beyond that date on which it had ceased to be effective, are hereby ratified and confirmed and shall remain in full force and effect.

SECTION 5. The first two members of the board established by section one hundred sixty-six of chapter six of the General Laws, inserted by section one of this act, shall be appointed for a term of one year, the third and fourth members for a term of two years, and the fifth member for a term of three years.

SECTION 5A. All members of the public health council, established by section three of chapter seventeen of the General Laws, as amended by section two A of this act, immediately prior to the effective date of this act shall continue in office for the remainder of their respective terms. The public health council, as redefined by said section two A, shall be deemed a continuation of said council as it existed immediately

prior to the effective date of this act. Of the two members added to the public health council by said section two A, one shall be appointed for a term of three years and one shall be appointed for a term of six years.

SECTION 6. This act shall take effect as of June first, nineteen hundred and seventy-two. *Approved July 18, 1972.*

Chap. 777. AN ACT RELATIVE TO THE ADMINISTRATION AND OPERATION OF CORRECTIONAL INSTITUTIONS AND FACILITIES IN THE COMMONWEALTH.

Be it enacted, etc., as follows:

SECTION 1. Section 2 of chapter 27 of the General Laws is hereby amended by striking the first paragraph, as most recently amended by section 37 of chapter 300 of the acts of 1971, and inserting in place thereof the following paragraph: —

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, a deputy commissioner for personnel and training, and a deputy commissioner for community services, each of whom shall receive a salary of nineteen thousand five hundred and four dollars and each shall devote his full time during business hours to the duties of his office. All such deputy commissioners shall possess qualifications of character and ability similar to that required of the commissioner, and shall have had training and experience in work generally similar to those required of the commissioner or otherwise suitably preparing them for the work of their respective offices. They shall not be subject to the provisions of section nine A and nine B of chapter thirty, or chapter thirty-one. The commissioner may designate any deputy commissioner to discharge the duties of the commissioner during his absence or disability.

SECTION 2. The first paragraph of section 5 of said chapter 27, as appearing in section 2 of chapter 765 of the acts of 1960, is hereby amended by inserting after the word "commissioner", in line 32, the words: — ; (*h*) employ subject to appropriation and the requirements of chapter thirty and chapter thirty-one an executive secretary and such hearing officers, clerks, attorneys, and other employees and consultants as the work of the parole board may require.

SECTION 3. Chapter 30A of the General Laws is hereby amended by inserting after section 1 the following section: —

Section 1A. The department of correction shall be subject to sections one through eight, inclusive, and shall not otherwise be subject to this chapter, notwithstanding the exclusion of said department from the definition of the word "agency" in section one.

SECTION 4. Chapter 111 of the General Laws is hereby amended by striking section 20, as most recently amended by chapter 76 of the acts of 1947, and inserting in place thereof the following section: —

Section 20. At least twice each year the department shall inspect each correctional institution, as defined in section one of chapter one hundred and twenty-five, and shall file a report of its findings and recommendations with respect to each such facility with the department of correction, the secretary of human services, the superintendent or administrator of each such facility, and the general court.

SECTION 5. Chapter 124 of the General Laws is hereby amended by striking out section 1, as most recently amended by chapter 731 of the acts of 1965, and inserting in place thereof the following section: —

Section 1. In addition to exercising the powers and performing the duties which are otherwise given him by law, the commissioner of correction, in this chapter called the commissioner, shall:

(*a*) designate, establish, maintain, and administer such state correctional facilities as he deems necessary, and may discontinue the use of such state correctional facilities as he deems appropriate for such action; provided that no state or county correctional facility named in paragraph (n) of section one of chapter 125 shall be discontinued without specific authorization and approval of the General Court;

(*b*) maintain security, safety and order at all state correctional facilities, utilize the resources of the department to prevent escapes from any such facility, take all necessary precautions to prevent the occurrence or spread of any disorder, riot or insurrection at any such facility, including but not limited to the development, planning, and coordination of emergency riot procedures with the commissioner of public safety, and take suitable measures for the restoration of order;

(*c*) establish and enforce standards for all state correctional facilities;

(*d*) establish standards for all county correctional facilities and secure compliance with such standards, if necessary, through the enforcement provisions of section fifteen B of chapter one hundred and twenty-seven;

(*e*) establish, maintain and administer programs of rehabilitation, including but not limited to education, training and employment, of persons committed to the custody of the department, designed as far as practicable to prepare and assist each such person to assume the responsibilities and exercise the rights of a citizen of the commonwealth;

(*f*) establish a system of classification of persons committed to the custody of the department for the purpose of developing a rehabilitation program for each such person;

(*g*) determine at the time of commitment, and from time to time thereafter, the custody requirements and program needs of each person committed to the custody of the department and assign or transfer such persons to appropriate facilities and programs;

(*h*) establish training programs for employees of the department and, by agreement, other corrections personnel;

(*i*) investigate grievances and inquire into alleged misconduct within state correctional facilities;

(*j*) maintain adequate records of persons committed to the custody of the department;

(*k*) establish and maintain programs of research, statistics and planning, and conduct studies relating to correctional programs and responsibilities of the department;

(*l*) utilize, as far as practicable, the services and resources of specialized community agencies and other local community groups in the rehabilitation of offenders, development of programs, recruitment of volunteers and dissemination of information regarding the work and needs of the department;

(*m*) make and enter any contracts and agreements necessary or incidental to the performance of the duties and execution of the powers

of the department, including but not limited to contracts to render services to committed offenders, and to provide for training or education for correctional officers and staff;

(*n*) seek to develop civic interest in the work of the department and educate the public and advise the general court as to the needs and goals of the corrections process;

(*o*) expend annually in the exercise of his powers, performance of his duties, and for the necessary operations of the department such sums as may be appropriated therefor by the general court;

(*p*) report annually to the secretary of human services, the governor and the general court;

(*q*) make and promulgate necessary rules and regulations incident to the exercise of his powers and the performance of his duties including but not limited to rules and regulations regarding nutrition, sanitation, safety, discipline, recreation, religious services, communication and visiting privileges, classification, education, training, employment, care, and custody for all persons committed to correctional facilities.

SECTION 6. Section 2 of said chapter 124 is hereby amended by striking out the last paragraph, as appearing in section 8 of chapter 770 of the acts of 1955, and inserting in place thereof the following two paragraphs: —

Subject to the supervision and control of the commissioner, the deputy commissioner for community services shall be responsible for planning and directing community programs and services provided to committed offenders.

Each of the said deputy commissioners shall perform such other duties as may be assigned to him from time to time by the commissioner.

SECTION 7. Said chapter 124 is hereby further amended by adding the following section: —

Section 10. The department shall be a corporation for the purpose of taking, holding and administering in trust for the commonwealth any grant, gift or bequest made either to the commonwealth or to it for the use of persons under its control in any correctional facility of the department or for expenditure upon any work which the department is authorized to undertake. The department may accept, receive and use money, goods or services given for the general purposes of the department by the federal government or from any other source, public or private, and may comply with such conditions and enter into such agreements upon such covenants, terms and conditions as the department deems necessary or desirable, provided the agreement is not in conflict with state law.

The department, subject to the approval of the governor, shall select the site of any new state correctional facility and any land to be taken or purchased by the commonwealth for the purposes of any new or existing state correctional facility. If any land or property is taken or purchased by the department, title shall be taken in the name of the commonwealth.

SECTION 8. Chapter 125 of the General Laws is hereby amended by striking section 1, as most recently amended by chapter 731 of the acts of 1956, and inserting in place thereof the following section: —

Section 1. As used in this chapter and elsewhere in the general laws, unless the context otherwise requires, the following words shall have the following meanings:

(*a*) "administrator", chief administrative officer of a county correctional facility;

(*b*) "commissioner", the commissioner of correction;

(*c*) "committed offender", a person convicted of a crime and committed, under sentence, to a correctional facility;

(*d*) "correctional facility", any building, enclosure, space or structure used for the custody, control and rehabilitation of committed offenders and of such other persons as may be placed in custody therein in accordance with law;

(*e*) "correctional institution", correctional facility;

(*f*) "county correctional facility", any correctional facility owned, operated, administered or subject to the control of a county of the commonwealth;

(*g*) "department", the department of correction;

(*h*) "gainful employment", employment within or without any correctional facility including but not limited to labor for the operation and maintenance of any correctional facility;

(*i*) "inmate", a committed offender or such other person as is placed in custody in a correctional facility in accordance with law;

(*j*) "institution", facility;

(*k*) "penal institution", correctional facility;

(*l*) "prison", correctional facility;

(*m*) "prisoner", a committed offender and such other person as is placed in custody in a correctional facility in accordance with law;

(*n*) "state correctional facility", any correctional facility owned, operated, administered or subject to the control of the department or correction, including but not limited to: Massachusetts Correctional Institution, Walpole; Massachusetts Correctional Institution, Norfolk; Massachusetts Correctional Institution, Concord; Massachusetts Correctional Institution, Framingham; Massachusetts Correctional Institution, Bridgewater; Massachusetts Correctional Institution, Plymouth; Massachusetts Correctional Institution, Warwick; Massachusetts Correctional Institution, Monroe;

(*o*) "state prison", Massachusetts Correctional Institution, Walpole;

(*p*) "superintendent", the chief administrative officer of a state correctional facility.

SECTION 9. Said chapter 125 is hereby further amended by striking out section 9, as most recently amended by chapter 494 of the acts of 1957, and inserting in place thereof the following section: —

Section 9. The commissioner shall establish a training academy in cooperation with the municipal police training council and using their facilities and programs where appropriate and such other courses or places of training as he deems necessary for the training of correction officers, other employees of the department, persons appointed as correction officer trainees in accordance with this section and, by agreement, officers of county correctional facilities. The commissioner may appoint as a correction officer trainee, for a period of full-time training including on-the-job training, any citizen of the commonwealth who meets the qualifications required of applicants for appointment to the position of correction officer. Appointment to the position of correction officer trainee shall not be subject to section nine A and nine B of chapter thirty, or chapter thirty-one, nor shall a correction officer trainee be entitled to any benefits of such laws or civil service rules. Such ap-

pointment may be terminated in accordance with such conditions as the commissioner may prescribe. A correction officer trainee shall receive such compensation and such leave with pay as the commissioner shall determine and shall be considered an employee of the commonwealth for the purposes of workman's compensation. Upon successful completion of training, a correction officer trainee shall be appointed, if a vacancy exists, to the position of provisional correction officer, provided there is no suitable civil service eligible list for correction officer.

A correction officer trainee shall not be subject to or entitled to the benefits of any retirement or pension law nor shall any deduction be made from his compensation for the purpose thereof; but a correction officer trainee who during the period of his training or provisional appointment status passes a competitive civil service examination for appointment to the department of correction and is appointed a permanent full-time correction officer shall have his trainee service considered as "creditable service" for purposes of retirement, provided he pays into the annuity savings fund of the retirement system such amount as the retirement board determines equal to that which he would have paid had he been a member of said retirement system during the period of his training.

In accordance with civil service laws and rules the division of civil service shall certify the names of applicants from an established list for correction officers to the commissioner who shall appoint said applicants as correction officers. Newly appointed correction officers who have not successfully completed training as correction officer trainees shall be assigned to a period of training as the commissioner shall prescribe. Notwithstanding any civil service law or rules, a correction officer must serve a probationary period of nine months before becoming a full-time permanent employee of the department. Time spent in training shall be considered a part of the probationary period.

Notwithstanding any provision of law to the contrary, but subject, however, to the provisions of section sixty of chapter one hundred and nineteen, no person who has been convicted of a felony, or who has been confined in any jail or house of correction, shall be appointed to any position in the department of correction unless the commissioner certifies that such appointment will contribute substantially to the work of the department, except that in no case shall such a person be appointed to the position of correction officer, superintendent, deputy superintendent, assistant superintendent, or any other position involving the regulation of state or county correctional facilities.

The commissioner may expend such sums as may be appropriated or otherwise received to maintain and operate the training academy and other training centers and programs and maintain trainees and employees during any period of training.

SECTION 10. The first paragraph of section 16 of said chapter 125, as amended by section 18 of chapter 868 of the acts of 1970, is hereby further amended by striking out the first sentence and inserting in place thereof the following sentence: — All females convicted of crimes in the courts of the commonwealth and sentenced to imprisonment or otherwise committed to the custody of the department shall be committed to the Massachusetts Correctional Institution, Framingham, or to such other correctional facility or facilities as the commissioner may from time to time designate as appropriate for the purpose.

SECTION 11. Chapter 127 of the General Laws is hereby amended by adding after section 1 the following two sections: —

Section 1A. In accordance with paragraphs (*d*) and (*q*) of section one of chapter one hundred and twenty-four the commissioner shall establish, and shall from time to time revise, minimum standards for the care and custody of all persons committed to county correctional facilities. Prior to establishing or revising such minimum standards the commissioner shall visit, consult with and receive the recommendations of the sheriffs of the several counties and the penal institutions commissioner of the city of Boston. The commissioner shall require from the sheriffs of the several counties and the penal institutions commissioner of the city of Boston periodic reports on the population, operation and conditions of all county correctional facilities.

The commissioner may provide consultation services for the design and construction of facilities, studies and surveys of programs and administration and any other technical assistance he deems proper and necessary. In cooperation with the county commissioners and administrators of each county, the commissioner may develop and administer programs of grants-in-aid or subsidies for any county correctional facility.

Section 1B. At least once each six months the commissioner or his delegate shall inspect each county correctional facility to determine compliance with minimum standards. The results of such inspections shall be summarized in the annual report of the commissioner to the general court. Personnel of the department shall be admitted to all county correctional facilities as required for the purposes of this section.

If, in the opinion of the commissioner, any county correctional facility does not comply with the standards established by him for county correctional facilities, the commissioner shall give notice of the alleged violation to the sheriff and the county commissioners of the county in which such facility is located except that in the case of Suffolk County House of Correction such notice shall be given to the penal institutions commissioner of the city of Boston. Said notice shall specify the particular standards that in the commissioner's opinion have not been met by such facility. The officials so notified shall have the right to be heard by the commissioner with regard to the alleged violation and shall have a reasonable period of time to remedy any such violation. If, in the opinion of the commissioner, the facility has not been brought into compliance with the aforesaid standards within a reasonable time from the date when notice of their violation is given, the commissioner may petition the Superior Court in equity in the county in which such facility is located for an order to close the facility or for other appropriate relief. The Superior Court shall have jurisdiction to enter such an order.

SECTION 12. Said chapter 127 is hereby further amended by striking out section 48, as amended by section 32 of chapter 770 of the acts of 1955, and the caption preceding it and inserting in place thereof the following caption and section: —

EDUCATION, TRAINING AND EMPLOYMENT PROGRAMS

Section 48. The commissioner shall establish and maintain education, training and employment programs for persons committed to the custody

of the department. The administrators of county correctional facilities shall establish and maintain such programs for persons committed to such facilities. Such programs shall include opportunities for academic education, vocational education, vocational training, other related pre-vocational programs and employment, and may be made available within correctional facilities or, subject to the restrictions set forth in sections forty-nine and eighty-six F, at other places approved by the commissioner or administrator. In determining which employment programs to establish and maintain under the authority of this section, the commissioner or administrator shall take into account, first, the training value of the program, second, the job market and employment conditions in the community and third, in the case of programs to be carried out within a correctional facility, the types of goods and services required by the commonwealth and its subdivisions.

The commissioner shall make and promulgate rules and regulations governing programs established under this section which shall include provisions for hours, conditions of employment, wage rates for employment program participants, incentive payments for education and training program participants, and deductions from said wages pursuant to the provisions of section eighty-six F.

SECTION 13. Said chapter 127 is hereby further amended by striking out section 49, as most recently amended by section 34 of chapter 770 of the acts of 1955, and inserting in place thereof the following two sections: —

Section 49. The commissioner of correction, subject to rules and regulations established in accordance with the provisions of this section, may permit an inmate who has served such a portion of his sentence or sentences that he would be eligible for parole within eighteen months to participate in education, training, or employment programs established under section forty-eight outside a correctional facility; provided that no committed offender who is serving a life sentence or a sentence in a state correctional facility for violation of section thirteen, thirteen B, fourteen, fifteen, fifteen A, fifteen B, sixteen, seventeen, eighteen, eighteen A, nineteen, twenty, twenty-one, twenty-two, twenty-two A, twenty-three, twenty-four, twenty-four B, twenty-five, or twenty-six of chapter two hundred and sixty-five, or section seventeen, thirty-four, thirty-five, or thirty-five A, of chapter two hundred and seventy-two, or for an attempt to commit any crime referred to in said sections shall be eligible to participate in education, training or employment programs outside a correctional facility, as established under section forty-eight, except on the recommendation of the superintendent on behalf of a particular committed offender and upon the approval of the commissioner.

In the case of a committed offender who participates in any program outside a correctional facility established under section forty-eight, the time spent in such participation shall be credited toward the serving of his sentence in the same manner as though he had served such time within the facility. A committed offender enrolled in any such program shall remain subject to the rules and regulations of the correctional facility and shall be under the direction, control and supervision of the officers thereof during the period of his participation in the program. The commissioner shall make and promulgate rules and regulations

regarding programs established under section forty-eight outside correctional facilities. Such rules and regulations shall include provisions for reasonable periods of confinement to particular correctional facilities before a committed offender may be permitted to participate in such programs and provisions for feeding, housing and supervising participants in such programs in such manner as will be calculated to maintain morale and prevent the introduction of contraband to the facility.

If any inmate who participates in any program outside a correctional facility established under the provisions of section forty-eight leaves his place of employment, or having been ordered by the commissioner to return to the correctional facility, neglects or refuses to do so, said inmate shall be held to have escaped from said prison or institution and shall, upon conviction of such escape, be sentenced to a state correctional facility for a term of not less than three years and not more than five years, and all deductions from the sentence or sentences he was serving at the time of such escape, authorized by section one hundred and twenty-nine, shall be forfeited, but said inmate shall be entitled to a deduction of sentence on any sentence imposed for said escape.

Committed offenders who are gainfully employed outside a correctional facility may be so employed by an agency of the commonwealth other than the department of correction or by public or private employers. The rates of pay and other conditions of employment for a committed offender so employed shall be the same as those paid or required in the locality in which the work is performed provided that no committed offender employed by an agency of the commonwealth shall be subject to sections nine A or nine B of chapter thirty, or chapter thirty-one, and in no case shall such rates of pay be less than those paid by his employer to other employees doing similar work. No committed offender shall be so employed at a place where there exists any strike or work stoppage arising from a labor dispute of any kind.

Section 49A. Before any inmate may be considered for participation in education, training, or employment programs established under section forty-eight outside a correctional facility, or in any other program outside a correctional facility exclusive of parole, he shall first demonstrate that he is responsible and deserving of these opportunities.

The commissioner shall establish, in each state correctional facility, one or more committees made up of representatives from all segments of department of corrections staff, especially correction officers. Said committees shall take the form of teams of five correctional staff members, appointed by the superintendent of the correctional facility, at least two of whom shall be correction officers.

Said committees shall evaluate the behavior and conduct of inmates within the prison. In evaluating an inmate's behavior and conduct within the prison, said committee shall interview the inmate, and shall have access to disciplinary reports and other appropriate records. After evaluating the inmate's behavior and conduct within the prison, said committee shall make a recommendation to the superintendent of the correctional facility as to whether or not the inmate shall be permitted to participate in any program outside a correctional facility, exclusive of parole. Said recommendation shall be made in writing, and shall include the vote of said committee in making said recommendation.

SECTION 14. Section sixty-seven A of said chapter one hundred and twenty-seven is hereby repealed.

SECTION 15. Section 68 of said chapter 127, as most recently amended by section 42 of chapter 770 of the acts of 1955, is hereby further amended by striking out, in lines 6 and 7, the words "sections sixty-seven and sixty-seven A, goods manufactured therein" and inserting in place thereof the words: — section sixty-seven, goods and services produced therein.

SECTION 16. Said chapter 127 is hereby further amended by striking out section 71, as most recently amended by chapter 180 of the acts of 1964, and inserting in place thereof the following section: —

Section 71. At least once each month all money received from the sale of products, by-products, or services of committed offenders shall be credited on the books of the commonwealth to a fund to be known as the Correctional Employment Fund. Subject to appropriation the commissioner may employ such fund to defray operating expenses of employment programs, including cost of materials, supplies, and equipment, maintenance of industrial facilities and compensation to committed offenders gainfully employed.

At the end of each fiscal year the unexpended balance remaining in the correctional employment fund of the state correctional facilities shall be transferred to the General Fund. At least once in each month the receipts from the labor of committed offenders in county correctional facilities and from charges for services rendered by a sheriff, master or deputy master of a county correctional facility to persons visiting such a facility shall be paid to the county. So much thereof as is necessary to pay the expenses of maintaining the industries in said county correctional facilities shall be expended from the county treasury for that purpose, but not until schedules of such expenses have been sworn to be the administrator and approved by the commissioner. Whenever, in the opinion of the administrator of a county correctional facility and the county commissioners and county treasurer, the accumulated funds in the county treasury from the receipts from the labor of committed offenders in county correctional facilities exceed the sums necessary to pay the expenses of maintaining the industries by which they were produced, the administrator of a county correctional facility and the county commissioners and the county treasurer shall direct that the surplus shall be transferred into the general revenue of the county. The administrator of a county correctional facility shall, as often as he has in his possession money to the amount of five thousand dollars received from the labor of committed offenders in such county correctional facility, pay it into the county treasury.

SECTION 17. Sections eighty-five, eighty-six, eighty-six D and eighty-six E of said chapter one hundred and twenty-seven are hereby repealed.

SECTION 18. Said chapter 127 is hereby further amended by striking out section 90A, as most recently amended by chapter 460 of the acts of 1970, and inserting in place thereof the following section: —

Section 90A. The commissioner may extend the limits of the place of confinement of a committed offender at any state correctional facility by authorizing such committed offender under prescribed conditions to be away from such correctional facility but within the commonwealth for a specified period of time, not to exceed fourteen days during any

twelve month period nor more than seven days at any one time; provided that no committed offender who is serving a life sentence or a sentence in a state correctional facility for violation of section 13, 13B, 14, 15, 15A, 15B, 16, 17, 18, 18A, 19, 20, 21, 22, 22A, 23, 24, 24B, 25, or 26 of chapter 265, or section 17, 34, 35, or 35A, of Chapter 272, or for an attempt to commit any crime referred to in said sections shall be eligible for temporary release under the provisions of this section except on the recommendation of the superintendent on behalf of a particular committed offender and upon the approval of the commissioner. The administrator of a county correctional facility may grant like authorization to a committed offender in such facility. Such authorization may be granted for any of the following purposes: (*a*) to attend the funeral of a relative; (*b*) to visit a critically ill relative; (*c*) to obtain medical, psychiatric, psychological or other social services when adequate services are not available at the facility and cannot be obtained by temporary placement in a hospital under sections one hundred and seventeen, one hundred and seventeen A, and one hundred and eighteen; (*d*) to contact prospective employers; (*e*) to secure a suitable residence for use upon release on parole or discharge; (*f*) for any other reason consistent with the reintegration of a committed offender into the community. For the purposes of this section the word "relative" shall mean the committed offender's father, mother, child, brother, sister, husband or wife and, if his grandparent, uncle, aunt or foster parent acted as his parent in rearing such committed offender, it shall also mean such grandparent, uncle, aunt or foster parent.

A person away from a correctional facility pursuant to this section may be accompanied by an employee of the department, in the discretion of the commissioner, or an officer of a county correctional facility, in the discretion of the administrator.

Any expenses incurred under the provisions of this section may be paid by the correctional facility in which the committed offender is committed. A committed offender shall, during his absence from a correctional facility under this section, be considered as in the custody of the correctional facility and the time of such absence shall be considered as part of the term of sentence. *Approved July 18, 1972.*

Chap. 778. AN ACT IMPLEMENTING THE FEDERAL MANPOWER DEVELOPMENT AND TRAINING ACT AND OTHER FEDERAL MANPOWER PROGRAMS.

Be it enacted, etc., as follows:

SECTION 1. Notwithstanding the provisions of section fifteen of chapter thirty-one of the General Laws, an appointment to a position subject to said chapter may be made to a position in the lowest job group or grade within each class of positions as determined by the director of civil service, provided the appointee has successfully completed a work-training program for disadvantaged persons. The secretary of the executive office of manpower affairs shall certify which work-training programs meet the qualifications and work specifications of the positions under civil service and the bureau of personnel, and which adequately prepare the trainee to perform the duties of said positions and shall

furnish a list of the positions to the director of civil service; provided that such training programs shall have been advertised to the public and such training programs made available to permanent employees of the commonwealth and its political subdivisions who meet the criteria for disadvantaged persons as hereinafter stated, and such training programs shall have been registered or listed with the division of employment security and shall have been sponsored or conducted by or in cooperation with the commonwealth, a political subdivision thereof or the federal government. Prior to appointment under this act, persons so trained shall have passed an examination for the position administered by the director of civil service.

If more than one person eligible for an appointment under this act shall satisfactorily pass the examination, the names of such disadvantaged persons shall be placed in the order of their passing grade subject to section twenty-three of chapter thirty-one of the General Laws upon an eligible list hereafter called a special eligible list.

When an eligible list already exists for the position for which such exam has been given, the director shall certify names alternately from such eligible list and the special eligible list until the required number of eligibles is certified, provided that persons on such list shall be grouped according to the provisions of chapter thirty-one of the General Laws, and that nothing in this act shall change the provisions of section fifteen of said chapter thirty-one as they apply to promotional exams. Names from a departmental promotional list shall be certified before names from such special list referred to herein.

For the purpose of this act, a disadvantaged person shall be a person whose annual net income, in relation to family size and location, does not exceed low-income guidelines established by the federal government or who does not have suitable employment, and is a person who does not have a high school education or its equivalent, a member of a minority group, a person under twenty-one years of age or forty-five years of age or older, or a handicapped person; provided that a state or municipal employee who does not have a high school education or its equivalent, a member of a minority group, a person under twenty-one years of age or forty-five years of age or older, or a handicapped person shall not be barred from consideration as a disadvantaged person by reason of his receiving a salary from the commonwealth.

The provisions of this act shall not apply to police services positions or fire fighters.

The bureau of personnel shall be available for assistance in designing a training program to meet state specifications of the positions for which persons referred to in this act are trained.

SECTION 2. This act shall cease to be operative on July first, nineteen hundred and seventy-five. *Approved July 18, 1972.*

Chap. 779. AN ACT MAKING VETERANS' BENEFITS PAYMENTS EXEMPT FROM THE ELIGIBILITY REQUIREMENTS OF MEDICAID.

Be it enacted, etc., as follows:

Section 10 of chapter 118E of the General Laws, as appearing in section 1 of chapter 800 of the acts of 1969, is hereby amended by inserting after clause (6) the following clause: —

(7) payments received under the provision of chapter one hundred and fifteen to the extent that such income exemption does not contravene the provisions of any general, special or federal law.

Approved July 18, 1972.

Chap. 780. AN ACT DIRECTING THE DEPARTMENT OF EDUCATION TO REDUCE THE AGE REQUIREMENT AND ELIMINATE THE FEES TO AN INMATE OF A CORRECTIONAL INSTITUTION DESIRING TO TAKE THE GENERAL EDUCATION DEVELOPMENT TESTS.

Be it enacted, etc., as follows:

Chapter 127 of the General Laws is hereby further amended by inserting after section 92 the following section:

Section 92A. The department of education shall permit an inmate of a correctional institution of the commonwealth who is eighteen years of age or over to take the general education development tests, and said department shall not charge an application or testing fee to any inmate desiring to take said tests.

Approved July 18, 1972.

Chap. 781. AN ACT ESTABLISHING A DIVISION OF ENVIRONMENTAL PROTECTION WITHIN THE DEPARTMENT OF THE ATTORNEY GENERAL, AND DIRECTING THE PREPARATION OF ENVIRONMENTAL IMPACT REPORTS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 12 of the General Laws is hereby amended by inserting after section 11C the following section: —

Section 11D. There shall be in the department of the attorney general a division of environmental protection. The attorney general shall designate an assistant attorney general as director of said division. Said director may appoint and remove, subject to the approval of the attorney general, such expert, clerical or other assistants as the work of the division may require.

The attorney general shall have the authority to prevent or remedy damage to the environment caused by any person, body corporate or politic or any agency, department, board, commission, division or authority of the commonwealth or any political subdivision thereof at the request of an appropriate agency or on his own initiative, by commencing or intervening in a proceeding before an appropriate agency, department, board, commission, division or authority, whether state or federal, and before any political subdivision of the commonwealth, or by commencing or intervening in any suit or action, civil or criminal, to enforce any statute, ordinance, by-law or regulation or to secure any common law right or remedy including, but not limited to, the abatement of public nuisances, provided, however, it shall be a defense to any action taken pursuant to this section that any such person 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.

Each agency, board, commission, division and authority of the com-

monwealth shall give written notice to the attorney general of all adjudicatory proceedings or public hearings in which damage to the environment is or may be at issue.

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 in the commonwealth and shall include, but shall not be limited to, air pollution, water pollution, improper sewage disposal, pesticide pollution, excessive noise, improper operation of dumping grounds, or the impairment or eutrophication of rivers, streams, flood plains, lakes, ponds or other surface or subsurface water resources, destruction of seashores, dunes, marine resources, 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 attorney general shall receive and maintain appropriate records of complaints from interested persons relating to damage to the environment, and upon the receipt thereof shall refer the same to an appropriate agency or subdivision of the commonwealth for such further corrective action as may be necessary to prevent or remedy damage to the environment.

The attorney general may investigate the administration of environmental statutes, ordinances or regulations by an agency, department, board, commission, division or authority of the commonwealth or of any political subdivision thereof and may make such recommendations as are appropriate to the governor and to the general court.

Nothing in this section shall be interpreted to derogate from any existing common law or statutory right or remedy against damage to the environment.

SECTION 2. Chapter 30 of the General Laws is hereby amended by inserting after section 60, the following two sections: —

Section 61. All agencies, departments, boards, commissions and authorities of the commonwealth shall review, evaluate, and determine the impact on the natural environment of all works, projects or activities conducted by them and shall use all practicable means and measures to minimize damage to the environment. Unless a clear contrary intent is manifested, all statutes shall be interpreted and administered so as to minimize and prevent damage to the environment. Any determination made by an agency of the commonwealth shall include a finding describing the environmental impact, if any, of the project and a finding that all feasible measures have been taken to avoid or minimize said impact.

As used in this section and section sixty-two, "damage to the environment" shall mean any destruction, damage or impairment, actual or probable, to any of the natural resources of the commonwealth and 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 surface or subsurface water resources; destruction of seashores, dunes, marine resources, wetlands, open spaces, natural areas, parks, or historic districts or sites. Damage to the environment shall not be construed to include any insignificant damage to or impairment of such resources.

Section 62. No agency, department, board, commission, or authority of the commonwealth or any authority of any political subdivision thereof shall commence any work, project, or activity which may cause damage to the environment until sixty days after it has published a final environmental impact report in accordance with the provision of this section or until sixty days after a public hearing on said report, provided that research, planning, design and other preliminary work necessary to describe and evaluate such project for the purposes of this section may be undertaken.

An environmental impact report shall contain detailed statements describing the nature and extent of the proposed work and its environmental impact; all measures being utilized to minimize environmental damage, any adverse short-term and long-term environmental consequences which cannot be avoided should the work be performed; and alternatives to the proposed action and their environmental consequences. The preparation of said report shall be commenced during the initial planning and design phase of any work, project, or activity subject to this section and the report shall be so prepared and disseminated as to inform the originating agency, reviewing agencies, the appropriate regional planning commission, the attorney general and the public of the environmental consequences of state actions and the alternatives thereto prior to any commitment of state funds and prior to the commencement of the work, project, or activity. All reviewing agencies, and any state agency, department, board, commission, division or authority which has jurisdiction by law or special expertise with respect to any environmental impact involved shall affix their written comments to the final impact report. In order to insure an interdisciplinary review, the secretary of environmental affairs shall in conjunction with any agency involved jointly approve the selection of any consultant engaged to prepare the draft or final impact report.

The secretaries of the executive offices shall each promulgate rules and regulations approved by the secretary of environmental affairs to carry out the purposes of this section which shall be applicable to all agencies, departments, boards, commissions, authorities or instrumentalities within each of such executive offices and which shall conform with the requirements of the National Environmental Policy Act Pub. Law 91–190, and amendments thereto. Any draft report, final report, and all written comments required by said regulations shall be public documents. Said reports shall be submitted to the secretary of environmental affairs who shall issue a written statement indicating whether or not in his judgment said reports adequately and properly comply with the provisions of this section.

For the purposes of carrying out the provisions of this section, funds made available for the purpose of design of or planning or performing said work, project, or activity shall be available and may be expended for the research, preparation, and publication of the reports required by this section and expenses incidental thereto, and said funds may be transferred or otherwise may be made available to other state departments and resource agencies designated by the secretary of environmental affairs for the purpose of meeting the expenses incurred in evaluating the draft or final impact report.

SECTION 3. Section sixty-one of chapter thirty of the General Laws, inserted by section two of this act, shall take effect on December thirty-

first, nineteen hundred and seventy-two, and section sixty-two of said chapter thirty, inserted by said section two, shall take effect on July first, nineteen hundred and seventy-three. *Approved July 18, 1972.*

Chap. 782. AN ACT FURTHER PROTECTING THE INLAND WETLANDS AND FLOOD PLAINS OF THE COMMONWEALTH.

Be it enacted, etc., as follows:

Chapter 131 of the General Laws is hereby amended by striking out section 40A, inserted by section 1 of chapter 444 of the acts of 1968, and inserting in place thereof the following section:—

Section 40A. The commissioner of natural resources, with the approval of the board of natural resources shall from time to time, for the purposes of preserving and promoting the public safety, private property, wildlife, fisheries, water resources, flood plain areas and agriculture, adopt, amend or repeal orders regulating, restricting or prohibiting dredging, filling, removing or otherwise altering or polluting inland wetlands. In this section the term "inland wetlands" shall mean any marsh, meadow or swamp bordering on inland waters or that portion of any bank which touches any inland waters, or any marsh, meadow or swamp subject to flooding by fresh water.

The commissioner shall protect flood plain areas by establishing by order that, along any waterway or flood-prone area lines beyond which in the direction of the waterway or flood-prone area, no obstruction or encroachment shall be placed by any person, firm or corporation, public or private, unless authorized by the commissioner. The commissioner, in establishing such encroachment lines shall base their location on the boundaries of the area which have been mapped, designated and recorded as inland wetlands in accordance with the provisions of this section.

The commissioner shall, before adopting any such order under the preceding paragraphs, hold a public hearing thereon in the city or town or watershed region in which the inland wetlands or flood plains to be affected are located, giving notice thereof to the state reclamation board, the department of public works, the department of public health, the metropolitan district commission, the selectmen, conservation commissioners and assessors of each such city or town, and each assessed owner of such wetland or flood plains by certified mail at least twenty-one days prior thereto. For the purposes of this section the person to whom the land was assessed in the last preceding annual tax levy shall be deemed to be the assessed owner thereof, and the notice shall be addressed in the same manner as the notice of such tax levy, unless a different owner or a different address is known by the commissioner to be the correct one in which case the notice shall be so addressed. No order shall be adopted until it is approved by the selectmen or city council of the town or city in which said wetlands or flood plains are located; provided, that if the selectmen or the city council fail to approve or disapprove in writing, stating reasons for such disapproval, such proposed order within thirty days after receipt of a written request from the commissioner such order shall be deemed to have been approved, and provided, further, if such order is so disapproved the commissioner may, after expiration of six months from the date of such disapproval

and after due consideration of the reasons for such disapproval, adopt such order or amended order.

Upon the adoption of any such order or any order amending or repealing the same, the commissioner shall cause a copy thereof, together with a plan of the lands affected and a list of the assessed owners of such lands, to be recorded in the registry of deeds or the office of the assistant recorder for the district wherein the land lies, and shall send by certified mail a copy of such order and plan to each assessed owner of land affected and to the clerk and board of assessors of each city or town in which the land is located. Such order shall not be subject to the provisions of chapter one hundred and eighty-four. The superior court shall have jurisdiction in equity to enforce, and remedy violations of such orders.

Any person having an interest in land affected by any such order, may within ninety days after receiving notice thereof, petition the superior court in equity to determine whether such order so restricts the use of his property as to deprive him of the practical uses thereof and is therefore an unreasonable exercise of the police power because the order constitutes the equivalent of a taking without compensation. If the court finds the order to be an unreasonable exercise of the police power, as aforesaid, the court shall enter a finding that such order shall not apply to the land of the petitioner; provided, however that such finding shall not affect any other land than that of the petitioner. The commissioner shall cause a copy of such finding to be recorded forthwith in the proper registry of deeds or, if the land is registered, in the registry district of the land court. The method provided in this paragraph for the determination of the issue of whether any such order constitutes a taking without compensation shall be exclusive, and such issue shall not be determined in any other proceeding, nor shall any person have a right to petition for the assessment of damages under chapter seventy-nine by reason of the adoption of any such order.

The department may, after a finding has been entered that such order shall not apply to certain land as provided in the preceding paragraph, take the fee or any lesser interest in such land in the name of the commonwealth by eminent domain under the provisions of chapter seventy-nine and hold the same for the purposes set forth in this section. No such order shall prohibit, restrict or regulate the use or improvement of land or water for agricultural purposes without the written consent of the owner, provided, however, that any subsequent nonagricultural use of land which was filled or drained for agricultural purposes at a time when said land was subject to an order under this section may be regulated, restricted or prohibited by such order. No such order shall prohibit, restrict or regulate the exercise or performance of the powers and duties conferred or imposed by law upon the department of public health, the department of public works, the metropolitan district commission, the division of fisheries and game, the Massachusetts aeronautics commission, or the state reclamation board, or any mosquito control or other project operating under or authorized by chapter two hundred and fifty-two. If after following the procedures hereinbefore set forth, no such order has become effective as to any particular land or interest therein, the department may, subject to a specific appropriation for the purpose, take such land or interest therein by eminent

domain, or may acquire the same by purchase, gift or otherwise. Awards of damages, expenses of acquisition of land and water, and expenses incidental thereto and to the preparation of maps and plans of the lands to be affected, to the holding of hearings, and to the adoption and recording of orders, as provided in this section, may be paid out of funds made available for the purpose of section three of chapter one hundred and thirty-two A.

The exercise of the power of eminent domain under the provisions of this section shall be subject to the approval of the board of natural resources, the governor and the executive council.

Approved July 18, 1972.

Chap. 783. AN ACT RELATIVE TO MAXIMUM INTEREST RATES AND BILLING PERIODS FOR CONSUMER CREDIT.

Be it enacted, etc., as follows:

SECTION 1. Chapter 140 of the General Laws is hereby amended by inserting after section 114A the following new section: —

Section 114B. Notwithstanding the provisions of sections one hundred and one hundred and fourteen A, a finance charge assessed with respect to transactions pursuant to an open end credit plan, as defined by subsection (*r*) of section one of chapter one hundred and forty C, shall not exceed the following rates computed upon the outstanding balance thereunder, from month to month, which need not be a calendar month, or other regular period: — (*a*) On so much of the outstanding unpaid balance as does not exceed five hundred dollars, one and one-half per cent per month; (*b*) On the excess over five hundred dollars, one per cent per month; (*c*) If the total amount of any finance charges for any twelve-month period is less than six dollars, no more than six dollars may be so assessed during that period.

The outstanding unpaid balance shall be determined in compliance with the provisions of section six B of said chapter one hundred and forty C.

SECTION 2. Chapter 140C of the General Laws is hereby amended by inserting after section 6A the following section: —

Section 6B. In the event that a finance charge is imposed with respect to transactions involving the sale of retail goods or services pursuant to an open end credit plan, it shall be computed on (*i*) the previous balance after all payments on accounts, returns or other credits made or given during the billing cycle shall have been first deducted; provided, however, that returns and other credits may be deducted only to the extent that the purchase to which the credit or return relates has been reflected in the previous balance; or (*ii*) the average daily balance determined by adding the daily balances on the account for each day in the billing cycle, excluding new transactions, and dividing the total by the number of days in the billing cycle.

Payments received from an obligor under an open end credit plan by the creditor shall be credited promptly to the obligor's account but in any event no more than two days after receipt thereof. A finance charge shall not be imposed on any obligor if said creditor has received the obligor's payment prior to the time indicated by said creditor

by which such payment must be received to avoid the imposition of said finance charge.

SECTION 3. Subsection C of section 27 of chapter 255D of the General Laws is hereby amended by striking out paragraph (3), as amended by section 3 of chapter 822 of the acts of 1970, and inserting in place thereof the following paragraph: —

(3) In the event that a finance charge is imposed, it shall be computed upon (*i*) the previous balance after all payments on account, returns and other credits made or given during the billing cycle shall have been first deducted; provided, however, that returns and other credits may be deducted only to the extent that the purchase to which the credit or return relates has been reflected in the previous balance; or (*ii*) the average daily balance determined by adding the daily balances on the account for each day in the billing cycle, excluding purchases, and dividing this total by the number of days in the billing cycle.

Payments received from an obligor under an open end credit plan by the creditor shall be credited promptly to the obligor's account but in any event no more than two days after receipt thereof. A finance charge shall not be imposed on any obligor if said creditor has received the obligor's payment prior to the time indicated by said creditor by which time such payment is required to be received to avoid the imposition of said finance charge.

SECTION 4. The provisions of section one hundred and fourteen B of chapter one hundred and forty of the General Laws, inserted by section one of this act, shall take effect on July first nineteen hundred and seventy-three. *Approved July 18, 1972.*

Chap. 784. AN ACT RELATIVE TO THE PROTECTION OF WETLANDS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 131 of the General Laws is hereby amended by striking out section 40, as most recently amended by chapter 1020 of the acts of 1971, and inserting in place thereof the following section: —

Section 40. No person shall remove, fill, dredge or alter any bank, beach, dune, flat, marsh, meadow or swamp bordering on the ocean or on any estuary, creek, river, stream, pond or lake, or any land under said waters or any land subject to tidal action, coastal storm flowage, or flooding without filing written notice of his intention to so remove, fill, dredge or alter, including such plans as may be necessary to describe such proposed activity and its effect on the environment, at least sixty days prior to any such removing, filling, dredging or altering. Said notice shall be sent by certified mail to the conservation commission or, if none to the board of selectmen in a town or the mayor of a city in which the land upon which such activity is proposed is located. Each such notice shall be accompanied by a filing fee of twenty-five dollars payable to the city or town. Copies of such notice shall be sent at the same time by certified mail to the state departments of natural resources and public works. No such notice shall be sent before all permits, variances and approvals required by local by-law with respect to the proposed activity have been obtained. Upon receipt of

any notice hereunder the department of natural resources shall designate a file number for such notice and shall send a notification of such number to the person giving notice, to the conservation commission, selectmen or mayor to whom the notice was given, and to the department of public works. Said notification shall state the name of the owner of the land upon which the proposed work is to be done and the location of said land.

The term "person" as used in this section shall include any individual, group of individuals, association, partnership, corporation, company, business organization, trust, estate, the commonwealth or political subdivision thereof, administrative agency, public or quasi-public corporation or body, or any other legal entity or its legal representative, agents or assigns.

The term "applicant" as used in this section shall mean the person giving notice of intention to remove, fill, dredge or alter.

The conservation commission, selectmen or mayor receiving notice under this section shall hold a public hearing on the proposed activity within twenty-one days of the receipt of said notice. Notice of the time and place of said hearing shall be given by the hearing authority at the expense of the applicant, not less than five days prior to such hearing, by publication in a newspaper of general circulation in the city or town where the activity is proposed and by mailing a notice to the applicant and to the board of health and the planning board of said city or town and to the state departments of natural resources and public works.

If after said hearing the conservation commission, selectmen or mayor, as the case may be, determine that the area on which the proposed work is to be done is significant to public or private water supply, to the ground water supply, to flood control, to storm damage prevention, to prevention of pollution, to protection of land containing shellfish, or to the protection of fisheries, such conservation commission, board of selectmen or mayor shall by written order within twenty-one days of such hearing impose such conditions as will contribute to the protection of the interests described herein, and all work shall be done in accordance therewith. Such order shall be signed by the mayor or a majority of the conservation commission or board of selectmen, as the case may be, and a copy thereof shall be sent forthwith to the applicant and to the department of natural resources and the department of public works. Notwithstanding such order, no work shall be done until sixty days after the filing of the notice of intention required by this section.

Not more than twenty-eight days after a hearing under the provisions of this section, any person aggrieved by an order issued after such hearing, or any owner of land abutting the land upon which the proposed work is to be done, or any ten residents of the city or town where such land is located may by certified mail request the department of natural resources to determine whether the area on which the proposed work is to be done is significant to public or private water supply, to the ground water supply, to flood control, to storm damage prevention, to prevention of pollution, to protection of land containing shellfish or to the protection of fisheries. The commissioner of natural resources also may request such a determination within said twenty-eight days. The party making any such request shall at the same time send a copy thereof by certified mail to the conservation commission, board of selectmen or

mayor which conducted the hearing hereunder. If such party is other than the applicant, a copy of such request shall also be sent at the same time by certified mail to the applicant. Upon receipt of such request the department of natural resources shall make the determination requested and shall by written order, signed by the commissioner of natural resources, impose such conditions as will contribute to the protection of the interests described herein. Such order shall supersede the prior order of the conservation commission, board of selectmen or mayor, and all work shall be done in accordance therewith. A copy of such order shall be sent to the applicant, to the conservation commission, board of selectmen or mayor which conducted the hearing hereunder, and to the department of public works.

Any person aggrieved by an order of the department of natural resources issued under the provisions of this section may appeal under the provisions of chapter thirty A. Such right of appeal shall be exclusive.

No work proposed in any notice of intention shall be undertaken until the final order with respect to such work has been recorded in the registry of deeds for the district in which the land is located.

Any site where work is being done which is subject to this section shall display a sign of not less than two square feet or more than three square feet bearing the words: "Massachusetts Department of Natural Resources File Number .....", and the sign shall display the file number assigned to the project.

If the department of public works finds that any proposed work would violate the provisions of chapter ninety-one, it shall proceed immediately to enforce the provisions of said chapter.

The provisions of this section shall not apply to the following: any mosquito control work done under the provisions of clause (36) of section five of chapter forty, chapter two hundred and fifty-two, or under the provisions of a special act; or work performed for agricultural purposes. The commissioner may adopt rules and regulations consistent with the purpose of this section.

Any person who purchases, inherits or otherwise acquires real estate upon which work has been done in violation of the provisions of this section or in violation of any order issued under this section shall forthwith comply with any such order or restore such real estate to its condition prior to any such violation. Any court having equity jurisdiction may restrain a violation of this section and enter such orders as it deems necessary to remedy such violation, upon the petition of the attorney general, the commissioner of natural resources, a city or town, an owner or occupant of property which may be affected by said removal, filling, dredging or altering, or ten residents of the commonwealth under the provisions of section ten A of chapter two hundred and fourteen.

Whoever violates any provision of this section shall be punished by a fine of not more than one hundred dollars or by imprisonment for not more than six months or both. This section may be enforced by natural resource officers.

SECTION 2. Section twenty-seven A of chapter one hundred and thirty of the General Laws is hereby repealed.

SECTION 3. All orders issued under the authority of section twenty-seven A of chapter one hundred and thirty of the General Laws prior

to the effective date of this act shall remain in full force and effect until amended or repealed by the commissioner of natural resources.

SECTION 4. The department of natural resources is hereby authorized and directed to map the commonwealth so as to make available to municipalities the delineation of wetlands within their boundaries.

Approved July 18, 1972.

Chap. 785. AN ACT ESTABLISHING AN OFFICE FOR CHILDREN AND CENTRALIZING THE LICENSING, REGULATION, PLACEMENT AND MONITORING OF DAY CARE, FOSTER CARE AND GROUP CARE SERVICES, CENTERS AND FACILITIES.

Whereas, the deferred operation of this act would tend to defeat its purpose, which is, in part, to remove unnecessary legal barriers to the development of services to children, to improve the quality of services to children and to establish an administrative framework to enable the commonwealth to make maximum use of those federal funds which are now and which may shortly become available for such services, 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 28 the following chapter: —

CHAPTER 28A

OFFICE FOR CHILDREN

Section 1. It is hereby declared to be the policy of the commonwealth to assure every child a fair and full opportunity to reach his full potential by providing and encouraging services which strengthen family life and support families in their essential function of nurture for a child's physical, social, educational, moral, and spiritual development. Every child shall be entitled to the full protection of the commonwealth. In the absence or inability of parents to provide care and protection for their children, it shall be the responsibility of the commonwealth to assure substitute residential care and protection for every child. The purposes of this chapter are as follows: —

(1) to assure the sound and coordinated development of all services to children;

(2) to assure parents a decisive role in the planning, operation, and evaluation of programs which aid families in the care of children;

(3) to respect and draw upon family values and cultural heritage;

(4) to establish the administrative framework for, and promote the development of day care services in order to provide that such services shall be available in every community for all families which express a need for them;

(5) to assure that family foster care or other residential care is provided only when the family itself or the resources available to the family

are unable to provide the necessary care and protection to insure the rights of any child to sound development; and

(6) to assure that every child shall in all circumstances be protected against all forms of neglect, cruelty, abuse, and exploitation.

Section 2. The following words as used in sections one to eight, inclusive, shall, unless the context otherwise requires, have the following meanings: —

"Child", any person under the age of sixteen or under the age of eighteen if such child is a child with special needs.

"Child with special needs", any child, who because of temporary or permanent disabilities arising from intellectual, sensory, emotional, physical, or environmental factors, or other specific learning disabilities, is inhibited from achieving his full potential.

"Day care services", any public or privately sponsored non-residential programs, which provide for the care of school-age children when not attending school or pre-school children by someone other than members of the child's own family, and which involve and support the child's parents or guardians and are appropriate to the development of the child, including in-home care; homemaker services; family day care homes; group day care homes; day care centers for the full day; part-day preschool programs and nursery schools; private kindergartens; before and after school programs; temporary shelter care programs and programs which offer night care.

"Director", director of the office for children.

"Office", the office for children.

"Services to children", public or privately funded programs which provide developmental, preventive, protective, recreational or rehabilitative services for children including services for children with special needs; day care services; foster care services; residential group homes; services to assist parents in child nurture and family living; summer camps; playground programs; services to children who are found to be subject to neglect, abuse or exploitation; diagnostic, preventive and remedial medical services to children; information and referral services; and legal services to assure the rights of children.

Section 3. There shall be an office for children under the exclusive supervision and control of a director who shall be appointed by the governor, with the advice of the secretary of human services, and who shall serve at the pleasure of the governor. The director shall, at the time of his or her appointment, have substantial professional or administrative experience in a field concerned with children's needs. He shall receive such salary as the governor may determine and shall devote his full time during business hours to the duties of the office. He shall appoint and may remove such assistant directors and such other employees and consultants as he shall deem necessary to perform the functions of the office. The provisions of chapter thirty-one and sections nine A, nine B and nine D of chapter thirty shall not apply to the director, to such assistant directors as he may appoint, or to such other supervisory positions as he may create.

The office may lease, purchase, hold and dispose of personal and real property. Subject to the approval of the secretary of human services, the director may apply for and accept on behalf of the commonwealth any federal, local or private grants, bequests, gifts or contributions to

aid in the financing of any of the programs or policies of the office. Such funds shall be received by the state treasurer on behalf of the commonwealth and deposited in a separate account and shall be expended under the direction of the director, with the approval of the secretary of human services. Federal funds paid as reimbursement to the commonwealth shall be deposited in the general fund.

The office may make agreements with other departments and agencies of the commonwealth and may contract with other persons, including private agencies, to carry out any of the functions and purposes set out in this chapter. The director shall establish standards and procedures governing such agreements and contracts subject to the approval of the secretary of administration.

The director, pursuant to the provisions of chapter thirty A shall make, and from time to time revise, such regulations as may be necessary to carry out the functions set forth in this chapter.

Section 4. The office shall perform the following functions:

(*a*) serve as an advocate and provide an articulate focus for the needs of children and disseminate information to the public regarding children's services;

(*b*) promote the development of programs and services to all children emphasizing to programs for children with special needs;

(*c*) establish regulations for the licensing or approval of day care centers, family day care homes which are not part of family day care systems, family day care systems, foster care which is not supervised and approved by a placement agency, placement agencies, and group care facilities in accordance with the provisions of sections nine to sixteen, inclusive. Licensure or approval of day care centers, and family day care homes and family day care systems shall be done on a regional basis consistent with substate regions as approved by the secretary of administration;

(*d*) determine the extent and availability of services to children within the commonwealth;

(*e*) determine the need for services to children within the commonwealth and make recommendations to the appropriate secretaries and to the governor on need priorities;

(*f*) analyze and evaluate all budget requests for services to children from departments or agencies within all executive offices and make recommendations to the secretary of human services and other appropriate secretaries and the governor regarding coordination and approval of such budget requests;

(*g*) promote the coordination of programs for services to children in departments and agencies within all executive offices and make recommendations to the appropriate secretaries regarding changes necessary to improve such coordination;

(*h*) evaluate and monitor programs for children in departments and agencies within the executive office of human services and, by agreement with other executive offices, evaluate and monitor programs for children for which any such executive office has responsibility;

(*i*) facilitate the development of and, when appropriate, provide for training programs for persons offering services in day care centers, family day care homes, and family foster care as defined in section nine. Such programs shall be developed in coordination with manpower train-

ing and educational programs offered under the executive offices of educational affairs, manpower affairs and communities and development.

(*j*) seek, apply for and encourage the use of all federal funds for children's services and facilitate the coordination of federal, state, and local policies concerning children's services;

(*k*) provide information and referral to persons seeking children's services;

(*l*) provide for technical assistance and consultation to providers and potential providers of services to children; and

(*m*) prepare and submit a report to the governor, the general court, and the secretaries of all executive offices annually on the first Monday of July. Such report shall include, but not be limited to, a review of the status of services to children within the commonwealth; recommendations for priorities for the development and coordination of services to children during the next following fiscal year and for the following four fiscal years; an assessment and evaluation of the progress made as the result of such recommendations for the preceding two fiscal years; a statement of goals for activities of the office during the next following fiscal year and the following four fiscal years; the steps to be taken by the office to implement the purposes stated in section one; a review and evaluation of the purposes made in accomplishing said purposes for the preceding two fiscal years.

Section 5. The office shall promote the development of day care services for children in the following manner: —

1. The office shall seek, accept and distribute or expend all federal funds available to the office for day care and related services and shall assist other agencies of the commonwealth and local agencies to take full advantage of all federal funds available for such services.

2. The office shall provide general information and technical assistance to groups of parents and other providers and potential providers of day care services, including information regarding sources of available funds.

3. The office may provide day care services to children by contracting for such services, or, in the case of demonstration programs, by operating such services or contracting for such services.

4. The office shall be responsible for the prior approval of the distribution or expenditure of funds for day care services by departments or agencies within the executive office of human services, which approval shall be required.

5. The office shall be responsible for approval of budget requests for day care services from departments or agencies within an executive office by agreement with the secretary of any executive office, and such approval, by agreement, may be required.

Section 6. All executive offices shall, upon request and within a reasonable time, provide to the office the information it requires to perform its functions as set forth in sections four and five.

Section 7. The office shall facilitate the establishment of local councils for children within localities determined by the office, provided, that such localities shall not be inconsistent with substate regions and areas as approved by the secretary of administration. The office shall establish, after public hearing, guidelines and procedures for recognition of such councils; provided, that the membership of each council shall consist of at least one-third consumers; and provided, further, that the

remaining members include representatives of public and private community groups concerned with services to children and representatives of public and private organizations providing services to children.

In accordance with such guidelines and procedures so established by the office, such councils shall perform the following functions:

(*a*) determine the extent and availability of services to children within the locality represented by the council;

(*b*) develop an information and referral service for persons seeking services for children within the locality;

(*c*) determine the need for services to children within the locality and make recommendations to the office on priorities of need;

(*d*) evaluate and monitor existing children's services in the locality; and

(*e*) review and make recommendations to the office concerning approval or disapproval of proposals for state or federal funding for services to children in the locality. Upon receipt of such recommendation from a council concerning those proposals for which the office has responsibility to review or implement, the office shall, within a reasonable time, forward a written reply to such council stating the action taken by the office on such recommendations and the reasons for the action.

The office shall give local councils opportunity to review and comment on guidelines and procedures to be established under this section prior to the public hearing required to be held thereon. The office shall give reasonable notice to all local councils of all public hearings held by the office.

Section 8. There shall be a state-wide advisory council to the office to consist of the secretaries of the executive offices of human services, manpower affairs, communities and development and educational affairs, or their designees, twelve members appointed by the governor, and sixteen members elected by the local councils for children established under section seven. All appointive or elective members shall serve for terms of three years. The chairman shall be appointed by the governor from the appointed or elected members and shall serve as chairman at the pleasure of the governor, provided, that no member may serve as chairman for more than six years. Appointive or elective members shall serve without compensation but shall be reimbursed for necessary expenses incurred in the performance of their duties.

Said advisory council shall: —

(*a*)

(1) assist the director in coordinating the efforts of all public agencies concerned with services to children;

(2) advise the director on policy, planning and priorities of need in the commonwealth for services to children;

(3) review regulations proposed by the office and make recommendations to the director in regard thereto;

(4) suggest new regulations to the director;

(5) annually review the programs and policies of the office;

(6) review, in conjunction with the office, at least biannually, the organization, structure and functioning of services to children in the commonwealth; and

(*b*)

Issue a report to the governor, the general court and the secretaries of all executive offices annually on the first Monday of July. The re-

port shall include but not be limited to the council's goals for action during the next following fiscal year and the following four fiscal years; a review and evaluation of the progress made as the result of such recommendations for the preceding two fiscal years; the council's recommendations on priorities for action to be undertaken by the office during the following fiscal year and the following four fiscal years; and a review and evaluation of the progress made as the result of such recommendations for the preceding two fiscal years.

The office shall provide staff assistance to the council.

Section 9. The following words as used in this section and sections ten to sixteen, inclusive, shall, unless the context otherwise requires, have the following meanings: —

"Adoption", the establishment of the legal relationship of parent and child in accordance with the provisions of chapter two hundred ten.

"Children with special needs", children who, because of temporary or permanent disabilities arising from intellectual, sensory, emotional, physical, or environmental factors, or other specific learning disabilities are or would be unable to progress effectively in a regular school program.

"Day care center," any facility operated on a regular basis whether known as a day nursery, nursery school, kindergarten, child play school, progressive school, child development center, or pre-school, or known under any other name, which receives children not of common parentage under seven years of age, or under sixteen years of age if such children have special needs, for nonresidential custody and care during part or all of the day separate from their parents. Day care center shall not include: any part of a public school system; any part of a private, organized educational system, unless the services of such system are primarily limited to kindergarten, nursery or related preschool services; a Sunday school conducted by a religious institution; a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services; a family day care home; an informal cooperative arrangement among neighbors or relatives; or the occasional care of children with or without compensation therefor.

"Family day care home", any private residence which on a regular basis, receives for temporary custody and care during part or all of the day, children under seven years of age or children under sixteen years of age if such children have special needs; provided, however, in either case, that the total number of children under sixteen in a family day care home shall not exceed six, including participating children living in the residence. Family day care home shall not mean a private residence used for an informal cooperative arrangement among neighbors or relatives, or the occasional care of children with or without compensation therefor.

"Family day care system", any person who, through contractual arrangement, provides to family day care homes which it has approved as members of said system, central administrative functions including, but not limited to, training of operators of family day care homes; technical assistance and consultation to operators of family day care homes; inspection, supervision, monitoring, and evaluation of family day care homes; referral of children to available family day care homes; and referral of children to available health and social services; provided,

however, that family day care system shall not mean a placement agency or a day care center.

"Family foster care", substitute parental care in a family given in a private residence for up to six children under sixteen years of age on a regular, twenty-four-hour-a-day, residential basis by anyone other than a relative by blood or marriage.

"Group care facility", any facility which provides care and custody for one or more children under sixteen years of age, on a regular, twenty-four hour a day, residential basis by anyone other than a relative by blood or marriage, notwithstanding the fact that such care may include educational instruction; provided, private schools shall be considered group care facilities only if such schools provide special services to children with special needs. Group care facility shall not mean family foster care, a hospital, ward or comprehensive center licensed under the provisions of section twenty-nine of chapter nineteen, a hospital, ward or comprehensive center operated by the commonwealth or any subdivision thereof, a hospital, institution for unwed mothers, convalescent or nursing home, rest home, or infirmary licensed under the provisions of chapter one hundred eleven, or any facility licensed under the provisions of section forty-four of chapter one hundred twenty-three. Group care facility shall not be limited to a facility defined as a group residence in section one of chapter one hundred and forty-three.

"Office", the office for children.

"Person", any individual, partnership, corporation, association, organization or trust or any department, agency or institution of the federal government or of the commonwealth or any political subdivision thereof.

"Placement agency", any person who receives by agreement with a parent or guardian, by contract with a state agency or as a result of referral by a court of competent jurisdiction, any child under sixteen years of age, for placement in family foster care or a group care facility, or for adoption.

Section 10. (*a*) The office shall issue and may renew a license to any person other than a department, agency, or institution of the commonwealth or any political subdivision thereof, who meets applicable standards and requirements to establish and maintain a day care center, family day care home which is not a part of a family day care system, family day care system, family foster care which is not supervised and approved by a placement agency, placement agency, or group care facility. The office shall issue approval to a department, agency, or institution of the commonwealth or any political subdivision thereof which it deems meets such applicable standards and requirements to establish and maintain a day care center, family day care home which is not a part of a family day care system, family day care system, placement agency, or group care facility.

(*b*) The office may issue a provisional license for or may provisionally approve a day care center, family day care home which is not part of a family day care system, family day care system, family foster care which is not supervised and approved by a placement agency, placement agency or group care facility, any of which has not previously operated or is operating but is temporarily unable to meet applicable standards and requirements.

(c) The office shall, pursuant to the provisions of chapter thirty A, and after consultation with the executive offices of educational affairs, manpower affairs, public safety, communities and development, and the departments of youth services, mental health, public health and public welfare, promulgate rules and regulations to carry out the purposes and functions of sections nine through sixteen. Such regulations, as they relate to standards and requirements for licensure and approval of day care centers, family day care homes which are not part of a family day care system, family day care systems, family foster care which is not supervised and approved by a placement agency, placement agencies and group care facilities, shall be appropriate for the protection of the health, well-being and development of children and shall include, but need not be limited to, provisions regarding (1) admission policies and procedures; (2) safe transport of children; (3) physical plant and equipment; (4) the number and qualifications of staff; (5) the nature of programs of care or treatment; (6) health care and nutrition; (7) rights and responsibilities of parents, children and staff; (8) record keeping and other procedures relevant to evaluation; and (9) organization, financing and administration. In formulating the regulations pertinent to family day care homes and family foster care, the office shall give special attention to fire and safety precautions. Such regulations may establish classifications for licensure or approval as are necessary to achieve the purposes of sections nine through sixteen; provided, that the standards and requirements for approval of a day care center, family day care home which is not part of a family day care system, family day care system, placement agency, or group care facility operated by a department, agency or institution of the commonwealth or any political subdivision thereof shall be the same as or higher than those applicable to the licensure of comparable facilities or services. Such regulations shall establish reasonable license fees and appropriate terms for all licenses granted under the provisions of this section. No such license or approval shall be transferable. A provisional license or approval shall be issued for a period not to exceed six months and in no case shall a person operate under a provisional license, provisional approval, or renewal thereof for more than twelve consecutive months. Any rule or regulation involving medical treatment shall include appropriate exemptions for children whose parents object thereto on the ground that it conflicts with the tenets and practice of a recognized church or religious denomination of which the parent or child is an adherent or member. The office shall conduct a comprehensive review of rules and regulations established under this section at least once every five years.

(d) The office may, at any reasonable time, visit and inspect any facility operated by a person who is subject to licensure or approval under this section in order to determine whether such facility is being operated in compliance with law and with the rules and regulations established under paragraph (c) of this section.

(e) The office shall provide consultation to assist applicants in meeting its requirements for licensure or approval, and in meeting other applicable state and local requirements relative to fire, safety, and zoning codes.

Section 11. (a) No person shall operate a day care center, a family day care home or a family day care system unless such person is licensed

by the office; provided, however, that a person who operates a family day care home shall not be required to obtain a license if such person operates as part of a licensed family day care system; and provided further, that a department, agency, or institution of the commonwealth or any political subdivision thereof shall obtain approval rather than licensure in order to operate a day care center, a family day care home or a family day care system.

(*b*) No person shall operate a group care facility or a placement agency unless licensed by the office; provided, however, that a department, agency, or institution of the commonwealth or any political subdivision thereof shall obtain approval rather than licensure in order to operate a group care facility or a placement agency.

(*c*) No person shall maintain a child in family foster care without placement, supervision and approval by a placement agency unless such person is licensed by the office.

Section 12. The director, in accordance with guidelines established by the office, may delegate on an annual basis to any city or town the power to issue, suspend, revoke, make probationary or renew licenses, pursuant to the regulations promulgated by the office under section ten, to persons operating or seeking to operate day care centers, family day care homes which are not part of family day care systems, and family day care systems; provided, that any such city or town must demonstrate that the delegation will result in more effective exercise of such power; and provided, further, that persons subject to licensure by such city or town shall be governed by the same rules and regulations as persons subject to licensure by the office.

Section 13. Subject to the requirements of chapter thirty A the office may suspend, revoke, make probationary, refuse to issue or refuse to renew the license or approval of any person. Such action may be taken if such person; (1) fails to comply with applicable rules and regulations; (2) furnishes or makes any misleading or false statement or report required under such rules and regulations; (3) refuses to submit any reports or make available any records required by such rules and regulations; or (4) refuses to admit representatives of the office at any reasonable time for purposes of investigation or inspection. The office may temporarily suspend a license in an emergency situation without a prior hearing; provided, however, that upon request of an aggrieved party, a hearing shall be held as soon after the license is suspended as is reasonably possible. Any party aggrieved by a final decision of the office in any adjudicatory proceeding under this section may petition for judicial review in accordance with the provisions of section fourteen of chapter thirty A.

Section 14. No person shall cause to be published in a newspaper distributed anywhere in the commonwealth or to be broadcast on a radio or television station in the commonwealth an advertisement or notice for the placement or reception of a child under sixteen years of age for family foster care, group residential care or for adoption unless such advertisement is placed by a licensed or approved placement agency, by a licensed group residence, or with the written approval of the office.

Section 15. Any person who violates the provisions of section eleven or section fourteen of this chapter may be punished for each such violation by a fine of up to one thousand dollars or by imprisonment for not more than six months, or both.

Section 16. Upon petition of the office, the superior court shall have jurisdiction to enjoin any violation of the provisions of sections eleven or fourteen of this chapter or to take such other action as equity and justice may require.

SECTION 2. Section 16 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 "services;", in line 2, the words: — the office for children,.

SECTION 3. Section 29 of chapter 19 of the General Laws, as appearing in section 3 of chapter 888 of the acts of 1970, is hereby amended by adding the following paragraph: —

(*g*) Notwithstanding the provisions of paragraphs (*a*) to (*f*), inclusive, any day care center, family day care home, family day care system, family foster care, or group care facility as defined in section nine of chapter twenty-eight A, shall not be subject to the provisions of this section.

SECTION 4. Sections fifty-eight to sixty-two, inclusive, of chapter one hundred eleven of the General Laws are hereby repealed.

SECTION 5. The second paragraph of section 1 of chapter 119 of the General Laws, as appearing in section 1 of chapter 646 of the acts of 1954, is hereby amended by striking out the second sentence.

SECTION 6. Sections two to twenty, inclusive, of said chapter one hundred and nineteen are hereby repealed.

SECTION 7. Said chapter 119 is hereby further amended by striking out section 21, as so appearing, and inserting in place thereof the following section: —

Section 21. The following words and phrases when used in sections twenty-two to thirty-nine, inclusive, shall, unless the context otherwise requires, be construed as follows: —

"Department", shall mean the department of public welfare.

"Parent", means mother or father, unless specified parent as defined under section one of chapter one hundred eighteen.

"Custody", shall include the following powers: — (1) to determine the child's place of abode, medical care and education; (2) to control visits to the child; (3) to consent to enlistments, marriages and other contracts otherwise requiring parental consent. In the event that the parent or guardian shall object to the carrying out of any power conferred by this paragraph, said parent or guardian may take application to the committing court and said court shall review and make an order on the matter.

"Evidence", shall be admissible according to the rules of the common law and the General Laws and may include reports to the court by any person who has made an investigation of the facts relating to the welfare of the child and is qualified as an expert according to the rules of the common law or by statute or is an agent of the department or of an approved charitable corporation or agency substantially engaged in the foster care or protection of children. Such person may file with the court in a proceeding under said sections a report in full of all the facts obtained as a result of such investigation. The person reporting may be called as a witness by any party for examination as to the statements made in the report. Such examination shall be conducted as though it were on cross-examination.

SECTION 8. Said chapter 119 is hereby further amended by striking out section 22, as so appearing, and inserting in place thereof the following section: —

Section 22. An agent of the department shall visit each family foster home, not supervised and approved by a licensed placement agency, at least once a year and may be authorized by the department to remove a child to its care if in its judgment the welfare of the child or its protection from neglect or abuse so require. An agent who is refused such entry, or who is hindered in the removal of such child, may make complaint, on oath, to a justice of the court having jurisdiction, who may thereupon issue a warrant authorizing him to obtain sufficient aid, and at any reasonable time enter the building designated, and any part thereof, to investigate the treatment and condition of a child found there and to remove such child as herein provided. The department shall take such child temporarily into its care and forthwith notify the child's parent or legal guardian, and shall, upon request, discharge such child to its parent or legal guardian. If the parent or legal guardian is unable or refuses to make suitable provisions for the child, the department shall make lawful provisions for its care under section twenty-three or twenty-four.

SECTION 9. Section 1 of chapter 143 of the General Laws is hereby amended by striking out the definition of "Day care services for children", as appearing in section 1 of chapter 720 of the acts of 1962, and inserting in place thereof the following definition: —

"Day care center", any facility operated on a regular basis whether known as a day nursery, nursery school, kindergarten, child play school, progressive school, child development center, or preschool, or known under any other name, which receives children not of common parentage under seven years of age, or under sixteen years of age if such children have special needs, for non-residential custody and care during part or all of the day separate from their parents. Day care center shall not include: any part of a public school system; any part of a private, organized educational system unless the services of such system are primarily limited to kindergarten, nursery or related pre-school services; a Sunday school conducted by a religious institution; a facility operated by a religious organization where children are cared for during short periods of time while persons responsible for such children are attending religious services; a family day care home; an informal cooperative arrangement among neighbors or relatives; or the occasional care of children with or without compensation therefor.

SECTION 10. Section 15 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 3 of chapter 1098 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, or charitable home for the aged licensed by and under the supervision of the department of public

health, a group residence, a day care center licensed by the office for children, grandstand, stadium, bleacher or arena, 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 11. Section 21 of said chapter 143 is hereby amended by striking out the first sentence, as most recently amended by section 4 of chapter 1098 of the acts of 1971, 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, or charitable home for the aged licensed by and under the supervision of the department of public health, a group residence, a day care center licensed by the office for children, a grandstand, stadium, bleacher or arena, or of an office building, dormitory, apartment 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 egress or means of escape from fire are necessary, and for thirty days has neglected or refused to provide the same.

SECTION 12. Any regulation adopted under sections fifty-eight to sixty-two, inclusive, of chapter one hundred and eleven of the General Laws, or sections eight A, twelve, or fourteen to twenty-two, inclusive, of chapter one hundred and nineteen of the General Laws, in effect immediately prior to the effective date of this act, shall remain in effect, through adoption by the office for children, with such changes as are necessary to comply with the provisions of sections nine to sixteen, inclusive, of chapter twenty-eight A of the General Laws, inserted by section one of this act, until such time thereafter as superseding regulations are adopted by the office.

SECTION 13. Any license or approval issued under the provisions of sections twenty-nine of chapter nineteen of the General Laws; sections fifty-eight to sixty-two, inclusive, of chapter one hundred eleven of the General Laws; sections five, eight A, twelve or fourteen to twenty-two, inclusive, of chapter one hundred nineteen of the General Laws in effect immediately prior to the effective date of sections nine to sixteen, inclusive, of chapter twenty-eight A of the General Laws, inserted by section one of this act, shall, if a new license or approval is required under said sections nine to sixteen, inclusive, of said chapter twenty-eight A, remain in effect unless revoked, suspended or made probationary or until said license or approval expires or until a new license or approval is issued or expressly refused under said sections nine to sixteen of said chapter twenty-eight A.

SECTION 14. Until January first, nineteen hundred and seventy-four, the director of the office for children, with the approval of the secretary of human services, may make agreements with any department or departments within the executive office of human services to carry out any of the functions included under paragraphs (*a*), (*b*), (*d*), or (*e*) of section ten and sections eleven, thirteen and sixteen of chapter twenty-eight A of the General Laws, inserted by section one of this act. Until January first, nineteen hundred and seventy-four, any department within the executive office of human services is hereby empowered to make and carry out any such agreement with the office for children. No such agreement shall remain in effect beyond January first, nineteen hundred and seventy-four.

SECTION 15. The initial guidelines for recognition of local councils for children, established pursuant to section seven of chapter twenty-eight A of the General Laws, inserted by section one of this act, shall be formulated by the office for children after consultation with community coordinated child care councils which are recognized by the Governor's Advisory Committee on Child Development.

SECTION 16. The director of the office for children, with the approval of the secretary of human services, may make agreements with any local health department or board of health to which the department of public health had delegated licensing functions under the provisions of section fifty-nine of chapter one hundred eleven of the General Laws, in effect immediately prior to the effective date of section twelve of chapter twenty-eight A of the General Laws, as inserted by section one of this act, in order to continue such delegation until such time as the office for children shall assume such responsibility or delegate it under the provisions of said section twelve of said chapter twenty-eight A, inserted by section one of this act; provided, however, that no such agreement shall remain in effect beyond July first, nineteen hundred and seventy-three.

SECTION 17. All books, papers, records, documents, plans, and other material relevant to the provisions of sections fifty-eight to sixty-two, inclusive, of chapter one hundred eleven of the General Laws, and sections five, eight, twelve, and fourteen to twenty, inclusive, of chapter one hundred nineteen of the General Laws, as in effect immediately preceding the effective date of sections four and six of this act, and in the custody of the department of public health or the department of public welfare immediately prior to the effective date of this section shall thereafter be within the custody and control of the office for children

as established under section three of chapter twenty-eight A of the General Laws, inserted by section one of this act.

All duly existing contracts, leases, and obligations of such departments relevant to such sections in effect immediately prior to the effective date of this section shall continue in full force and effect. This act shall not affect any renewal provisions or options to renew contained in any such leases in effect upon the effective date of this section.

SECTION 18. All petitions, hearings and other proceedings duly pending before, and all other prosecutions and legal and other proceedings duly commenced by or against, the departments of public welfare or public health under the provisions of sections fifty-eight through sixty-two, inclusive, of chapter one hundred eleven of the General Laws, and sections five, eight, twelve, fourteen to twenty-two, inclusive, of chapter one hundred nineteen of the General Laws, as in effect immediately preceding the effective date of this section, are hereby turned over to and may be completed by the office for children; provided, however, that the director of the office for children, with the approval of the secretary of human services, may make agreements with said departments to have said departments complete such petitions, hearings, proceedings, and prosecutions. Said departments are hereby empowered to make and carry out such agreements. No such agreements shall remain in effect beyond January first, nineteen hundred and seventy-four.

SECTION 19. Of the original gubernatorial appointees to the advisory council established under the provisions of section eight of chapter twenty-eight A of the General Laws, inserted by section one of this act, four shall serve for a term of three years, four for a term of two years, and four for a term of one year.

SECTION 20. This act shall take effect upon its passage, except that paragraph (*c*) of section four and sections nine to sixteen, inclusive, of chapter twenty-eight A of the General Laws, inserted by section one of this act, and sections three to fourteen, inclusive, of this act and sections sixteen to eighteen, inclusive, of this act shall take effect on September first, nineteen hundred and seventy-two.

Approved July 19, 1972.

Chap. 786. AN ACT PROHIBITING CERTAIN ILLEGAL PRACTICES COMMONLY KNOWN AS BLOCKBUSTING, RELATIVE TO THE SALE, PURCHASE OR RENTAL OF REAL ESTATE IN CERTAIN RESIDENTAL NEIGHBORHOODS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is, in part, to prevent the further deterioration of certain residential neighborhoods, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public welfare and safety.

Be it enacted, etc., as follows:

SECTION 1. Section 3 of chapter 151B of the General Laws is hereby amended by adding the following subsection: —

13. To adopt, promulgate, amend, and rescind rules and regulations, jointly with the attorney general, for the purpose of carrying out the

provisions of subsection 13 of section four, including special regulations applicable to neighborhoods or areas found by the commission, with the concurrence of the attorney general, to be threatened with deterioration or instability associated with the entry or prospective entry into such neighborhoods or areas of a person or persons of a particular age, race, color, religion, national or ethnic origin, or economic level.

SECTION 2. Section 4 of said chapter 151B is hereby amended by inserting after subsection 12 the following subsection: —

13. For any person to directly or indirectly induce, attempt to induce, prevent, or attempt to prevent the sale, purchase, or rental of any dwelling or dwellings by:

a) implicit or explicit representations regarding the entry or prospective entry into the neighborhood of a person or persons of a particular age, race, color, religion, national or ethnic origin, or economic level, or implicit or explicit representations regarding the effects or consequences of any such entry or prospective entry;

b) unrequested contact or communication with any person or persons, initiated by any means, for the purpose of so inducing or attempting to induce the sale, purchase, or rental of any dwelling or dwellings when he knew or, in the exercise of reasonable care, should have known that such unrequested solicitation would reasonably be associated by the persons solicited with the entry into the neighborhood of a person or persons of a particular age, race, color, religion, national or ethnic origin, or economic level;

c) implicit or explicit false representations regarding the availability of suitable housing within a particular neighborhood or area, or failure to disclose or offer to show all properties listed or held for sale or rent within a requested price or rental range, regardless of location; or

d) false representations regarding the listing, prospective listing, sale, or prospective sale of any dwelling.

SECTION 3. The provisions of this act shall not be construed as limiting or impairing the provisions of any other law, rule, regulation, ordinance, or by-law designed to protect sellers or buyers of residential property or to prevent conduct inimical to the stability, development, or safety of residential areas. *Approved July 19, 1972.*

Chap. 787. AN ACT ESTABLISHING THE WEYMOUTH-BRAINTREE REGIONAL RECREATION CONSERVATION DISTRICT IN THE TOWNS OF WEYMOUTH AND BRAINTREE.

Be it enacted, etc., as follows:

SECTION 1. There is hereby established in the towns of Braintree and Weymouth a body corporate to be known as the Weymouth-Braintree Regional recreation conservation District, hereinafter referred to as the district, and shall include the territory within said towns consisting of certain parcels of land located on the northerly and southerly sides of the Southeast expressway. Said parcels of land located on the northerly side of said Southeast expressway are bounded and described as follows: —

Parcel N. Owner of record, Edward C. Sherrick — land shown on Braintree assessors plan 3036-1 containing 24.89 acres recorded in Norfolk registry of deeds book, 4221, page 533.

Parcel E. Owner of record, Edward M. Dwyer — land shown on Braintree assessors plan 3034-1 containing 25.34 acres recorded in Norfolk registry of deeds, book 2445, page 572.
Parcel F. Owner of record, Edward M. Dwyer — land shown on Braintree assessors plan 3034-2 containing 2.57 acres recorded in Norfolk registry of deeds, book 2445, page 572.
Parcel D. Owner of record, Edward M. Dwyer — land shown on Braintree assessors plan 3032-2 containing 21.29 acres recorded in Norfolk registry of deeds, book 2445, page 572.
Parcel B. Owner of record, Edward M. Dwyer — land shown on Braintree assessors plan 3030-9 containing 24.25 acres recorded in Norfolk registry of deeds, book 2445, page 572.
Parcel A. Owner of record, Charles Dwyer — land shown on Braintree assessors plan 3031-4 containing 14.0 acres recorded in Norfolk registry of deeds, book 1771, page 57.
Parcel L. Owner, town of Braintree — land shown on Braintree assessors plan 3031-9.
Parcel M. Owner, town of Braintree — land shown on Braintree assessors plan 3031-8 containing 4.3 acres.
Parcel K. Owner of record, Norman C. Rardon — land shown on Braintree assessors plan 3031-7 containing 3.9 acres recorded in Norfolk registry of deeds, book 3132, page 595.
Parcel O. Owner of record, M. DeMatteo Construction Co. land shown on Braintree assessors plan 3033-7, containing 9.31 acres, recorded in Norfolk registry of deeds, book 4644, page 421.
Parcel C. Owner of record, Edward M. Dwyer — land shown on Braintree assessors plan 3032-1 containing 15.90 acres, recorded in Norfolk registry of deeds, book 1862, page 253.
Parcel J. Owners of record, William H. Riley and Teresa G. Riley — land shown on Braintree assessors plan 3031-6, containing 5.25 acres, recorded in Norfolk registry of deeds, Book 3226, page 580.
Parcel I. Owner of record, Edward T. Dwyer Contracting Corp. land shown on Braintree assessors plan 3037-1, containing 13.64 acres recorded in the Norfolk registry of deeds, book 3607 page 1.
Parcel P. Owner of record, M. DeMatteo Construction Co. land shown on Braintree assessors plan 3033-5, containing 7.44 acres, recorded in Norfolk Registry District, certificate No. 88552.
Parcel Q. Owner of record, A. Schofield Corporation land shown on Braintree assessors plan 3035-3, containing 4.4 acres, recorded in Norfolk registry of deeds, book 3929, page 475.
Parcel G. Land shown on Braintree assessors plan 3032-3, containing 13.75 acres duly recorded.
Parcel G-1. Land shown on Braintree assessors plan 3024-2 containing 22,640 sq. ft. duly recorded.
Parcel W. Owner of record, Edward M. Dwyer — land shown on Braintree assessors plan 3034-3 containing about 17.89 acres recorded in Norfolk registry of deeds, book 2445 Page 572.

Said parcels of land located on the southerly side of said Southeast expressway are bounded and described as follows: —

Parcel X. Shown as Lot C on a plan entitled "Subdivision plan of land in Braintree, Norfolk County, Mass. dated December 30, 1971, as drawn by Gale Engineering Co., Inc. of Braintree, further noted as plan JN 213 L.

Lot C described as follows:
Beginning at a point on the southerly sideline of the Southeast Expressway, a point 1255.37 feet from the point of intersection of the sideline of Liberty Street, Braintree, and the Southeast Expressway and running 600.66 ft. along the sideline of the Southeast Expressway bearing S. 71-27-53 E thence turning and running 87.37 feet along a bearing S 05°-06-28 E thence turning and running 352.38′ aloug a bearing N 67-37-16 E thence turning and running to the point of beginning a distance of 482.77 ft. along a bearing S 31-23-15 E containing an area of 2.48 acres, land presently owned by Grass Instrument Company L.C. Case 22805.
Parcel Y. Shown as Lot A on a plan entitled "Subdivision plan of land in Braintree, Norfolk County, Mass. dated December 30, 1971, as drawn by Gale Engineering Co., Inc. of Braintree further noted as plan JN 213 L.
Lot A described as follows:
Beginning at a point 140.00 ft. along a line bearing S 31-23-15 E from a point 1255.37 from the point of intersection of the sideline of Liberty Street, Braintree and the Southeast Expressway bearing of which is S 71-27-53 E thence turning and running along a line 286.47 ft. bearing N 19-49-50 E thence turning and running along an arc with a radius of 218.27, angle 18-44-11 for a length of 71.38 ft. thence continuing along a line bearing S 70-10-10 E for a distance of 605.51 ft. thence turning and running along a line for a distance of 403.39 ft. bearing N 19-49-50 E thence turning and running for a distance of 30.45 ft. along the sideline of the Southeast Expressway bearing S 71-27-53 E thence turning and running a distance of 158.89 ft. bearing N 57-25-20 E thence turning and running a distance 47.64 ft. bearing S 05-06-28 E, thence turning and running a distance 352.38 ft. bearing N 67-37-16 E thence turning and running a distance 342.77 ft. bearing S 31-23-15 E to a point of beginning, containing an area of 2.48 acres, land presently owned by Grass Instrument Company.
Parcel Z. Shown as Lot A on a plan entitled "Subdivision Plan of land in Braintree, Norfolk County, Mass. dated December 30, 1971, as drawn by Gale Engineering Co., Inc. of Braintree, further noted as plan JN 213L.
Lot A described as follows:
Beginning at a point on the southerly sideline of the Southeast Expressway (Auto Route 3) 1856.03 ft. from the point of intersection of the sideline of Liberty Street, Braintree, and the Southeast Expressway and running a distance of 153.89 ft. bearing S 71-27-53 E thence turning and running a distance of 158.89 ft. bearing N. 57-25-20 E thence turning and running 135.01 ft. bearing S 05-06-28 E to point of beginning, containing an area of 9,516 sq. ft., land presently owned by E. M. Dwyer.
Parcel A-1. Shown as Lot E on a plan entitled "Subdivision plan of land in Braintree, Norfolk County, Mass." dated December 30, 1971 as drawn by Gale Engineering Co., Inc. of Braintree, further noted as plan JN 213 L.
Lot B described as follows:
Beginning at a point on the easterly property line 30.02 ft. southerly from the northeasterly corner of said property, owned by Dennis F. Ryan and Irene Beaudoin, Trustees, and running a distance of 107.51 ft. from said point, bearing S 18-09-30 E thence turning and running a dis-

tance of 65.00 ft. bearing S 82-09-30 E thence turning and running a distance of 205.64 ft. bearing S 02-13-40 W, thence turning and running a distance of 278.71 ft. bearing S 17-40-00 E, thence turning and running a distance of 230.00 ft. bearing N 07-31-50 E. thence turning and running a distance of 14.57 ft. bearing S 82-53-30 E, thence turning and running a distance of 84.11 ft. bearing S 83-20-40 E, thence turning and running a distance of 28.96 ft. bearing S 77-43-10 E, thence turning and running a distance of 26.88 ft. bearing N 15-42-40 E, thence turning and running a distance of 136.29 ft. bearing S 11-51-40 E, thence turning and running a distance of 69.86 ft. bearing S 46-37-35 E, thence turning and running a distance of 91.20 ft. bearing S 39-49-55 E, thence turning and running a distance of 82.68 ft. bearing S 12-54-55 E, thence turning and running a distance of 592.93 ft. bearing S 85-39-10 E, thence turning and running a distance of 511.33 ft. bearing S 04-34-40 E, thence turning and running a distance of 169.10 ft. bearing S 80-59-50 E, thence turning and running a distance of 53.00 ft. bearing N 81-52-30 E, thence turning and running a distance of 68.94 ft. bearing N 83-56-30 E, thence turning and running a distance of 51.79 ft. bearing S 74-21-40 E, thence turning and running a distance of 68.20 ft. bearing S 70-15-20 E, thence turning a running a distance of 38.08 ft. bearing S 62-34-30 E, thence turning and running a distance of 28.08 ft. bearing S 53-42-20 E, thence turning and running a distance of 46.00 ft. bearing S 49-52-40 E, thence turning and running a distance of 35.25 ft. bearing S 66-39-00 E, thence turning and running a distance of 128.03 ft. bearing S 10-31-10 W, thence turning and running a distance of 193.40 ft. bearing N 52-13-20 E, thence turning and running a distance of 140.55 ft. bearing N 51-02-10 E, thence turning and running a distance of 564.96 ft. bearing N 53-01-25 E, thence turning and running a distance of 53.00 ft. bearing N 44-05-40 E, thence turning and running a distance of 43.71 ft. bearing N 54-42-40 E, thence turning and running a distance of 13.44 ft. bearing N 49-54-40 E, thence turning and running a distance of 946.43 ft. bearing S 08-15-04 W, thence turning and running a distance of 458.22 ft. bearing S 83-57-40 E, thence turning and running a distance of 775.69 ft. bearing S 08-15-04 W, thence turning and running a distance of 12.71 ft. bearing S 87-01-40 E, thence turning and running a distance of 94.01 ft. bearing S 89-44-00 E, thence turning and running a distance of 73.92 ft. bearing N 87-29-40 E, thence turning and running a distance of 49.50 ft. bearing S 89-43-10 E, thence turning and running a distance of 19.04 ft. bearing N 88-06-10 E, thence turning and running a distance of 17.26 ft. bearing N 78-12-10 E, thence turning and running a distance of 67.40 ft. bearing N 88-12-50 E, thence turning and running a distance of 52.70 ft. bearing S 83-36-20 E, thence turning a running a distance of 107.00 ft. bearing S 70-03-00 E, thence turning and running a distance of 50.95 ft. bearing N 64-56-40 E, thence turning a running a distance of 33.90 ft. bearing N 80-54-00 E, thence turning and running a distance of 134.75 ft. bearing S 71-45-50 E, thence turning and running a distance of 99.89 ft. bearing N 06-16-30 E, thence turning and running a distance of 1087.51 bearing S 70-10-10 E, thence turning and running a distance of 315.00 ft. bearing N 19-49-50 E, thence turning and running a distance of 605.51 ft. bearing S 70-10-10 E, thence turning and running along an arc with a radius 308.27 ft. angle 39-16-00 and a length of 211.27 ft., thence turning and running a distance of 354.11 ft. bearing S 30-54-10 E,

thence turning and running along an arc with a radius of 210-18 ft., an angle of 31-29-33 and a length of 115.53 ft. to a point of beginning, containing 39.8± acres, land presently owned by Grass Instrument Company.

Parcel B-1. Part of parcel of land as shown on Town of Braintree assessors plan 3035-7, containing for this taking approximately 10.65 acres recorded in Norfolk Registry of Deeds Book 585, Pages 281 and 282, ownership now or formerly Hazel Strathdee.

Parcel C-1. Part of parcel of land as shown on Town of Braintree assessors plan 3035-8, containing for this taking approximately 7± acres, ownership now or formerly John L. and Emma Ohlson.

Parcel D-1. Part of parcel of land as shown on Town of Braintree assessors plan 1124-2, containing for this taking approximately 8± acres, ownership Town of Braintree.

Parcel E-1. Parcel of land as shown on Town of Braintree assessors plan 1123-4 and also recorded in Norfolk registry of deeds, book 3496, Page 558, containing 10.93 acres more or less, ownership now or formerly Edward T. Dwyer Contracting Corporation of Braintree, Mass.

Parcel F-1. Part of parcel of land as shown on Town of Braintree assessors plan 1125-2, containing for this taking approximately 3± acres, ownership now or formerly Robert Zottoli, A & E Gross.

SECTION 2. The district shall be under the management and control of a board which is hereby created and shall be known as the Weymouth-Braintree Regional Recreation-Conservation Board, hereinafter called the board.

Upon passage of this act the board of selectmen of the town of Braintree and the board of Selectmen of the town of Weymouth shall each appoint three members to the board. The members of the board shall be residents of the respective towns. One member from each town shall be appointed for a one year term, one member from each town shall be appointed for a two year term and one member shall be appointed from each town for a three year term. Thereinafter, each appointment shall be made for a term of three years. In addition, there shall be a seventh member being a Weymouth or Braintree resident who shall annually be appointed for a one year term in alternate years by the board of selectmen of the town of Weymouth and the board of selectmen of the town of Braintree. The board shall serve without compensation.

Official action shall require a positive vote by at least the majority of the board.

Any vacancy occurring before the end of the term of any member appointed to the board shall be filled by the originally appointing authority of the respective town concerned, for the remainder of the unexpired term.

Any member may be removed for cause by the selectmen of the town in which he resides, upon written charges and after a public hearing.

SECTION 3. The district shall have a seal consisting of a circular die bearing the words, "Weymouth-Braintree Regional Recreation-Conservation District". Said seal to 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 4. Meetings of the board shall be held at the call of the chairman and also when called in such other manner as the board shall

determine by its rules. The board shall meet at least six times each year.

SECTION 5. The members of the board shall forthwith upon their appointment elect from its members a chairman, treasurer, and a clerk for the ensuing year.

SECTION 6. (A) For the purposes of establishing the district, whenever appropriations have been made therefore, the board may take property by eminent domain under chapter seventy-nine or eighty A of the General Laws or may acquire property by purchase, lease, gift, or otherwise; and may so take or acquire such easements necessary within or without the district. For the purpose of making surveys or examinations relative to any proposed taking by eminent domain, such board district or its authorized agents may make a reasonable entry upon the land. The district may expend any funds appropriated by the respective town meetings of the towns of Weymouth and Braintree for said purpose.

(B) To meet the cost of the taking of property construction, maintenance and operation of the works authorized by this act, the board district may file application for assistance, provided therefore, under any federal or state law or other sources. In all cases where money appropriated by the towns is reimbursed by federal, state, or county grants; said reimbursements shall be returned to the town treasury from which money was appropriated.

(C) The board shall administer the affairs and direct the work of the district and is empowered to employ personnel as it, in its discretion, deems proper. It shall at all times keep a full and accurate account of its receipts, expenditures, disbursements, assets, and liabilities which shall be open at all times to inspection by the board of selectmen who are members of the district or by any officer or duly appointed agent of the commonwealth.

(D) The board is hereby authorized to enter into agreements with the United States Army Corps of Engineers for the planning, construction, and maintenance of certain works or improvements; for the purpose of flood control and conservation, consisting of: water retention, water storage, stream bank stabilization, channel modification, and water supply.

(E) The district assumes all risk of loss of, or damage to property, and injury to, or death of, persons occurring within the district or in connection with the use thereof, and shall indemnify and save harmless the towns of Weymouth and Braintree and the United States Army Corps of Engineers from any and all suits, claims, demands or liens arising out of, or resulting from the said loss, damage, injury or death.

(F) The district is hereby authorized to enter into agreements and contracts with any person or persons, organizations public or private, provided such agreements and contracts do not exceed financial commitments authorized by town meetings of both towns and do not commit the towns to future financial commitments not authorized at town meetings of the towns comprising the district.

(G) The district shall have the power to plan, construct, and maintain facilities for recreation or conservation purposes within its boundaries provided such facilities and their operations have been approved at the town meetings of the towns comprising the district.

(H) The district shall have the power to set reasonable fees for use of the district and its facilities provided such fees are uniform for all citizens and approved by town meetings of the towns comprising the district. Said fees shall be expended by the district for maintenance of the district.

(I) The board shall prepare and adopt bylaws describing and stipulating its organization and operations. Said by-laws shall comply with the provisions and intent of this act.

SECTION 7. The district shall not take any action whatsoever which is contrary to the intent of work done by the Army Corps of Engineers in controlling flooding conditions in the towns of Braintree and Weymouth. In no event shall the district receive or use duplication of aid authorized by federal or state laws.

SECTION 8. An itemized budget of the board shall be submitted to town meetings of each town and shall be available for use only for those items approved and appropriated in equal amounts by each town. Any funds appropriated by the towns for any district purpose must have been appropriated in equal amounts by the towns.

SECTION 9. The board shall create or have created a master plan for the recreation conservation aspects of the areas within its jurisdiction and use every means available to it to implement such plans.

SECTION 10. The initial organization of the board representing the district shall be held as soon as possible after the effective date of this act.

SECTION 11. This act shall take effect upon its passage.

Approved July 19, 1972.

Chap. 788. AN ACT RELATIVE TO CERTAIN SOCIAL SECURITY INCREASES TO RECIPIENTS UNDER THE OLD AGE ASSISTANCE AND DISABILITY ASSISTANCE LAWS AND INCREASING THE TRANSPORTATION ALLOWANCE UNDER SAID LAWS.

Whereas, The deferred operation of this act would tend to defeat its purpose which is, in part, to disregard certain social security increases for recipients of old age assistance and disability assistance and to increase the transportation allowance for recipients of old age assistance and disability assistance, 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 ninth sentence of the first paragraph of section 1 of chapter 118A of the General Laws, as appearing in chapter 522 of the acts of 1965, is hereby amended by inserting after the word "however," in line 11, the words: — that seven dollars and fifty cents per month of any income shall be disregarded as permitted by the Federal Social Security Act; and provided, further,.

SECTION 2. The third paragraph of said section 1 of said chapter 118A, as appearing in section 1 of chapter 698 of the acts of 1971, is hereby amended by striking out the word "twelve", in line 8, and inserting in place thereof the word: — seventeen.

SECTION 3. The third sentence of section 4 of chapter 118D of the General Laws, as appearing in section 2 of chapter 169 of the acts of 1970, is hereby amended by inserting after the word "however," in line 8, the words: — that seven dollars and fifty cents per month of any income shall be disregarded as permitted by the Federal Social Security Act; and provided further,.

SECTION 4. The sixth sentence of said section 4 of said chapter 118D, as appearing in section 2 of chapter 698 of the acts of 1971, is hereby amended by striking out in line 8, the word "ten" and inserting in place thereof the word: — fifteen.

SECTION 5. This act shall apply to monthly payments of old age assistance and disability assistance commencing October first, nineteen hundred and seventy-two. *Approved July 19, 1972.*

Chap. 789. AN ACT FURTHER REGULATING THE DISCHARGE OF OIL, HEATED EFFLUENT, POISONOUS, OR OTHER INJURIOUS SUBSTANCES INTO COASTAL WATERS.

Be it enacted, etc., as follows:

SECTION 1. Section twenty-two of chapter one hundred and thirty of the General Laws, as most recently amended by section one of chapter five hundred and one of the acts of nineteen hundred and fifty-two, is hereby repealed.

SECTION 2. Said chapter 130 is hereby further amended by striking out sections 23 and 24, as appearing in section 1 of chapter 598 of the acts of 1941, and inserting in place thereof the following two sections: —

Section 23. Except in the case of emergency imperilling life or property or an unavoidable accident or except in accordance with the terms of a permit issued pursuant to state or federal water pollution control laws, whoever from any source puts, throws, discharges or suffers or permits to be discharged or to escape into any coastal waters, any oil, poisonous or other injurious substance, including but not limited to, sawdust, shavings, garbage, ashes, acids, sewage and dye-stuffs, whether simple, mixed or compound, or heated effluent, which directly or indirectly materially injure fish, fishspawn or seed therein, or takes any such fish by such means, or whoever kills or destroys fish in such waters by the use of dynamite or other explosives, or takes any such fish in such waters by such means, or explodes dynamite or other explosive in such waters, shall be punished by a fine of not less than one hundred and fifty nor more than five thousand dollars or by imprisonment for not more than one year or both.

Section 24. Whoever, contrary to any provision of section twenty-three, himself, or by his agent or servant, does, or allows or suffers to be done, any act causing damage to the shellfish resources within the limits of a city or town shall be liable to said city or town in tort, in triple the amount of damage thereby done.

Whoever, contrary to any provision of section twenty-three, himself, or by his agent or servant, does, or allows or suffers to be done, any act causing damage to any fishery resource, with the exception of shellfish located within the limits of a city or town, within the marine boundaries of the commonwealth, shall be liable to the commonwealth in tort. in triple to the amount of damage thereby done.

Whoever, contrary to any provision of section twenty-three, himself, or by his agent or servant, does, or allows or suffers to be done, any act causing damage to any private fishery resource within the marine boundaries of the commonwealth, shall be liable in tort, in triple the amount of the damage, to any person owning or leasing such private fishery rights.

SECTION 3. The first sentence of section 25 of said chapter 130 as so appearing, is hereby amended by inserting after the word "sewage", in line 2, the words: — heated effluent, — and by striking out, in line 6, the word "fisheries" and inserting in place thereof the word: — finfish.

SECTION 4. Said section 25 of said chapter 130 is hereby further amended by adding the following sentence: — The provisions of this section shall not apply to any such entrance or discharge of heated effluent authorized under the terms of a permit for such entrance or discharge issued pursuant to state or federal water pollution control laws.

SECTION 5. The first sentence of section 26 of said chapter 130, as so appearing, is hereby amended by striking out, in line 3, the words "twenty-two".

SECTION 6. Said chapter 130 is hereby further amended by striking out section 27, as so appearing, and inserting in place thereof the following section: —

Section 27. Whoever, contrary to any provision of section twenty-five, himself, or by his agent or servant, permits the entrance or discharge into or on any part of said coastal waters or tributaries of such waters, sewage, heated effluent, or any other substance injurious to public health or tending to contaminate any shellfish area or shellfish therein, within the limits of a city or town, shall be punished by a fine of not less than one hundred and fifty nor more than five thousand dollars or by imprisonment for not more than one year or both and shall be liable in tort, to said city or town, in triple the amount of damage thereby done.

Whoever, contrary to any provision of section twenty-five, himself, or by his agent or servant, permits the entrance or discharge into or on any part of said coastal waters or tributaries of such waters, sewage, heated effluent, or any other substance injurious to public health or causing injury or damage to any fishery resource, with the exception of shellfish located within the limits of a city or town, within the marine boundaries of the commonwealth, shall be punished by a fine of not less than one hundred and fifty dollars nor more than five thousand dollars or by imprisonment for not more than one year or both and shall be liable in tort to the commonwealth, in triple the amount of damage thereby done.

Whoever, contrary to any provision of section twenty-five, himself, or by his agent or servant, permits the entrance or discharge into or on any part of said coastal waters or tributaries of such waters, sewage, heated effluent, or any other substance injurious to public health or causing injury or damage to any private fishery resource within the boundaries of the commonwealth shall be liable in tort, to the owners or lessees of any private rights therein, in triple the amount of damage thereby done.

Approved July 19, 1972.

Chap. 790. AN ACT REQUIRING EMPLOYERS TO GRANT MATERNITY LEAVE TO CERTAIN EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 149 of the General Laws is hereby amended by inserting after section 105C the following section: —

Section 105D. A female employee who has completed the initial probationary period set by the terms of her employment or, if there is no such probationary period, has been employed by the same employer for at least three consecutive months as a full-time employee, who is absent from such employment for a period not exceeding eight weeks for the purpose of giving birth, said period to be hereinafter called maternity leave, and who shall give at least two weeks' notice to her employer of her anticipated date of departure and intention to return, shall be restored to her previous, or a similar, position with the same status, pay, length of service credit and seniority, wherever applicable, as of the date of her leave. Said maternity leave may be with or without pay at the discretion of the employer.

Such employer shall not be required to restore an employee on maternity leave to her previous or a similar position if other employees of equal length of service credit and status in the same or similar position have been laid off due to economic conditions or other changed in operating conditions affecting employment during the period of such maternity leave; provided, however, that such employee on maternity leave shall retain any preferential consideration for another position to which she may be entitled as of the date of her leave.

Such maternity leave shall not affect the employee's right to receive vacation time, sick leave, bonuses, advancement, seniority, length of service credit, benefits, plans or programs for which she was eligible at the date of her leave, and any other advantages or rights of her employment incident to her employment position; provided, however, that such maternity leave shall not be included, when applicable, in the computation of such benefits, rights, and advantages; and provided, further, that the employer need not provide for the cost of any benefits, plans, or programs during the period of maternity leave unless such employer so provides for all employees on leave of absence. Nothing in this section shall be construed to affect any bargaining agreement or company policy which provides for greater or additional benefits than those required under this section.

A notice of this provision shall be posted in every establishment in which females are employed.

For the purposes of this section, an "employer" shall be defined as in subsection 5 of section one of chapter one hundred and fifty-one B.

SECTION 2. Section 4 of chapter 151B of the General Laws is hereby amended by inserting after subsection 11 the following subsection: —

11A. For an employer, by himself or his agent, to refuse to restore certain female employees to employment following their absence by reason of a maternity leave taken in accordance with section one hundred and five D of chapter one hundred and forty-nine or to otherwise fail to comply with the provisions of said section.

Approved July 19, 1972.

Chap. 791. 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:

SECTION 1. Chapter 917 of the acts of 1971 is hereby amended by inserting after the word "Laws", in line 11, the words: — or chapter four hundred and ninety of the acts of nineteen hundred and sixty-one, as amended.

SECTION 2. This act shall take effect as of February first, nineteen hundred and sixty-one. *Approved July 19, 1972.*

Chap. 792. AN ACT PERMITTING POLICE OFFICERS IN THE UNIFORMED BRANCH OF THE DIVISION OF STATE POLICE TO FORM AND JOIN VOCATIONAL OR LABOR ORGANIZATIONS.

Be it enacted, etc., as follows:

Section 178D of chapter 149 of the General Laws is hereby amended by striking out the third sentence. *Approved July 19, 1972.*

Chap. 793. AN ACT FURTHER REGULATING THE AMOUNT OF PENSIONS PAYABLE TO WIDOWS AND CHILDREN OF DECEASED PUBLIC EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Section 12 of chapter 32 of the General Laws, as most recently amended by chapter 600 of the acts of 1968, is hereby further amended by striking out in subdivision (2) the three paragraphs included under the heading "Option (d) Member-Survivor Allowance," and by inserting in place thereof the following paragraphs: —

At any time a member, upon his written notice on a prescribed form filed with the board prior to his death, may nominate an eligible beneficiary as set forth under option (c) of this section, who if such member dies before being retired shall receive two-thirds of the yearly amount of the option (c) allowance to which such member would have been entitled had his retirement taken place on the date of his death.

If such member dies before attaining age fifty-five and before being retired, such nominated eligible beneficiary shall receive two-thirds of the option (c) allowance to which such member would have been entitled had he attained age fifty-five at the time of his death and had his retirement taken place on the date of his death.

A member may at any time cancel the appointment of a beneficiary nominated under this option by a written notice filed with the board prior to his death.

If a member dies before being retired without an eligible beneficiary other than the spouse of such member nominated under this option, or, notwithstanding the provisions of paragraph (a) of subdivision (2) of section thirteen, if a member in service as described in subparagraph (i) of paragraph (a) of subdivision (1) of section three who has not less than two years of creditable service dies and leaves a spouse to whom such member had been married for not less than one year, or if a mem-

ber dies within thirty days following the date the retirement of such member became effective without an eligible beneficiary nominated under Option (c) of this section, an election may be made by such spouse to receive the member-survivor allowance under this option; provided, that said spouse and the deceased member were living together at the time of death of such member, or that the board finds that they had been living apart for justifiable cause other than desertion or moral turpitude on the part of the spouse.

If the spouse eligible to elect the member-survivor allowance provided for in this option fails, as provided for in this option, to elect said allowance, the accumulated total deductions of the member shall be paid to the surviving beneficiary or beneficiaries of record, if any, nominated under the provisions of paragraph (c) of subdivision (2) of section eleven, and if there is no such surviving beneficiary or beneficiaries of record said accumulated total deductions shall be paid to such spouse in one sum as a cash refund under subdivision (2) of said section eleven.

Upon the receipt of the notice of death of any member, the board shall notify the spouse or the person who may act for a child or children as to what information must be furnished in order that the board may determine the eligibility of any person to receive benefits provided for the survivors of a deceased member; and, after it has received the necessary information, the board shall notify such spouse or such other person of the right of election, if any, provided by this option and of the approximate amount of the allowance which will be payable and of the payments due on account of a child or children, if any, provided by section 12B; and of the manner of settlement of the account of the member, including the amount of any cash refund that is payable if the spouse or person who may act for a child or children fails to elect to receive the member-survivor allowance provided herein, or the payments for a child or children provided under Section 12B.

No election of the form of settlement permitted under this option shall be valid unless it is made on a prescribed form filed with the board within ninety days following the date that such notice regarding the right of election is mailed to the spouse.

Any eligible beneficiary or spouse having a right under this option may, within ninety days from the date that the board received notice of the death of the member, make any make-up payments which at the time of death the member had a right to make for the purpose of obtaining credit for service rendered by the member prior to his last becoming a member.

If any such member as is described in this option dies as a result of a personal injury sustained or hazard undergone while in the performance of the duties of such member, with a resultant death benefit as provided for in section nine or section one hundred of chapter thirty-two, such sections shall govern.

The normal monthly member-survivor allowance provided for under this option to a spouse of a deceased member shall not be less than one hundred and forty dollars, subject to the provisions of paragraph (e) of section one hundred and two, provided, the deceased member was a member in service as described in subparagraph (i) of paragraph (a) of subdivision 1 of section 3 on the date of death and that the member had not less than two full years of creditable service and had been married to such spouse for not less than one year, and provided, further, that

such member and such spouse were living together on the date of death of the member, or that the board finds that they were living apart for justifiable cause other than desertion or moral turpitude on the part of such spouse.

In the event of the remarriage of such spouse any additional amount that is required to make the allowance under this option equal to the amount of one hundred and forty dollars a month, subject to the provisions of paragraph (e) of section one hundred and two, shall be terminated; and thereafter such spouse shall receive the regular monthly member-survivor allowance, if any, provided for in the first and fourth paragraphs of this option, as increased by any adjustment and increase provided for in section one and section two of chapter four hundred and eight of the acts of 1967, with the actual year in which the member died as the basis of the adjustment or increase provided for therein.

The total annual allowance derived from and payable under the provisions of this option, together with any allowance payable under the provisions of section twelve B, shall at no time be greater than the annual rate of regular compensation, payable to such member on the date of death of such member.

SECTION 2. Section 12B of chapter 32 of the General Laws is hereby amended by striking out the present section and inserting in place thereof the following: —

Section 12B. If a member in service, as described in subparagraph (i) of paragraph (a) of subdivision (1) of section three, including such a member in the uniformed division of the state police, who has not nominated a beneficiary under Option (d) of subdivision (2) of section twelve other than the spouse of such member and who has two full years of creditable service, dies and leaves a spouse to whom such member had been married for at least one year and with whom such member was living at the time of the death of such member, or who the board finds had been living apart from said member for justifiable cause other than desertion or moral turpitude on the part of such spouse, who is eligible to receive a member-survivor allowance under the provisions of option (d) of subdivision (2) of section twelve, and so elects, and if there are any surviving children of said deceased member who are under age eighteen or over said age and physically or mentally incapacitated from earning on the date of death of the member, or under age 21, if a full-time student, there shall be paid to such spouse for the benefit of all such children an additional allowance of eighty dollars a month for one child plus an allowance of sixty dollars a month for each additional child subject to the provisions of paragraph (e) of section one hundred and two.

If there is no surviving spouse of such member or such surviving spouse dies, such amount of the member-survivor allowance as would have been payable or would be payable to a spouse under the provisions of Option (d) of subdivision (2) of section twelve shall be paid for the benefit of such surviving children to a legally appointed guardian, together with the allowances provided in this section for children.

If a spouse remarries the allowances payable for the benefit of any children under this section shall terminate and thereafter there shall be paid to a legally appointed guardian for the benefit of each eligible surviving child sixty dollars a month subject to the provisions of paragraph (e) of section one hundred and two.

Allowances payable under this section for the benefit of a child shall terminate upon his adoption, upon reaching the age of eighteen unless he is physically or mentally incapacitated from earning on the date of death of the member, or if a full-time student upon reaching the age of twenty-one, or on the date a child ceases to be a full-time student, or upon his marriage, whichever first occurs, or upon his death. The word "child" shall include a legally adopted child of the deceased member. The words "full-time student" shall mean a child who is in full-time attendance in an accredited educational institution offering full-time courses of study equivalent to or higher than secondary school study. The words "accredited educational institution" shall mean any school, college or university that is licensed, approved or accredited, as the case may be, in the state in which it is located.

If allowances are granted only under this section, any accumulated regular deductions of such member and the amount equal to the value of the regular deductions credited to his account in the special fund for military service credit, if any, together with regular interest thereon to the date of his death, shall be transferred to the pension fund, to be merged, and to be used, on a basis that shall be determined by the actuary, for the exclusive purpose of defraying the payment of such allowances, and shall not be included in the factors that enter into the ordinary determination of the pension appropriation required by paragraph (d) of subdivision (3) of section twenty-two.

If allowances are granted only under this section any amount of accumulated additional deductions to the credit of such member shall be paid in accordance with paragraph (c) of subdivision (2) of section eleven.

If allowances are granted only under this section the total annual allowance derived from and payable under the provisions of this section shall at no time be greater than the annual rate of regular compensation payable to such member on the date of his death.

SECTION 3. Section 95 of chapter 32 of the General Laws, as amended by chapter 656 of the acts of 1963, is hereby further amended by adding at the end thereof the following sentence: — The annuity provided to be paid to a surviving spouse under this section shall be paid only to such surviving spouse as was married to such official or employee at the time of his retirement.

SECTION 4. Section 95A of chapter 32 of the General Laws, as most recently amended by chapter 738 of the acts of 1969, is hereby further amended by adding at the end of the first paragraph the following sentence: — The annuity provided to be paid to a surviving spouse under this section shall be paid only to such surviving spouse as was married to such official or employee at the time of his retirement.

SECTION 5. Section 101 of said chapter 32, as amended by chapter 176 of the acts of 1967, is hereby further amended by inserting in line 4, after the word "duties" the following: — or who had been retired for ordinary disability under the provisions of this chapter, and by striking out, in line 6, the words: — "twelve hundred dollars" and inserting in place thereof the following words: — sixteen hundred and eighty dollars, subject to the provisions of paragraph (e) of section 102.

SECTION 6. Section 1 of chapter 526 of the acts of 1963, as amended by chapter 846 of the acts of the same year, is hereby further amended by striking out in line 9, the words: — "fifteen hundred dollars", and inserting in place thereof the words: — sixteen hundred and eighty

dollars, subject to the provisions of paragraph (e) of section 102 of chapter 32 of the General Laws.

SECTION 7. Section 102 of chapter 32 of the General Laws, as most recently amended by chapter 1011 of the acts of 1971, is hereby further amended by striking out said section and inserting in place thereof the following new section: —

Section 102. (a) Beginning in the year nineteen hundred and seventy-one, the life actuary in the division of insurance shall annually in the month of January determine the percentum of change in the average of the cost of living for the previous year as shown by the United States Consumer Price Index for such year, as compared with the average as shown by such index for the year nineteen hundred and sixty-nine, and for each subsequent year prior to the year in which such determination is made, and in the event such comparison indicates an increase in the cost of living in excess of three percentum, a supplemental payment in the amount of such percentum of change shall, subject to the provisions of paragraph (d) of this section, be made to every former employee of the commonwealth or of any county, city, town, district, housing or redevelopment authority, or of the Massachusetts Turnpike Authority, or to the widow or other beneficiary of any such former employee who is receiving a pension, retirement allowance or annuity. In the event such comparison indicates a decrease in the cost of living in excess of three percent, the supplemental payment, if any, shall be decreased in the amount of such percentum of change.

(b) Such percentum of change shall, subject to the provisions of paragraph (c) of this section, be applied to the amount of the pension, retirement allowance or annuity, exclusive of any amount of additional annuity obtained by special purchase, as provided under paragraph (g) of subdivision (1) of section twenty-two, payable to any such former employee, widow or other beneficiary under any general or special law as fixed on December thirty-first, nineteen hundred and sixty-nine, or to the original amount of any such pension, retirement allowance or annuity which became effective subsequent to said date; provided, that in the event the fixed amount of any pension, retirement allowance or annuity has been increased or is increased under any general or special law subsequent to December thirty-first, nineteen hundred and sixty-nine, any payments due under the provisions of section (2) of chapter 661 of the acts of 1966, as amended by section (1) of chapter 408 of the acts of 1967, and any supplemental payment due under the provisions of this section shall first be based on the pension, retirement allowance or annuity as fixed on December thirty-first, nineteen hundred and sixty-nine or on the original amount of the pension retirement allowance or annuity becoming effective after said date, and then reduced by the amount of increase granted under said general or special law.

(c) 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 supplemental payment provided for in this section shall be in an amount as determined by applying the percentum of change, as determined by the life actuary, to the sum of $6,000.

(d) One half of any payment due under the provisions of section (2) of

chapter 661 of the acts of 1966, as amended by section (1) of chapter 408 of the acts of 1967, and any supplemental payment provided for in this section shall become due and payable on July first of each year during the continuance of such pension, retirement allowance or annuity; subject, however, to paragraph (b) of this section and to any future upward or downward change provided 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 payment due under the provisions of section (2) of chapter 661 of the acts of 1966, as amended by section (1) of chapter 408 of the acts of 1967, and any supplemental payment provided for in this section shall become due and payable on December thirty-first of each year during the continuance of such pension, retirement allowance or annuity; subject, however, to paragraph (b) of this section and to any future upward or downward change 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.

(e) Notwithstanding any provision of this section to the contrary, the supplemental payments due and payable to a spouse receiving the minimum allowance under the provisions of option (d) of subdivision (2) of section 12 of this chapter, or under section 101 of this chapter, or under the provisions of chapter 526 of the acts of 1963, as amended, or to any spouse, child or children under the provisions of section 12B of this chapter, shall be, at all times, in an amount equal to the cumulative percentum of change in the cost of living resulting from the determination by the life actuary with the average of the cost of living for the year nineteen hundred and seventy-two serving as the basis of the comparison to be made by the actuary as set forth in paragraph (a) of this section.

SECTION 8. The provisions of section seven of this act shall take effect on January first, nineteen hundred and seventy-two. The provisions of all other sections of this act shall take effect on January first, nineteen hundred and seventy-three.

SECTION 9. On the effective date of this act the amount of the member-survivor allowances being paid, as provided by chapter 284 of the acts of 1948 and acts in amendment thereof, to a widow who has not remarried and who meets the eligibility set forth in the tenth paragraph of section one of this act shall be increased to one hundred and forty dollars a month subject to paragraph (e) of section one hundred and two of chapter thirty-two, and further subject to the provisions of the eleventh paragraph of section one of this act.

SECTION 10. On the effective date of this act the amount of the widow's allowance being paid as provided in section 12B to a widow shall be increased to one hundred and forty dollars a month, subject to the provisions of paragraph (e) of section one hundred and two of chapter thirty-two; provided, that such allowance shall terminate upon her remarriage or death.

SECTION 11. On the effective date of this act the amount of each child's allowance of fifty dollars a month being paid for the benefit of such child shall be increased to eighty dollars a month, subject to para-

graph (e) of section one hundred and two and further subject to the sixth paragraph of section two of this act.

SECTION 12. On the effective date of this act the amount of each child's allowance of thirty-five dollars a month being paid for the benefit of such child shall be increased to sixty dollars a month, subject to paragraph (e) of section one hundred and two and further subject to the sixth paragraph of section two of this act.

SECTION 13. On the effective date of this act the amount of the annual allowance being paid to a widow under the provisions of section one hundred and one of chapter thirty-two shall be increased to sixteen hundred and eighty dollars, subject to the provisions of paragraph (e) of section one hundred and two of said chapter thirty-two, and such amount shall be payable so long as such widow remains unremarried.

SECTION 14. On the effective date of this act the amount of the annuity being paid to a widow under the provisions of chapter five hundred and twenty-six of the acts of nineteen hundred and sixty-three shall be increased to sixteen hundred and eighty dollars a year, subject to the provisions of paragraph (e) of section one hundred and two of chapter thirty-two of the General Laws. *Approved July 19, 1972.*

Chap. 794. AN ACT PROVIDING FOR PAYMENTS OF DEATH BENEFITS TO MEMBERS OF THE BELMONT POLICE RELIEF ASSOCIATION, INCORPORATED UPON THEIR RETIREMENT FROM THE BELMONT POLICE DEPARTMENT OF THE TOWN OF BELMONT.

Be it enacted, etc., as follows:

Any member of the Belmont Police Relief Association, Incorporated who ceases to be a member of the Belmont Police Department 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 ninety days after such retirement, be paid from the funds of said association a sum of money equal to the death benefit provided by its by-laws and those members presently retired shall receive their entitlement upon acceptance of this act.

Approved July 19, 1972.

Chap. 795. AN ACT DISSOLVING THE HINSDALE FIRE DISTRICT AND TRANSFERRING ITS FUNCTIONS TO THE TOWN OF HINSDALE.

Be it enacted, etc., as follows:

SECTION 1. The Hinsdale fire district, hereinafter called the district, is hereby dissolved. By virtue of this act and without further conveyance or other action, the assets of the district are transferred to the town of Hinsdale, hereinafter called the town, and obligations, indebtedness and liabilities of the district shall be assumed by the town.

SECTION 2. All full-time and part-time civil service employees of the district are hereby transferred to the town, to perform the same work in the same positions and with the same status held by them on the date this act takes full effect.

SECTION 3. All appointed officials of the district, who are not under civil service and whose general functions and duties are not duplicated by, or do not correspond in nature to, the functions and duties of like positions in the town, are hereby transferred to the town, to perform the same work in the same positions and with the same status held by them on the date this act takes full effect. Without limiting the generality of the foregoing, the superintendent shall be so transferred.

SECTION 4. The town is hereby authorized to supply itself with water for the extinguishment of fires and for domestic and other purposes.

The provisions of the General Laws applicable to town water systems shall apply to the town, except as otherwise provided by this act. Without limiting the generality of the foregoing, the town water system, and the town shall have the powers granted by sections thirty-nine B to thirty-nine G, inclusive, of chapter forty of the General Laws.

SECTION 5. The town is hereby authorized to lay out, construct, maintain and operate a system or systems of sewers, with such connections, pumping stations, treatment plants and other works as may be required therefor. The town is hereby authorized to lay out and construct a system of sewers located within the town of Dalton for purposes of receiving and transporting the sewerage of the town of Hinsdale. The provisions of the General Laws applicable to town sewer systems shall apply to the town, except as otherwise provided by this act.

SECTION 6. All rules, regulations and rates established by the district shall remain in force so far as consistent with this act until repealed or amended by or on behalf of the town. All assessments and taxes levied by the district which are unpaid on the effective date of this act shall remain in force as assets of the town. All outstanding contracts of the district shall remain in force as contracts of the town.

In addition to the powers granted by the General Laws, for the purposes of this act, the town shall have within its boundaries the powers granted to the district within its boundaries and the town shall have outside of its boundaries the powers granted to the district outside of its boundaries, provided that the town may levy taxes and incur debt for the purposes of this act only as provided by this act or in accordance with other applicable law.

SECTION 7. Debt which has been authorized by the district but not incurred prior to the effective date of this act may be incurred as town debt by the town treasurer with the approval of the selectmen. Debt which the district shall have been empowered by special law to incur but which the district shall not have authorized may be authorized and incurred as town debt by the town. Debt assumed by the town by virtue of this act or authorized or incurred pursuant to this section shall not be subject to the limitation contained in the first paragraph of section seven of chapter forty-four of the General Laws and shall be in excess of the limitation contained in section ten of said chapter forty-four, but any such debt which is for water purposes shall be subject to the limitation contained in the last paragraph of section eight of said chapter forty-four.

SECTION 8. Moneys received by the town from the district and moneys received by the town on account of its water or sewer system from any installation, connection, service or use charges, special assess-

ments, or water rates, or from taxes levied by the district shall be placed in a separate account or accounts and shall be used only for water or sewer expenditures, subject to such additional limitations as may be imposed by law. *Approved July 19, 1972.*

Chap. 796. AN ACT RELATIVE TO CHARGING EMPLOYERS' ACCOUNTS WITH BENEFITS PAID DURING THE PENDENCY OF THEIR APPEALS UNDER THE EMPLOYMENT SECURITY LAW.

Be it enacted, etc., as follows:

Section 14 of chapter 151A of the General Laws is hereby amended by striking out subsections (*k*) and (*l*), as appearing in chapter 397 of the acts of 1953, and inserting in place thereof the following two subsections: —

(*k*) Except as otherwise provided in this subsection, whenever an individual is paid benefits for the first compensable week of unemployment with respect to his base period wages with any employer and because of such payment the account of such base period employer has been charged, as provided in paragraph (3) of subsection (*d*) of this section, the director shall, following the close of the month in which such payment was made, promptly notify the employer whose account is charged by mailing him a form of notice identifying the employer, the payee, the first and subsequent weeks compensated during such month, the amounts paid and the total potential charge. If such employer has reason to believe that no charges with respect to such base period wages should be made to his account, he may return the said notice to the director with the reasons stated thereon within thirty days after the mailing of said notice in accordance with the procedure prescribed by the director. Failure to return said notice and reasons within the time provided in this section, or failure in accordance with the provisions of section thirty-eight to return the notice of claim filed which was given to him by the director or his authorized representative with respect to a claim filed by said worker in the base period or filed previously in the current benefit year, shall bar the employer from being a party to further proceedings relating to such charge. The director or his authorized representative shall promptly determine, in accordance with the procedure established by the director, and after making such inquiries and investigations as he deems necessary, whether or not such benefits should have been charged and shall promptly give notice of such determination, together with the reason therefor, to the employer. Such employer may, within twenty days after the date of mailing of notice of such determination, request that the director grant a hearing for the purpose of reconsidering the facts submitted and to consider any additional information. The director or his authorized representative shall conduct such hearing in accordance with the procedure prescribed by the director and shall affirm, modify or revoke the determination. Notice of his finding shall be mailed to the employer and this decision shall be final.

Such monthly notification of benefit charges to the account of a base period employer, as provided by this subsection and subsection (*l*) of

this section, shall not include any benefits paid during the pendency o a final decision of such payments as provided in section forty-two B.

(*l*) The director shall, promptly after the close of each month, mail to each employer a statement showing the charges to the employer's account during such month. Any such employer may apply for a review of said charges provided that such application is filed within thirty days after the date of the mailing of the statement. Unless an employer properly files for such a review the charges as made will become final.

Approved July 19, 1972.

Chap. 797. AN ACT CHANGING THE SALARY OF THE SHERIFF OF SUFFOLK COUNTY.

Be it enacted, etc., as follows:

SECTION 1. Section 17 of chapter 37 of the General Laws is hereby amended by striking out the second paragraph, as amended by section 1 of chapter 789 of the acts of 1970, and inserting in place thereof the following paragraph: —

The salary of the sheriff of the county of Suffolk shall be a sum equivalent to eighty per cent of the salary of an associate justice of the superior court.

SECTION 2. This act shall take effect upon its acceptance by the city of Boston. *Approved July 19, 1972.*

Chap. 798. AN ACT RELATIVE TO LICENSES FOR CERTAIN INTERSTATE CARRIERS OF PROPERTY.

Be it enacted, etc., as follows:

Chapter 159B of the General Laws is hereby amended by striking out section 10, as most recently amended by section 1 of chapter 289 of the acts of 1968, and inserting in place thereof the following section: —

Section 10. Each interstate carrier by motor vehicle transporting over the ways within the commonwealth for compensation shall apply to the department for an interstate license or registration as defined in section two. Each application for an interstate license or registration shall be made in the same manner as provided in paragraph (*a*) of section three for applications for certificates and shall be accompanied by a fee of ten dollars and a designation showing the name and address of a local agent for the service of process within the commonwealth. Such license or registration shall be issued in the name of the applicant and remain in effect until cancelled or revoked.

One interstate distinguishing plate or vehicle-identification device shall be issued by the department annually to each such licensee for each vehicle of said licensee operating over such ways upon application to the department and payment of a fee of five dollars per plate or device, which plate or device shall bear an identifying number and shall be carried or displayed in the following manner: The interstate distinguishing plate shall be prominently displayed on the front of the vehicle whenever operated or the interstate vehicle-identification device if issued instead shall be attached to a cab card by the interstate

licensee and carried in the cab of the vehicle, and accessible to the driver at all times while operating within the Commonwealth.

Each such plate shall be accompanied by a certificate issued by the department, which shall be in the possession of the driver at all times while operating within the commonwealth and shall set forth the make, manufacturer's serial number, if any, and motor number, if any, of the vehicle with respect to which said plate shall be used. Each such vehicle-identification device when used shall be accompanied by and attached to an authentic cab card, eleven inches in height and eight and one half inches in width. The interstate licensee shall be responsible for the foregoing and in addition shall on or before the fifteenth day of January of each calendar year, but not earlier than the preceding first day of November, such motor carrier shall apply to the National Association of Regulatory Utility Commissioners, or to the commission of any state in which it is permitted to operate pursuant to authority issued by the Interstate Commerce Commission, for the issuance of a sufficient supply of uniform identification cab cards for use in connection with the registration and identification of the vehicle or vehicles which it intends to operate, or driveaway operations which it intends to conduct, within the borders of such state during the ensuing year.

The National Association of Regulatory Utility Commissioners or the state commission, as the case may be, shall issue to the motor carrier the number of cab cards requested. Requests for cab cards submitted to this department shall be accompanied by a fee of thirty cents each.

A motor carrier receiving a cab card under the provisions of this section shall not knowingly permit the use of same by any other person or organization. Prior to operating a vehicle, or conducting a driveaway operation, within the borders of such state during the ensuing year, the motor carrier shall place one of such identification stamps on the back of a cab card in the square bearing the name of such state in such manner that the same cannot be removed without defacing it. The motor carrier shall thereupon duly complete and execute the form of certificate printed on the front of the cab card so as to identify itself and such vehicle or driveaway operation, and shall enter the appropriate expiration date in the space provided below the certificate. Such expiration date shall be within a period of fifteen months from the date the cab card is executed and shall not be later in time than the expiration date of the vehicle-identification device which shall become void on February first in the succeeding calendar year, unless such registration is terminated prior thereto. Indelible ink or typewriter shall be used to execute cab card and any erasure, improper alteration or unauthorized use of a cab card shall render it void. Any person, while operating a commercial motor vehicle, when requested by an investigator or examiner of the commercial motor vehicle division or other officer authorized to make arrests shall permit such person to take the certificate or cab card in hand for the purpose of examination. Such cab card shall not be used for any vehicle except the vehicle for which it was originally prepared. On or before the fifteenth day of January of each calendar year, but not earlier than the preceding first day of November, such interstate licensee shall apply to the Department for the issuance of an interstate distinguishing plate or vehicle-identification device for the registration and identification of the vehicle or vehicles which it in-

tends to operate, or driveaway operations which it intends to conduct, within the Commonwealth during the ensuing year, commencing February first. The interstate licensee may thereafter file supplemental applications for additional plates or devices if the need arises. Each such plate or identification device shall be nontransferable, except as hereinafter provided. Each interstate licensee shall destroy a cab card immediately upon its expiration, except as otherwise provided below. An interstate licensee motor carrier permanently discontinuing the use of a vehicle, for which a cab card has been prepared, shall nullify the cab card at the time of such discontinuance; provided, however, that if such discontinuance results from destruction, loss or transfer of ownership of a vehicle owned by such carrier and such carrier provides a newly acquired vehicle in substitution therefor within thirty days of the date of such discontinuance, each identification stamp and number placed on the cab card prepared for such discontinued vehicle, if such card is still in the possession of the carrier, may be transferred to the substitute vehicle by compliance with the following procedure: Such motor carrier shall duly complete and execute the form of certificate printed on the front of a new cab card, so as to identify itself and the substitute vehicle, and shall enter the appropriate expiration date in the space provided below such certificate; Such motor carrier shall indicate the date it terminated use of the discontinued vehicle by entering same in the space provided for an early expiration date which appears below the certificate of the cab card prepared for such vehicle; and such motor carrier shall affix the cab card prepared for the substitute vehicle to the front of the cab card prepared for the discontinued vehicle, by permanently attaching the upper left-hand corners of both cards together in such a manner as to permit inspection of the contents of both cards and, thereupon, each identification stamp or number appearing on the back of the card prepared for the discontinued vehicle shall be deemed to apply to the operation of the substitute vehicle. If a cab card is lost, destroyed, mutilated, or becomes illegible, a new cab card may be prepared and new identification stamps or numbers may be issued therefor upon application by the motor carrier and upon payment of the same fee prescribed for the original issuance thereof, if any.

Whoever uses any such plate or identification device on any vehicle other than the one for which it is issued, and whoever knowingly permits such plate or device issued to him to be so used, shall be punished by a fine of one hundred dollars.

The fees provided by this section shall not be required of an interstate carrier whose principal place of business and the registration of whose vehicle or of any vehicle under lease or other arrangement is in another state or states in respect to the operation of motor vehicles in interstate commerce over ways within this commonwealth if such state or states, as finally determined by the department, do not require of an interstate carrier whose principal place of business and the registration of whose vehicle or of any vehicle under lease or other arrangement is within this commonwealth any similar fees or charges, however denominated or defined, for the privilege of operating vehicles in interstate commerce over the ways of such other state or states.

This section shall not apply to a motor carrier who or which is the holder of a certificate or permit issued under this chapter and whose operations as an interstate carrier within the commonwealth do not ex-

ceed the limitations of such certificate or permit either as to the territory served or the commodities transported, except that for a motor carrier using the same motor vehicles engaged in intrastate and interstate operations under authority issued by the department and the bureau of motor carriers, interstate commerce commission, the provisions of this section including the fees provided therein shall apply, any provision of law to the contrary notwithstanding. Motor carriers in compliance with the requirements of this section shall not be required to obtain distinguishing plates under the provisions of section nine.

Any interstate carrier by motor vehicle, to whom the department has issued an interstate license and who during any period of one year fails to operate over ways of the commonwealth, and during that period fails to obtain and display an interstate distinguishing plate or other identifying device required by the department as evidence of such operation, shall be deemed to have abandoned such service, and after a hearing the interstate license of such carrier shall be revoked.

Approved July 19, 1972.

Chap. 799. AN ACT REGULATING THE RIGHTS OF TENANTS TO BE REIMBURSED BY THEIR LANDLORDS FOR THE COST OF CERTAIN REPAIRS MADE TO CURE VIOLATIONS OF CERTAIN HEALTH AND SAFETY LAWS, RULES OR REGULATIONS.

Be it enacted, etc., as follows:

Chapter 111 is hereby amended by inserting after section 127K the following section: —

Section 127L. When violations of the standards of fitness for human habitation as established in the state sanitary code, or of other applicable ordinances, by-laws, rules or regulations, may endanger or materially impair the health, safety or well-being of a tenant or tenants of residential premises and are so certified by the board of health or local code enforcement agency or, in the city of Boston by the commissioner of housing inspection, or by a court of law, and if the owner or his agent has been given written notice of the existence of the violations by any of the preceding boards, agencies, municipal departments or courts and if the owner or his agent has failed to begin all necessary repairs or to contract in writing with a third party for such repairs within ten days after receipt of such written notice, and to substantially complete all necessary repairs within twenty-one days of the receipt of said notice, unless any of the preceding boards, agencies, municipal departments or courts have ordered that said violations be corrected within a shorter period, in which case said period shall govern, the tenant or tenants may repair or have repaired the defects or conditions constituting the violations. The tenant or tenants may subsequently deduct from any rent which may subsequently become due, subject to the provisions of the following paragraph, an amount necessary to pay for such repairs. The tenant or tenants may, alternatively in such cases, treat the lease or rental agreement as abrogated, pay only the fair value of their use and occupation and vacate the premises within a reasonable time.

A tenant may not deduct pursuant to this section an amount greater than two months' rent in any twelve-month period, or period of occu-

pancy, whichever is shorter, from rent due to the owner. Such amount shall be computed on the basis of the highest monthly rent during the tenant's occupancy or during the twelve-month period before the violation is repaired, whichever is shorter. Where the violation affects more than one unit of a multi-unit structure, or a portion of the structure reserved for the common use of tenants, the amount deducted for repairs for all affected tenants shall not exceed the total of two months' rent due to the owner from all affected tenants. Failure to exercise any rights under this section in any twelve-month period shall not increase a tenant's rights in any subsequent twelve-month period.

The owner may recover from the tenant any excessive amount deducted from the rent. The amount deducted shall be excessive to the extent that it exceeded two months' rent as calculated pursuant to the preceding paragraph, or if it was unreasonable under all the circumstances. The criteria for unreasonableness shall include, but are not limited to, the alternatives available to the tenant at the time the violations were first reported, the urgency of the need to repair, and the quality and cost of the work done. Any excess deducted may be recovered in an action in contract, but not in an action for possession of the rental premises. The terms of such recovery may include an increase in rent for such future periods as the court may order. No owner may increase rents because of repairs made pursuant to this section, except pursuant to such a court order, and the provisions of section eighteen of chapter one hundred eighty-six shall apply to any such increase in rent.

The rights afforded tenants under this section shall not extend to conditions or violations caused by a tenant or by a person in the family or household of a tenant or by a business invitee or guest of a tenant. A tenant may not invoke the protection of this section if he has unreasonably denied the owner access to the dwelling unit and thereby prevented the owner from making necessary repairs.

In no case may the rights afforded a tenant under this section be construed to limit any other remedies available to him by law, or to impose a duty on him to repair, or to create or imply an assumption of any risk by the tenant; nor shall they relieve a landlord of any existing duty or liability under the state sanitary code or other applicable statutes, rules, regulations, by-laws, or ordinances.

Any provision of a residential lease or rental agreement whereby a tenant, lessee, or occupant enters into a covenant, agreement or contract, the effect of which is to waive the benefits of any provision of this section, shall be against public policy and void; except that a covenant in any lease of two years' duration not counting any renewal periods, in which the tenant undertakes to make certain defined repairs or renovations in consideration for a substantially lower rent, shall not be against public policy nor void. *Approved July 19, 1972.*

Chap. 800. AN ACT RELATIVE TO THE PROTECTION OF CHILDREN IN THE ADOPTIVE PROCESS AND IN FOSTER CARE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 210 of the General Laws is hereby amended by striking out section 2, as most recently amended by chapter 216 of the acts of 1970, and inserting in place thereof the following section: —

Section 2. A decree of adoption shall not be made, except as provided in this chapter, without the written consent of the child to be adopted, if above the age of twelve; of the child's spouse, if any; of the lawful parents, who may be previous adoptive parents, or surviving parent; or of the mother only if the child was born out of wedlock and not previously adopted. A person whose consent is hereby required shall not be prevented from being the adoptive parent.

Such written consent shall be executed no sooner than the fourth calendar day after the date of birth of the child to be adopted. It shall be attested and subscribed before a notary public in the presence of two competent witnesses, one of whom shall be selected by said person. The agency or person receiving custody shall act as guardian of the child until such time as a court of competent jurisdiction appoints a guardian or grants a petition for adoption. Execution of such consent shall be carried out in a manner which shall preserve privacy and confidentiality. A copy of said consent shall be filed with the department of public welfare. A consent executed in accordance with the provisions of this section shall be final and irrevocable from date of execution.

The form of such consent shall be as follows: —

I, as the (relationship) of (name of child), age , of the sex, born in (place of birth), on (date of birth), do hereby voluntarily and unconditionally surrender (child) to the care and custody of (agency or person receiving custody) for the purpose of adoption or such other disposition as may be made by a court of competent jurisdiction. I waive notice of any legal proceeding affecting the custody, guardianship, adoption or other disposition of (child).

I UNDERSTAND THAT THIS SURRENDER IS FINAL AND CANNOT BE REVOKED.

/s/ (person giving consent)

On this day of 19 , before me personally came and appeared and in my presence duly executed the foregoing instrument, and (he, she) acknowledged to me that (he, she) executed the same as (his, her) free act and deed, fully cognizant of its irrevocability.

Date

State of

Notary Public

County of

Signed by (name of person giving consent) as (his, her) freely executed consent in the presence of each of us, and of each other, who thereafter have hereunto signed our names as witnesses.

/s/

Address

/s/

Address

SECTION 2. Said chapter 210 is hereby further amended by striking out section 3, as most recently amended by section 1 of chapter 71 of the acts of 1963, and inserting in place thereof the following section: —

Section 3. (*a*) Whenever a petition for adoption is filed by a person having the care or custody of a child, the consent of the persons named in section two, other than that of the child, shall not be required if: —

(i) the person to be adopted is eighteen years of age or older, or if (ii) the court hearing the petition finds that the allowance of the petition is in the best interests of the child, as defined in paragraph (*c*).

(*b*) The department of public welfare or any licensed child care agency may commence a proceeding, independent of a petition for adoption, in the probate court of Suffolk county or any other county in which said department or agency maintains an office, to dispense with the need for consent of any person named in section two to the adoption of a child in the care or custody of said department or agency. Notice of such proceeding shall be given to such person in a manner prescribed by the court. The court shall issue a decree dispensing with the need for said consent or notice of any petition for adoption of such child subsequently sponsored by said department or agency if it finds that the best interests of the child as defined in paragraph (*c*) will be served by said decree. Pending a hearing on the merits of a petition filed under this paragraph, temporary custody may be awarded to the petitioner.

(*c*) In determining whether the best interests of the child will be served by granting a petition for adoption without requiring certain consent as permitted under paragraph (*a*), the court shall consider the ability, capacity, fitness and readiness of the child's parents or other person named in section two to assume parental responsibility and shall also consider the ability, capacity, fitness and readiness of the petitioners under paragraph (*a*) to assume such responsibilities.

In determining whether the best interests of the child will be served by issuing a decree dispensing with the need of consent as permitted under paragraph (*b*), the court shall consider the ability, capacity, fitness and readiness of the child's parents or other person named in section two of chapter two hundred ten to assume parental responsibility, and shall also consider the plan proposed by the department or other agency initiating the petition.

If said child has been in the care of the department or a licensed child care agency for more than one year, in each case irrespective of incidental communications or visits from his parents or other person named in section two, irrespective of a court decree awarding custody of said child to another and notwithstanding the absence of a court decree ordering said parents or other person to pay for the support of said child there shall be a presumption that the best interests of the child will be served by granting a petition for adoption as permitted under paragraph (*a*) or by issuing a decree dispensing with the need for consent as permitted under paragraph (*b*).

SECTION 3. Section three A of said chapter two hundred and ten is hereby repealed.

SECTION 4. Said chapter 210 is hereby further amended by striking out section 4, as amended by section 2 of chapter 593 of the acts of 1953, and inserting in place thereof the following section: —

Section 4. If the written consent required by section two is not submitted to the court with the petition, the court shall, except where the court under section three has determined that such consent and notice is not required, order notice by personal service upon the parties of an order of notice, in such form as shall be prescribed under section thirty of chapter two hundred and fifteen, or, if the parties are not found within this commonwealth, by publication of said order of notice once in each of three successive weeks in such newspaper as the court orders,

the last publication to be seven days at least before the time appointed for the hearing, and the court may require additional notice and consent. But if such child is of unknown parentage and is a foundling, publication as herein set forth shall not be required; but notice of the petition shall be given to the department of public welfare.

SECTION 5. The fifth sentence of the first paragraph of section 5A of said chapter 210, as appearing in section 2 of chapter 737 of the acts of 1950, is hereby amended by striking out, in line 3, the words "one year" and inserting in place thereof the words: — six months.

SECTION 5A. The sixth sentence of said first paragraph of said section 5A of said chapter 210, as so appearing, is hereby amended by striking out, in line 11, the words "one year" and inserting in place thereof the words: — six months.

SECTION 6. Section 5C of said chapter 210 is hereby amended by striking out the first sentence, as appearing in chapter 59 of the acts of 1958, and inserting in place thereof the following sentence: — All petitions for adoption, all reports submitted thereunder and all pleadings, papers or documents filed in connection therewith, docket entries in the permanent docket and record books shall not be available for inspection, unless a judge of probate of the county where such records are kept, for good cause shown, shall otherwise order.

SECTION 7. Said chapter 210 is hereby amended by striking out section 11, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 11. The supreme judicial court may allow a parent, who, upon a petition for adoption, had no personal notice of the proceedings before the decree and had neither waived notice in accordance with section two nor been the subject of a decree dispensing with need for notice in accordance with section three, to appeal therefrom within one year after actual notice thereof. *Approved July 19, 1972.*

Chap. 801. AN ACT EXEMPTING CERTAIN MONIES HELD BY A BANK OR SIMILAR INSTITUTION FROM TRUSTEE PROCESS.

Be it enacted, etc., as follows:

Chapter 246 of the General Laws is hereby amended by inserting after section 28 the following section: —

Section 28A. Five hundred dollars of any natural person in any account or accounts in a trust company, savings bank, cooperative bank, credit union, national banking association or any other banking institution doing business in the commonwealth shall be exempt from attachment by trustee process. A joint account shall be treated for the purposes of this section as if each depositor owned one half of the amount thereof. Every trustee writ served on such an institution shall describe such exemption with reference to this section. Upon service of such a writ the trustee shall answer as subject to attachment only so much money of the defendant as exceeds five hundred dollars.

No business, trust or organization shall be entitled to the exemption hereunder, and no natural person shall be entitled to more than a five hundred dollar exemption at any one time. In any action the plaintiff may apply to the court for further attachments upon proof by certified records of the trustee or trustees that the defendant has received an

exemption not authorized hereunder or that the five hundred dollar exemption of the defendant has been in whole or in part exhausted or exceeded. *Approved July 19, 1972.*

Chap. 802. AN ACT ESTABLISHING THE STATE BUILDING CODE COMMISSION FOR THE ADOPTION AND PROMULGATION OF A STATE BUILDING CODE.

Be it enacted, etc., as follows:

SECTION 1. Chapter 23B of the General Laws is hereby amended by adding after section 15 the following eight sections: —

Section 16. There shall be in the department a commission to be known as the state building code commission, in this section and in sections seventeen to twenty-three, inclusive, called the commission. The commission shall adopt and promulgate a state building code. The commission shall consist of eleven members, three of whom shall be the commissioner of community affairs or his designee, the state fire marshal or his designee and the chief of inspections of the department of public safety or his designee, all of whom shall be ex officio and voting members of the commission; and eight members to be appointed by the governor, one of whom shall be a registered architect, one of whom shall be a registered professional engineer who shall be a mechanical engineer, one of whom shall be a registered professional engineer who is a structural engineer, one of whom shall be a building owner, one of whom shall be a representative of the building trades, one of whom shall be a building contractor, and one of whom shall be an inspector of buildings in a town or a person in a town having similar duties, and one of whom shall be an inspector of buildings in a city or a person in a city having similar duties.

Upon the expiration of the term of an appointed member, his successor shall be appointed by the governor for a term of six years.

Any member of the commission may be removed by the governor for cause, after being given a written statement of the charges and an opportunity to be heard thereon. Vacancies shall be filled for an unexpired term in the same manner as original appointments.

No member shall act as a member of the commission or vote as such in connection with any matter as to which his private right, distinct from the public interest, is concerned.

A majority of the members of the commission shall constitute a quorum for the purpose of conducting business, but a lesser number may adjourn from time to time.

A chairman and a vice chairman shall be chosen by the members of the commission to serve in said capacities for not more than two consecutive years.

Each member of the commission who is not otherwise an employee of the commonwealth or a city or town shall receive from the commonwealth fifty dollars for each day or portion thereof spent in the performance of his official duties; provided that the total sum paid to any member in any fiscal year shall not exceed three thousand dollars. Each member shall be paid the necessary traveling and other expenses incurred by him in the performance of his duties.

Subject to the approval of the commissioner, the commission shall employ an executive secretary who shall not be subject to the provisions of chapter thirty-one. The department may employ such other personnel to assist the executive secretary as it shall deem necessary.

Section 17. The commission shall have the following powers and duties: —

(*a*) To formulate, propose, adopt and amend rules and regulations relating to (i) the construction, reconstruction, alteration, repair, demolition, removal, inspection, issuance and revocation of permits or licenses, installation of equipment, classification and definition of any building or structure and use or occupancy of all buildings and structures and parts thereof or classes of buildings and structures and parts thereof; (ii) the rehabilitation and maintenance of existing buildings; (iii) the standards or requirements for materials to be used in connection therewith, including but not limited to provisions for safety, ingress and egress, and sanitary conditions; (iv) the establishment of reasonable fees for the issuance of licenses and permits in connection therewith, which fees shall be collected and retained by the city or town issuing such permits or licenses. The commission shall examine the national model codes or any other codes used by cities or states for possible adoption of all or part of such codes as are most suited to the needs of the commonwealth.

Such rules and regulations, together with any penalties for the violation thereof as hereinafter provided, shall comprise and be collectively known as the state building code.

Whoever violates any provision of the state building code, except any specialized code, as described in section nineteen, which heretofore may have provided different penalties, shall be punished by a fine of not more than one thousand dollars or by imprisonment for not more than one year, or both, for each such violation. Each day during which any portion of a violation is permitted to exist shall constitute a separate offense.

(*b*) To subpoena witnesses, take testimony, compel production of books and records and to hold public hearings. The commission may designate one or more of its members to hold special public hearings and report on such hearings to the commission.

(*c*) To make a continuing study of the operation of the state building code, and other laws relating to the construction of buildings to ascertain their effect upon the cost of building construction and the effectiveness of their provisions for health, safety and security.

(*d*) To recommend or require tests and approvals and specify criteria and conditions, of materials, devices, and methods of construction, either upon the initiative of the commission or at the request of any interested person including but not limited to a manufacturer, builder, architect, engineer, inspector of buildings or building commissioner or local or state inspector, in order to ascertain the acceptability of said materials, devices and methods under the requirements of the state building code. The commission shall issue certification of such acceptability, which certification shall be binding on all cities and towns.

(*e*) To review, on its own initiative or on the applications of any inspector of buildings or building commissioner or of any local or state inspector, any interpretation under the state building code; and to

reverse, modify or annul, in whole or in part, such interpretations except with respect to the specialized codes as defined in section nineteen.

(*f*) To establish an advisory board to be known as the technical code council, to assist in and make recommendations relative to the formulation, promulgation and administration of the state building code. Said council shall be convened regularly by the executive secretary of the commission and shall establish its own rules for the conduct of its business. Said council shall include a representative from each state department, commission, agency, board, or division concerned with the state building code, including specialized codes referred to in section nineteen, and such other members as may be determined by the commission.

(*g*) To formulate the administrative procedures and promulgate rules and regulations necessary to administer and enforce the state building code.

(*h*) To revise and amend the state building code exclusive of the specialized codes referred to in section nineteen at least once every five years, and to send a copy of such revisions or amendments to each inspector of buildings or building commissioner and each local and state inspector and to the boards of selectmen of each town and to the mayors of each city.

Section 18. The powers and duties of the commission set forth in section seventeen shall be exercised to effect the following general objectives:

(*a*) Uniform standards and requirements for construction and construction materials, compatible with accepted standards of engineering and fire prevention practices and public safety.

In the formulation of such standards and requirements, performance for the use intended shall be the test of acceptability, in accordance with accredited testing standards.

(*b*) Adoption of modern technical methods, devices and improvements which may reduce the cost of construction without affecting the health, safety and security of the occupants or users of buildings.

(*c*) Elimination of restrictive, obsolete, conflicting and unnecessary building regulations and requirements which may increase the cost of construction or retard unnecessarily the use of new materials, or which may provide unwarranted preferential treatment of types of classes of materials, products or methods of construction without affecting the health, safety, and security of the occupants or users of buildings.

Section 19. The state building code shall incorporate any specialized construction codes, rules or regulations pertaining to building construction, reconstruction, alteration, repair or demolition promulgated by and under the authority of the various boards which have been authorized from time to time by the general court. The specialized codes referred to in this section shall include, but not be limited to, the state plumbing code, electrical code, fire safety code and elevator code.

Section 20. Except for the specialized codes, which shall be amended by the commission without further notice or hearing as such specialized codes are amended by their respective various boards, any person may propose amendments to the state building code. Public hearings shall be held in the city of Boston in May and October of each year, and at such other times and places as the commission may determine, to consider petitions for such amendments. The subject matter of the peti-

tions to be considered shall be indicated in all the required notices. Adoption of an amendment to the state building code shall occur upon an affirmative vote by a majority of the members of the commission at a regularly convened meeting within three months of the final public hearing on the given amendment. Upon publication by the state secretary subject to the provisions of section six of chapter thirty A, such an amendment shall be binding and have the full force and effect of law in all cities and towns unless the commission shall specify a different effective date. The commission shall send a copy of any amendments to each inspector of buildings or building commissioner and to the commissioner of public safety and of community affairs, as well as to the boards of selectmen in towns and to mayors in cities, within thirty days after their adoption.

Section 21. The board of selectmen in a town or the mayor in a city may recommend to the commission the adoption of rules and regulations imposing more restrictive standards than those established by the state building code for construction, alteration, repair, demolition, and removal in such a city or town.

If the commission finds that more restrictive standards are reasonably necessary because of special conditions prevailing within such city or town and that such standards conform with accepted national and local engineering and fire prevention practices, with public safety and with the general purposes of a statewide building code, the commission may, after notice to said board of selectmen of mayor, and after a public hearing, adopt rules and regulations, impose conditions in connection with the adoption thereof and terminate such rules and regulations at such time and in such manner as the commission may deem necessary, desirable or proper.

Section 22. The department shall prepare a course of instruction or shall approve a course of instruction offered by others for training persons intending to qualify or be certified as local inspectors to be given at such times and places as will insure its availability to such interested citizens of the commonwealth.

The department is authorized to issue a certificate classifying any person that satisfactorily completes such course of instruction as a registered professional building code official.

The department shall also prepare and administer a continuing educational program of instruction designed to assist all local and state inspectors of buildings in executing their responsibilities under this act. Regular attendance at these meetings shall be required of all state and local inspectors and such instruction shall be given at such times and places as will insure its availability to state and local inspectors. No state or local inspector who attends such course of instruction shall lose any rights relative to compensation or vacation time.

Section 23. There shall be in the department a state building code appeals board, hereinafter called the board, composed of the state building code commission established by section sixteen.

Whoever is aggrieved by an interpretation, order, requirement, direction or failure to act by any state or local agency or any person or state or local agency charged with the administration or enforcement of the state building code or any of its rules and regulations, excepting any specialized codes as described in section nineteen, which heretofore may

have established separate appeals procedures, may within forty-five days after the service of notice thereof appeal from such interpretation, order, requirement, direction, or failure to act to the board.

Appeals hereunder shall be on forms provided by the board and shall be accompanied by such fee as may be established by it.

The state, city or town officer in charge of the record and all other papers and documents relative to an appeal shall forthwith upon receipt of request of the board transmit the papers and documents constituting such record to the board.

An appeal shall stay all proceedings in furtherance of the action or failure to act appealed from unless the state or local agency or any person charged with the administration or enforcement of the state building code or any of its rules and regulations presents evidence that a stay would involve imminent peril to life or property.

The chairman of the board may designate any three members of the board to hold any public hearing under this section, and to hear testimony and take evidence.

The board in hearings conducted under this section, shall not be bound by strict rules of evidence prevailing in courts of law or equity.

Decisions on appeal shall be made by the three members of the board conducting the public hearing. Every decision shall require the concurrence of at least two of the three members holding the public hearing and shall state in writing its findings of fact, its conclusions, reasons for its decision and indicate the vote of each member upon the decision.

The chairman shall fix a convenient time and place for a public hearing before said three members. Such hearing shall be held not later than thirty days after the entry of such appeal unless such time is extended by agreement with the appellant. The chairman shall give notice of the time and place of said hearing to all interested parties at least ten days prior thereto. Any such party may appear in person or by agent or attorney at such hearing. The board shall within thirty days after such hearing, unless such time is extended by like agreement, issue a decision or order reversing, affirming or modifying in whole or in part such interpretation, order or requirement, or postponing the application thereof.

The board of appeal may vary the application of any provision of this code to any particular case when in its opinion the enforcement thereof would do manifest injustice, provided that the decision of the board shall not conflict with the general objectives set forth in section eighteen.

In exercising its powers under this section the board may impose limitations both as to time and use, and a continuation of any use permitted may be conditioned upon compliance with regulations made and amended from time to time thereafter. A copy of such order or decision of the board shall be sent forthwith by certified mail to all interested parties.

A record of all decisions on appeals of the board and of votes thereunder, properly indexed, shall be maintained in the office of the board and shall be open to public inspection at all times during business hour.

The board may establish a local board of appeal in any city or town or a regional board of appeal for more than two or more cities or towns consisting of not less than three members nor more than five members. The board may require as a condition precedent to appeal to the board that said appeal be first heard by such local or regional board of appeals.

Such local or regional board of appeals may establish rules for its own procedure and shall have the same powers and duties relative to appeals as the state building code appeals board. A copy of any decision by a local board of appeal shall be transmitted to the commission within ten days after the rendering such decision.

SECTION 2. Section 18 of chapter 6A of the General Laws, as appearing in section 3 of chapter 704 of the acts of 1969, is hereby amended by striking out, the first time it appears in line 4, the word: — thirteen.

SECTION 3. Section 1G of chapter 15 of the General Laws is hereby amended by striking out the twelfth paragraph, as appearing in line 2 of chapter 572 of the acts of 1965, and inserting place thereof the following paragraph: —

The board shall establish minimum standards for all public school buildings, subject to the provisions of the state building code.

SECTION 4. Chapter 22 of the General Laws is hereby amended by striking out section 4A, as amended by chapter 721 of the acts of 1951, and inserting in place thereof the following section: —

Section 4A. There shall be within the department a division to be known as the division of inspection. The commissioner shall appoint a chief of inspections, who shall not be subject to the provisions of chapter thirty-one, and who may be removed for cause. The commissioner shall establish the requirements and qualifications for inspectors who are employed by the division of inspection and appointed pursuant to section six and shall have administrative responsibility over such inspectors.

The commissioner shall establish districts within the commonwealth, each of which shall be supervised by an inspector appointed pursuant to this section and said section six, whose responsibilities shall be to make periodic reviews of all local building inspection practices, to provide technical assistance and advice to the local inspectors in the implementation of the state building code, and to supervise the enforcement of the state building code within such district. The commissioner may review, on his own initiative or on the application of any inspector, any action or refusal or failure of action by any local inspector the result of which does not comply with the uniform implementation of the state building code; and may reverse, modify or annul, in whole or in part, such action except with respect to the specialized codes as described in section nineteen of chapter twenty-three B.

SECTION 5. Section thirteen of said chapter twenty-two of the General Laws is hereby repealed.

SECTION 6. Clause (*o*) of the second paragraph of section 3 of chapter 23B of the General Laws, as appearing in section 1 of chapter 761 of the acts of 1968, is hereby amended by striking out, in line 4, the words "Model Building Codes".

SECTION 7. Section 59 of chapter 111 of the General Laws, as most recently amended by section 1 of chapter 719 of the acts of 1962, is hereby further amended by striking out, in lines 18 and 19, the words "section forty-nine of chapter one hundred and forty-three" and inserting in place thereof the words: — the provisions of the state building code.

SECTION 8. The second paragraph of section 34 of chapter 121B of the General Laws, as appearing in section 2 of chapter 359 of the acts of 1970, is hereby amended by striking out, in line 10, the words "three

J of chapter one hundred and forty-three" and inserting in place thereof the words: — seventeen of chapter twenty-three B.

SECTION 9. The second paragraph of section 37 of said chapter 121B, as appearing in section 4 of said chapter 359, is hereby amended by striking out the third sentence and inserting in place thereof the following sentence: — A project so planned shall be deemed to comply with the provisions of the state building code.

SECTION 10. Section 34 of chapter 140 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 5 and 6, the words "section forty-nine of chapter one hundred and forty-three" and inserting in place thereof the words: — the state building code.

SECTION 11. Section 35 of said chapter 140, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words "chapter one hundred and forty-three" and inserting in place thereof the words: — the state building code.

SECTION 12. Chapter 143 of the General Laws is hereby amended by striking out section 1, as most recently amended by sections 1 and 2 of chapter 1098 of the acts of 1971, and inserting in place thereof the following section: —

Section 1. In this chapter the following terms, unless a contrary meaning is required by the context or is specifically prescribed, shall have the following meanings:

"Alteration", change in or addition to a building which reduces the means of exit or fire resistance or changes its structural support, use or occupancy.

"Building", a combination of any materials, whether portable or fixed, having a roof, to form a structure for the shelter of persons, animals or property. For the purpose of this definition "roof" shall include an awning or any similar covering, whether or not permanent in nature. The word "building" shall be construed where the context requires as though followed by the words "or part or parts thereof".

"Commission", the state building code commission established by section sixteen of chapter twenty-three B.

"Commissioner", the commissioner of public safety.

"Department", department of public safety.

"Inspector", an inspector in the division of inspection of the department, except when qualified by the word "local", whereupon it shall mean the inspector of buildings, building commissioner or local inspector of a city, town or district.

"Repair", the reconstruction or renewal of a building or structure or part thereof damaged by fire or other cause.

"Specialized code", all building codes, rules or regulations pertaining to building construction, reconstruction, alteration, repair or demolition promulgated by and under the authority of the various boards which have been authorized from time to time by the general court.

"State building code", the state building code and amendments and rules and regulations thereto as promulgated by the state building code commission under sections sixteen, seventeen and eighteen of chapter twenty-three B.

"Structure", a combination of materials assembled at a fixed location to give support or shelter, such a building, framework, retaining wall, tent, reviewing stand, platform, bin, fence, sign, flagpole, recre-

ational tramway, mast for radio antenna or the like. The word "structure" shall be construed, where the context allows, as though followed by the words "or part or parts thereof".

"Theatre", a building or part thereof in which it is intended to make a business of the presentation of performances for the entertainment of spectators, which has a seating capacity of more than four hundred, with a stage which can be used for scenery and other appliances.

SECTION 13. The third sentence of section 2A of said chapter 143, inserted by chapter 430 of the acts of 1951, is hereby amended by striking out, in line 3, the words "and Ford building".

SECTION 14. Section 2B of said chapter 143, inserted by chapter 547 of the acts of 1949, is hereby amended by striking out, in lines 3 and 4, the words "commission on administration and finance" and inserting in place thereof the words: — commissioner of administration and finance.

SECTION 15. Said chapter 143 is hereby further amended by striking out section 3, as most recently amended by section 1 of chapter 499 of the acts of 1968, and inserting in place thereof the following section: —

Section 3. The mayor of each city or board of selectmen in each town shall, within one month after the promulgation of the state building code, employ and designate an inspector of buildings or building commissioner, as well as such other local inspectors as are reasonably necessary to assist the inspector of buildings or building commissioner, to administer and enforce the state building code. The administrative chief of the inspections of buildings in any city or town shall be called the inspector of buildings or building commissioner and any additional local inspectors employed by any city or town to assist the inspector of buildings or building commissioner shall be called local inspectors. Two or more cities and towns may combine and share expenses in the appointment of any inspector of buildings or building commissioner and local inspectors. Each inspector of buildings or building commissioner and local inspector shall have had at least five years of experience in the supervision of building construction or design and shall have a general knowledge of the quality and strength of building materials, the accepted requirements for building construction, fire prevention, light, ventilation and safe exits; and other equipment essential for safety, comfort, and convenience of the occupants of a building.

In the event that a city or town shall be without a local inspector, the commission may, with the approval of the commissioner, direct an inspector to temporarily fulfill the duties of the local inspector for a period not to exceed thirty days. In such an event the inspector shall have all the powers of a local inspector. Each city or town shall reimburse the commonwealth for the actual cost of such services provided.

The clerk of each city and town shall annually, not later than April first, transmit to the commission in writing the name and official address of each inspector of buildings or building commissioner and each local inspector in such city or town.

SECTION 16. Said chapter 143 is hereby further amended by striking out section 3A, as amended by section 1 of chapter 482 of the acts of 1945, and inserting in place thereof the following section: —

Section 3A. In every city or town the state building code shall, unless otherwise provided by said state building code, be enforced by the local inspector as to any structure or building or parts thereof and as to con-

struction, alteration or repair of any structure or building or part thereof within the jurisdiction of that city or town.

In every city and town the state building code shall be enforced by the inspector as to any structures or buildings or parts thereof leased or occupied as tenant-at-will by the commonwealth, or owned by the federal government where such federal structures or parts thereof are not exempted from state regulation by federal law. The inspector shall have as to such structures or buildings all the powers of a local inspector under this chapter and under the state building code.

The inspector may review any order or decision of a local inspector. He shall supervise the enforcement of the state building code, make periodic reviews of all local building inspection practices and make recommendations for improvements of such practices. Reports of such reviews shall be filed with the commission.

SECTION 17. Sections three B, three D, three G, three H, three I, and three J of said chapter one hundred and forty-three are hereby repealed.

SECTION 18. The first paragraph of section 3L of said chapter 143, as appearing in section 1 of chapter 617 of the acts of 1950, is hereby amended by inserting after the word "inclusive", in line 7, the words: —, and the state building code.

SECTION 19. Section 3N of said chapter 143, inserted by section 2 of chapter 737 of the acts of 1960, is hereby amended by striking out, in line 4, the words "Boston Building Code" and inserting in place thereof the words: — state building code.

SECTION 20. The first sentence of section 3Q of said chapter 143, as amended by section 6 of chapter 614 of the acts of 1966, is hereby further amended by inserting after the word "department", in lines 7 and 8, the words: — and the state building code commission.

SECTION 21. Said chapter 143 is hereby further amended by striking out section 3R, as most recently amended by chapter 303 of the acts of 1969, and inserting in place thereof the following section: —

Section 3R. At least one of the doors of the main common entryway into every apartment house having more than three apartments shall be so designed or equipped as to close and lock automatically with a lock, including a lock with an electrically-operated striker mechanism, a self-closing door and associated equipment, and such lock, door or equipment shall be of a type approved by the state building code commission. Every door of the main common entryway and every exterior door into every such apartment house, other than the door of such main common entry way which is equipped as provided in the preceding sentence, shall be equipped with a lock of a type approved by said state building code commission; provided, however, that the said commission may, in writing, waive any of the requirements of this section in appropriate cases in which, in its opinion, other security measures are in force which adequately protect the residents of such apartment house. Whoever, being in control of such premises, willfully and knowingly violates the provisions of this section shall be punished by a fine of not more than five hundred dollars.

This section shall not apply to lodging houses, as defined in section twenty-two of chapter one hundred and forty, dormitories of charitable, educational or philanthropic institutions, or projects of housing authorities, as defined in chapter one hundred and twenty-one.

SECTION 22. Sections four and five of said chapter one hundred and forty-three are hereby repealed.

SECTION 23. Said chapter 143 is hereby further amended by striking out section 6, as most recently amended by section 1 of chapter 214 of the acts of 1957, and inserting in place thereof the following section: —

Section 6. The local inspector, immediately upon being informed by report or otherwise that a building or other structure or anything attached thereto or connected therewith in that city or town is dangerous to life or limb or that any building in that city or town is unused, uninhabited or abandoned, and open to the weather, shall inspect the same; and he shall forthwith in writing notify the owner, lessee or mortgagee in possession to remove it or make it safe if it appears to him to be dangerous, or to make it secure if it is unused, uninhabited or abandoned and open to the weather. If it appears that such structure would be especially unsafe in case of fire, it shall be deemed dangerous within the meaning hereof, and the local inspector may affix in a conspicuous place upon its exterior walls a notice of its dangerous condition, which shall not be removed or defaced without authority from him.

SECTION 24. Section 8 of said chapter 143, as most recently amended by section 3 of said chapter 214, is hereby further amended by striking out, in line 10 and in line 13, respectively, the words "inspector of buildings" and inserting in place thereof, in each instance, the words: — local inspector.

SECTION 25. Said chapter 143 is hereby further amended by striking out section 9, as most recently amended by section 5 of chapter 649 of the acts of 1970, and inserting in place thereof the following section: —

Section 9. If such report declares such structure to be dangerous or to be unused, uninhabited or abandoned, and open to the weather, and if the owner, lessee or mortgagee in possession continues such refusal or neglect, the local inspector shall cause it to be made safe or taken down or to be made secure, and, if the public safety so requires, said local inspector may at once enter the structure, the land on which it stands or the abutting land or buildings, with such assistance as he may require, and secure or remove the same, and may remove and evict, under the pertinent provisions of chapter two hundred thirty-nine or otherwise, any tenant or occupant thereof, and may erect such protection for the public by proper fence or otherwise as may be necessary, and for this purpose may close a public highway. In the case of such demolition, the local inspector shall cause such lot to be levelled to uniform grade by a proper sanitary fill. The costs and charges incurred shall constitute a lien upon the land upon which the structure is located and shall be enforced in an action of contract, and such owner, lessee or mortgagee in possession shall, for every day's continuance of such refusal or neglect after being so notified, be punished by a fine of not less than ten nor more than fifty dollars. The provisions of the second paragraph of section three A of chapter one hundred and thirty-nine, relative to liens for such debt and the collection of claims for such debt, shall apply to any debt referred to in this section, except that the local inspector shall act hereunder in place of the mayor or board of selectmen. During the time such order is in effect it shall be unlawful to use or occupy such structure or any portion thereof for any purpose.

SECTION 26. Section 10 of said chapter 143, as most recently amended by section 4 of chapter 541 of the acts of 1949, is hereby further amended by inserting after the word "the", in line 5, the word: — local.

SECTION 27. Section 12 of said chapter 143, as amended by section 4 of chapter 697 of the acts of 1945, is hereby further amended by inserting after the word "town", in line 4, the words: — or of the state building code.

SECTION 28. Sections fifteen, fifteen A, sixteen, seventeen, to twenty-one C, inclusive, and twenty-four to thirty-one, inclusive, of said chapter one hundred and forty-three are hereby repealed.

SECTION 29. Said chapter 143 is hereby further amended by striking out section 32, as amended by section 3 of chapter 544 of the acts of 1943, and inserting in place thereof the following section: —

Section 32. If a schoolhouse in any city has not been provided with a safe and proper egress or other means of escape from fire, as required by this chapter or by pertinent sections of the state building code, within six months after written notice by the local inspector to the owner, lessee, occupant, or agent in charge thereof, the mayor, for the purpose of conforming to the provisions of this chapter or the state building code relative to egress or other means of escape from fire in schoolhouses, may, upon petition of one hundred citizens or taxpayers in such city, authorize the expenditure upon such schoolhouse of not more than fifteen per cent of the cost thereof, payable from any money in the treasury of that city which is not otherwise appropriated.

SECTION 30. Sections thirty-three and thirty-four of said chapter one hundred and forty-three are hereby repealed.

SECTION 31. Said chapter 143 is hereby amended by striking out, section 35, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 35. The licensee shall be responsible, civilly and criminally, for noncompliance with the laws and the state building code applicable to the theatre, special hall or public hall, as defined by this chapter or by the state building code, covered by his license, and for noncompliance with the conditions thereof.

SECTION 32. Sections thirty-six to forty-two, inclusive, and forty-four to forty-nine, inclusive, of said chapter one hundred forty-three are hereby repealed.

SECTION 33. Section 43 of said chapter 143 is hereby amended by striking out, in lines 1 and 2, as appearing in the Tercentenary Edition, the words "subject to sections fifteen to sixty, inclusive".

SECTION 34. Said chapter 143 is hereby further amended by striking out section 50, as amended by chapter 472 of the acts of 1945, and inserting in place thereof the following section: —

Section 50. Any person who hinders or prevents or attempts to prevent the commissioner, the chief of inspections of the department or any inspector or local inspector from entering any building, structure or enclosure or part thereof in the performance of his duty in the enforcement of the laws of the commonwealth relating thereto shall be punished by a fine of not less than fifty nor more than one hundred dollars. The word "inspector" as used in this section, shall include an inspector of buildings of a city or town, or of a district referred to in section four A of chapter twenty-two.

SECTION 35. Said chapter 143 is hereby further amended by striking out section 51, as amended by chapter 510 of the acts of 1945, and inserting in place thereof the following section: —

Section 51. The owner, lessee, mortgagee in possession or occupant, being the party in control, of a place of assembly, theatre, special hall, public hall, factor, workshop, manufacturing establishment or building shall comply with the provisions of this chapter and the state building code relative thereto, and such person shall be liable to any person injured for all damages caused by a violation of any of said provisions. No criminal prosecution for such violation shall be begun until the lapse of thirty days after such party in control has been notified in writing by a local inspector as to what changes are necessary to meet the requirements of such provisions, or if such changes shall have been made in accordance with such notice. Notice to one member of a firm or to the clerk or treasurer of a corporation or to the person in charge of the building or part thereof shall be sufficient notice hereunder to all members of any firm or corporation owning, leasing or controlling the building or any part thereof. Such notice may be served personally or sent by mail.

SECTION 36. Sections fifty-two to fifty-four, inclusive, of said chapter 143 are hereby repealed.

SECTION 37. Section 54A of said chapter 143, inserted by chapter 239 of the acts of 1966, is hereby amended by inserting after the word "of", the second time it appears in line 2, the words: — the state building code or.

SECTION 38. Sections fifty-five and fifty-six of said chapter one hundred and forty-three are hereby repealed.

SECTION 39. Said chapter 143 is hereby further amended by striking out section 57, as most recently amended by section 2 of chapter 582 of the acts of 1948, and inserting in place thereof the following section: —

Section 57. The supreme judicial court or superior court shall have jurisdiction in equity to enforce the provisions of this chapter, the provisions of the state building code, and of any ordinance, by-law, rule or regulation made under authority of any of such provisions, the enforcement of which, under this chapter, is the responsibility of an inspector or local inspector; to enjoin violations thereof; and to restrain the use and occupation of any building subject to any provision of this chapter during the period of noncompliance with any order of such inspector or local inspector or such authorized representative or of the court.

SECTION 40. Said chapter 143 is hereby further amended by striking out section 59, as most recently amended by section 3 of chapter 533 of the acts of 1945, and inserting in place thereof the following section: —

Section 59. The supreme judicial court or superior court may, upon the application of the commissioner, an inspector or local inspector, enforce by any suitable process or decree any section of this chapter, the state building code and any order or requirement of any person made under the authority thereof, which provisions or sections said commissioner, inspector or local inspector is, under this chapter or the state building code authorized to enforce.

SECTION 41. Said chapter 143 is hereby further amended by striking out section 60, as amended by section 4 of said chapter 533, and inserting in place thereof the following section: —

Section 60. The supreme judicial court or the superior court may restrain the illegal placing, maintenance or use of any building, structure or other thing. It may, upon the petition of a city or town or of a local inspector for such relief, require the removal of any such building, structure or other thing by the owner, and may authorize the city or town or such local inspector, in default of such removal by the owner, to remove it at the owner's expense. Upon such petition, the defendant shall be presumed to have acted without a license or authority until he proves the contrary.

SECTION 42. Said chapter 143 is hereby further amended by striking out section 61, as amended by section 2 of chapter 674 of the acts of 1945, and inserting in place thereof the following section: —

Section 61. The local inspector in every city and town shall give to the assessors thereof written notice of the granting by him of permits for the construction of any building in such city or town or for any substantial alteration or addition thereto. Such notice shall be given within seven days after the granting of each permit, and shall state the name of the person to whom the permit was granted and the location of the building to be constructed or altered or to which an addition is to be made.

SECTION 43. Said chapter 143 is hereby further amended by striking out section 62, as most recently amended by section 1 of chapter 616 of the acts of 1963, and inserting in place thereof the following section: —

Section 62. The commissioner shall divide the commonwealth into districts, the number and limits of which may, from time to time, be changed at his discretion. The commissioner shall cause an approved system of elevator inspection to be instituted and maintained in each city and town in a district. Each city and town, whenever the commissioner shall so request, shall submit to him a written report specifying the number and types of elevators therein, the system of elevator inspection employed and such other information may be necessary for him to determine whether it has an approved system of elevator inspection. A city or town shall be deemed to have an approved system of elevator inspection if it has a local inspector or a person acting as such, unless in the opinion of the commissioner, it has failed to appoint an adequate number of competent elevator inspectors or otherwise provide for competent inspection of all elevators within such city or town. The commissioner shall assign an adequate number of competent inspectors for all elevators in cities and towns in a district not having an approved system of elevator inspection. The local inspector, or person acting as such, in a city or town having an approved system of elevator inspection and all inspectors assigned by the commissioner shall have supervision of the installation, alteration, maintenance, inspection and approval of all elevators within their respective jurisdictions, and shall enforce the regulations of the board of elevator regulations. No elevator shall be installed or altered until a copy of the plans and specifications of such elevator or of the proposed alterations shall have been filed by the owner of the premises where such elevator is to be installed or altered, or by the manufacturer of such elevator, with the inspector or local inspector having jurisdiction, and a certificate of approval or a specification of requirements shall have been issued by him. The word "elevator" shall include moving stairways.

SECTION 44. Section 62A of said chapter 143, as appearing in section 2 of chapter 616 of the acts of 1963, is hereby amended by inserting after the word "buildings", in line 2, the words: — building commissioner or local inspector.

SECTION 45. Section 63 of said chapter 143, as appearing in the Tercentenary Edition, is hereby amended by inserting after the word "inspector", in line 4, the words: — or local inspector.

SECTION 46. Said chapter 143 is hereby further amended by striking out section 64, as most recently amended by chapter 157 of the acts of 1966, and inserting in place thereof the following section: —

Section 64. All elevators shall be thoroughly inspected and a practical test made of the safety devices required therefor at intervals of not more than one year and at such other times as may be deemed necessary by the inspector or local inspector. The inspection and practical test shall be made by a licensed elevator construction man, maintenance or repairmen in the presence of an inspector or local inspector having jurisdiction. The owner or person in control of a building in which the elevator is located shall arrange for such inspection and practical test within six months from the time of notice from the inspector or local inspector having jurisdiction thereof. Except in the city of Boston, within ten days after the inspection, said inspector or local inspector shall file a complete written report of all changes and defects in apparatus or equipment to the commissioner of public safety upon forms to be furnished by him. In the city of Boston, within ten days after the inspection, said inspector or local inspector shall file a complete written report of all changes and defects in apparatus or equipment to the Boston building commissioner upon forms furnished by him.

SECTION 47. Said chapter 143 is hereby further amended by striking out section 65, as appearing in the Tercentenary Edition, and inserting in place thereof the following section: —

Section 65. If in the judgment of any inspector or local inspector having jurisdiction thereof an elevator is safe, and if the elevator has been constructed in the manner required by law or by the regulations of the board of elevator regulations or the state building code, the inspector shall issue a certificate to that effect to the owner of the elevator or to the person in charge thereof, who shall post the certificate in a conspicuous place in or near the cab or car of such elevator. If such elevator is judged unsafe, the inspector or local inspector shall immediately post conspicuously upon the entrance or door of the cab or car of such elevator, or upon the elevator, a notice of its dangerous condition, and shall prohibit the use of the elevator until it has been made safe to his satisfaction. No person shall remove such notice or operate such elevator until the inspector or local inspector has issued his certificate as aforesaid.

SECTION 48. Said chapter 143 is hereby further amended by striking out section 66, as amended by chapter 182 of the acts of 1970, and inserting in place thereof the following section: —

Section 66. Any owner, operator or person in charge of an elevator or any person employed to inspect, repair or install an elevator shall immediately, if an accident occurs during such installation or repair, or if he thinks such elevator is unsafe, make a written report thereof to the inspector or local inspector having jurisdiction thereof, who shall forth-

with inspect such elevator. If an accident occurs to an elevator, the operator, person in charge or owner having knowledge thereof shall immediately report such accident to the inspector or local inspector having jurisdiction, who shall forthwith inspect such elevator.

SECTION 49. Section 68 of said chapter 143, as appearing in the Tercentenary Edition, is hereby amended by striking out, in line 9, the words "inspectors of buildings" and inserting in place thereof the words: — local inspectors.

SECTION 50. The first paragraph of section 69 of said chapter 143, as appearing in section 2 of chapter 643 of the acts of 1945, is hereby amended by inserting after the word "buildings", in line 11, the words: — or building commissioner.

SECTION 51. Section 70 of said chapter 143, as most recently amended by section 2 of chapter 439 of the acts of 1959, is hereby further amended by striking out, in line 3, the words "inspector of buildings" and inserting in place thereof the words: — local inspector.

SECTION 52. Said chapter 143 is hereby further amended by adding the following two sections: —

Section 91. Whoever violates any of the provisions of sections one to ninety, inclusive, shall, unless another penalty is prescribed, be punished by a fine of not less than one hundred nor more than one thousand dollars.

Section 92. No new state building code, rule or regulation or amendments thereof shall affect any building permit lawfully issued, or any building or structure lawfully begun in conformance with such permit, before the effective date of the state building code in a city or town, provided, that construction work under such a permit is commenced within six months after its issue, and that such work, whether under such permit or otherwise lawfully begun, proceeds in good faith continuously to completion so far as is reasonably practicable under the circumstances.

SECTION 53. Section 6 of chapter 147 of the General Laws, as appearing in the Tercentenary Edition, is hereby amended by striking out, in lines 3 and 4, the words "section thirty-six of chapter one hundred and forty-three" and inserting in place thereof the words: — the state building code.

SECTION 54. The last paragraph of section 4 of chapter 148 of the General Laws, as appearing in section 5 of chapter 446 of the acts of 1959, is hereby amended by striking out, in line 3, the words "in section one of chapter one hundred and forty-three" and inserting in place thereof the words: — by the state building code.

SECTION 55. Paragraph B of section 28 of said chapter 148, as appearing in section 12 of chapter 710 of the acts of 1945, is hereby amended by striking out, in lines 4 and 5, the words "section twenty-one of chapter one hundred and forty-three" and inserting in place thereof the words: — the state building code.

SECTION 56. Said section 28 of said chapter 148 is hereby further amended by striking out paragraph I, as most recently amended by chapter 81 of the acts of 1970, and inserting in place thereof the following paragraph: —

I. Prohibiting or regulating smoking in theaters, public halls, special halls, factories, workshops, mercantile establishments, schools, colleges,

universities, public buildings and institutions as defined by the state building code, docks, wharves and warehouses.

SECTION 57. Paragraph L of said section 28 of said chapter 148, as amended by section 1 of chapter 680 of the acts of 1963, is hereby further amended by striking out, in line 3, the words "section one of chapter one hundred and forty-three" and inserting in place thereof the words: — the state building code.

SECTION 58. Paragraph N of said section 28 of said chapter 148, inserted by section 9 of chapter 363 of the acts of 1946, is hereby amended by striking out, in lines 1 and 2, the words "section twenty-four of chapter one hundred and forty-three" and inserting in place thereof the words: — the state building code as it pertains to providing fire extinguishers.

SECTION 59. Section 28A of said chapter 148, inserted by chapter 689 of the acts of 1963, is hereby amended by striking out, in lines 4 to 6, inclusive, the words "chapter one hundred and forty-three, or of any ordinance or by-law enacted or adopted under authority of said chapter one hundred and forty-three, or of the Boston Building Code" and inserting in place thereof the words: — the state building code or any amendments thereto.

SECTION 60. The first sentence of section 126 of chapter 149 of the General Laws, as amended by chapter 349 of the acts of 1954, is hereby further amended by striking out, in lines 3 and 4, the words "section twenty-one of chapter one hundred and forty-three and inserting in place thereof the following words: — the state building code.

SECTION 61. The first paragraph of section 13A of chapter 266 of the General Laws, as appearing in section 4 of chapter 690 of the acts of 1963, is hereby amended by striking out, in lines 5 and 6, the words "section forty-five of chapter one hundred and forty-three" and inserting in place thereof the words: — the state building code.

SECTION 62. The last sentence of section 31 of chapter 272 of the General Laws, as amended by section 1 of chapter 348 of the acts of 1970, is hereby further amended by striking out, in lines 6 and 7, the words "section thirty-four of chapter one hundred and forty-three" and inserting in place thereof the words: — the provisions of the state building code.

SECTION 63. The last sentence of section 32 of said chapter 272, as amended by section 2 of said chapter 348, is hereby further amended by striking out, in line 7, the words "section thirty-four of chapter one hundred and forty-three" and inserting in place thereof the words: — the provisions of the state building code.

SECTION 64. Chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight is hereby repealed.

SECTION 65. The second paragraph of section 15A of chapter 354 of the acts of 1952, as appearing in section 1 of chapter 505 of the acts of 1963, is hereby amended by striking out, in lines 4 and 5, the words "chapter one hundred and forty-three of the General Laws" and inserting in place thereof the words: — the state building code.

SECTION 66. Section 8 of chapter 665 of the acts of 1956 is hereby amended by striking out the first paragraph and inserting in place thereof the following two paragraphs: —

There is hereby established in the city of Boston a board to be called the board of appeal, and to consist of five members appointed by the

mayor in the following manner: — the first member from two candidates, one to be nominated by the Boston Real Estate Board and one by the Massachusetts Real Estate Board; the second member from two candidates, one to be nominated by the Boston Society of Architects and one by the Boston Society of Civil Engineers; the third member from three candidates, one to be nominated by the Master Builders Association, one by the Building Trades Employers' Association and one by the Building Contractors Association of Massachsuetts, Inc. the fourth member from two candidates to be nominated by the Building Trades Council of Boston and Vicinity; and the fifth member to be selected by the mayor. Appointments to said board shall be for terms of five years. Vacancies shall be filled for an unexpired term in the same manner in which original appointments are required to be made. Each member of the board of appeal shall receive for every day of part thereof of actual services twenty dollars or such other sum as may from time to time be fixed by the city council with the approval of the mayor; but no member shall so receive in any one year more than fifteen hundred dollars or such other sum as may from time to time by fixed by the city council with the approval of the mayor. No member shall act in a case in which he has a personal interest, and when a member is so disqualified, or absent, the remaining members shall designate a substitute. Members of said board shall be residents of or engaged in business in the city of Boston. The board shall establish rules and regulations for its own procedure not inconsistent with this code.

Any board or officer of the city or any person aggrieved by reason of being refused a permit by any administrative official under the provisions of the state building code or by reason of any order or decision of the building commissioner or other administrative official in violation of any provision of the state building code or any zoning regulation or amendment thereof adopted under the state building code may appeal to said board of appeal within forty-five days after such refusal, order or decision by paying to the building commissioner a fee of twenty-five dollars or such other sum as the city council with the approval of the mayor may from time to time prescribe, and by filing with the board or officer from whose refusal, order or decision the appeal is taken a notice of appeal specifying the grounds thereof. Such board or officer shall forthwith transmit to said board of appeal such notice of appeal and all documents and papers constituting the record of the case in which the appeal is taken.

SECTION 66A. All members first appointed to the board of appeal of the city of Boston established by section sixty-six of this act shall be the members in office on the effective date of this act of the board of appeal established by section one hundred and seventeen of chapter four hundred and seventy-nine of the acts of nineteen hundred and thirty-eight and repealed by section sixty-four of this act, and said members shall continue to hold their positions until said position would have otherwise expired under said chapter four hundred and seventy-nine.

SECTION 67. Within one year from the date of qualification of all its members, the state building code commission shall hold public hearings for the purpose of adopting or promulgating a state building code. There shall be at least one such hearing in each of the counties of the commonwealth. Said commission shall give notice of such public hear-

ings to the commissioner of public safety, the commissioner of community affairs, the board of selectmen in towns and the mayor in cities, each inspector of buildings or building commissioner and other such individuals or organizations, both within and without the commonwealth, as are concerned, in the opinion of said commission, with the promulgation of such code. Notice of each such public hearing shall be published in at least one newspaper of general circulation in each of the cities of Boston, Worcester, Springfield, Fall River, Lowell, Lynn and Pittsfield at least twenty-one days before the dates set for each such hearing.

After the conclusion of all such public hearings, but not later than July first, nineteen hundred and seventy-four, said commission shall adopt and promulgate a state building code by filing a certified original of said code, signed by at least two thirds of the members of said commission, with the secretary of the commonwealth, and by filing certified copies of said code with the clerks of the senate and the house of representatives. A copy of the code so adopted and promulgated shall be sent by said commission to each local and state inspector and to the boards of selectmen in towns and to the mayors in cities. Said code shall be binding and have the full force and effect of law on January first, nineteen hundred and seventy-five, in all cities and towns notwithstanding any special or general law to the contrary.

SECTION 68. The state building code commission, established by section one of this act, shall make a study of the effectiveness of the administration and enforcement of the state building code. Said commission shall include in said study its recommendations relative to the number of local inspectors that will be reasonably necessary to carry out the responsibility for the health, safety and welfare of the general public, and the salary ranges of said local inspectors, including inspectors, inspectors of buildings, and building commissioners, commensurate with their duties and responsibilities. Said commission shall report the results of said study to the governor and the general court on or before December fourth, nineteen hundred and seventy-six.

SECTION 69. Of the members first appointed to the state building code commission established under section seventeen of chapter twenty-three B of the General Laws, added by section one of this act, three shall be appointed for terms of two years, three for terms or four years, and two for terms of six years.

SECTION 70. Notwithstanding any general or special law to the contrary, all inspectors of buildings, building commissioners, and local inspectors in office on the effective date of this act shall be deemed qualified and certified but not subject to the provisions of chapter thirty-one of the General Laws if such inspector of buildings, building commissioner or local inspector was not previous to the effective date of this act subject to the provisions of said chapter thirty-one, provided that said inspectors complete a course of instruction to be prepared and administered by the department, or offered by other public or private agencies satisfactory to the department.

All local inspectors, except any inspector of buildings or building commissioner or alternate inspector of buildings appointed to act in the disability of the inspector of buildings in case of illness, absence or conflict of interest, appointed after the effective date of this act shall be

subject to the provisions of said chapter thirty-one, provided that as to all such local inspectors, eligibility for qualification as local inspector shall include but not be limited to the certification by the department for completion of a course of instruction.

Nothing in this section shall be construed to deprive any inspector of buildings, building commissioner or local inspector who is, previous to the effective date of this act, subject to the provisions of said chapter thirty-one of any rights under said chapter.

SECTION 71. Any building code board of appeals duly established by ordinance or by-law or otherwise in a city or town and in existence on January first, nineteen hundred and seventy-five, shall qualify as a local board of appeals for the purposes of section twenty-three of chapter twenty-three B of the General Laws, inserted by section one of this act.

SECTION 72. All orders, rules and regulations duly made by the board of standards, established by section thirteen of chapter twenty-two of the General Laws and abolished by section five of this act, shall remain in full force and effect until superseded, revised, rescinded or cancelled by the state building code commission in accordance with this act, unless the intent of this act otherwise requires. All powers and duties given the board of standards under chapter one hundred and forty-three of the General Laws shall be performed by the state building code commission, established by section one of this act.

SECTION 73. All inspectors in office on the effective date of this act shall be deemed qualified and certified for the purposes of section twenty-two of chapter twenty-three B of the General Laws, inserted by section one of this act, and are hereby reappointed without impairment of civil service status, seniority, retirement, and other rights of employees, without interruption of service within the meaning of chapter thirty-one of the General Laws or section nine A of chapter thirty of the General Laws and without reduction in compensation and salary grade notwithstanding any change in 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.

SECTION 74. 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 75. All by-laws and ordinances of cities and towns in conflict with the state building code shall cease to be effective on January first, nineteen hundred and seventy-five.

SECTION 76. Sections two, five, and seventy-two of this act shall take effect on January first, nineteen hundred and seventy-three.

SECTION 77. Sections three and four, sections six to sixty-six A, inclusive, and section seventy-five of this act shall take effect on January first, nineteen hundred and seventy-five.

SECTION 78. This act shall not affect the existence, power or duties of a local board of license examiners in existence on the effective date of this act.

Approved July 19, 1972.

Chap. 803. AN ACT PROVIDING FOR AN ENVIRONMENTAL CAPITAL OUTLAY PROGRAM FOR THE COMMONWEALTH, INCREASING THE AMOUNT OF MONEY WHICH MAY BE BORROWED UNDER THE CHARLES RIVER IMPROVEMENT LOAN OF 1962, AND DECREASING THE AMOUNT OF MONEY WHICH MAY BE BORROWED UNDER THE CHARLES RIVER BASIN IMPROVEMENT LOAN OF 1957.

Be it enacted, etc., as follows:

SECTION 1. The sums set forth in sections two, five, seven, ten, and twelve 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 to provide for a program of development, redevelopment, and improvement of outdoor recreation areas, including the acquisition of land and waters; environmental improvement and rehabilitation of the lands and waters of the commonwealth; enlargement and improvement of the recreational facilities of the metropolitan district commission; further development of the metropolitan district commission water supply system; and for the construction of fish-rearing facilities including pollution abatement.

SECTION 2. DEPARTMENT OF NATURAL RESOURCES. The department of natural resources is hereby authorized and directed to expend a sum not exceeding nine million dollars for the acquisition of land and waters, as authorized by section three of chapter one hundred and thirty-two A of the General Laws, including the expenses in connection therewith and the cost of planning therefor, and the development, redevelopment, renovation, and improvement of outdoor recreation areas and for the preparation of plans for future projects to carry out a continuing outdoor recreation capital outlay program, provided that not more than one million dollars may be expended for the planning of such future projects; provided, however, that such expenditures shall not be subject to the provisions of section thirty A of chapter seven of the General Laws.

SECTION 3. To meet the cost of a portion of the expenditures authorized by section two of this act in anticipation of sums to be received from the federal government for the purposes of section one, there is hereby appropriated from the Federal Capital Improvement Fund the sum of three million dollars; provided that notwithstanding the amounts appropriated in section two and this section, the amount authorized to be expended in section two shall not exceed the sum of six million dollars plus the amounts certified by the proper federal authorities as the federal share of the cost of the paid expenditures; and provided further, that federal funds received as the said federal share shall be credited to the Federal Capital Improvement Fund.

SECTION 4. To meet a portion of the expenditures authorized by section one, the state treasurer shall, upon the request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best to an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, the sum of six million dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Outdoor Recreation Capital Outlay Loan, Act of 1972, and shall

be on the serial payment for such maximum term of years, not exceeding ten years, as the governor may recommend to the general court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semiannually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-seven. All interest payments and payments on account of principal on the bonds authorized by this section shall be paid from the State Recreation Areas Fund.

SECTION 5. METROPOLITAN SEWERAGE DISTRICT. The metropolitan district commission is hereby authorized and directed to expend a sum not exceeding eighty-three million dollars to construct such relief, trunk and other sewers, pumping stations and other works and facilities as may be deemed necessary or advisable after the engineering studies of these and alternative methods and technologies have been conducted, such as, but not limited to, the flushing of sewers during periods of no storm overflow for improving the quality of the waters of Dorchester bay, so-called; to construct sludge disposal facilities for the Nut and Deer Island plants in accord with the provisions of the Boston Harbor federal enforcement conference; to reconstruct, rehabilitate, and repair the Dorchester Interceptor, so-called, provided that the city of Boston has, pursuant to section two of chapter six hundred and forty-five of the acts of nineteen hundred and forty-one, as aforesaid, granted to the commonwealth without consideration and the metropolitan district commission has accepted in the name and behalf of the commonwealth that part of the main drainage system of said city of Boston known as said Dorchester Interceptor; to enlarge, modify, and rehabilitate its existing relief, trunk and other sewers, pumping stations, and other appurtenant works and facilities; to repair, rehabilitate and replace, as it deems necessary or advisable, such of the city of Boston's tide gates, so-called, as are located in the Charlestown and East Boston districts of said city; to make a study of the further extension of its sewerage system to determine the desirability and feasibility of constructing additional sewage facilities for the purpose of providing the cities and towns which are eligible to become or may apply to become members of such a district, with a more adequate system of sewage disposal. 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 costs of the projects and works for which they are incurred. It is further provided that not more than ten percent of the funds appropriated be expended for the planning of these projects.

SECTION 6. To meet the expenditures necessary in carrying out the provisions of section five 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 eighty-three

million dollars. Such bonds shall be designated on their face, Metropolitan Sewerage Loan, Act of 1972, and shall be on the serial payment plan for such maximum terms of years, not exceeding thirty years, as the governor may recommend to the General Court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, two thousand and seven. All interest payments and payments on account of principal of such bonds shall be assessed and paid from the Metropolitan District Sewerage Fund as provided in chapter ninety-two of the General Laws.

SECTION 7. METROPOLITAN PARKS DISTRICT.

The metropolitan district commission is hereby authorized and directed to expend a sum not exceeding twenty-four million dollars to enlarge and improve existing recreational facilities along the Mystic River in the cities of Somerville and Medford and the towns of Arlington and Winchester known as the Mystic River Basin Reservation; to construct a dam across the Mystic River; to improve the water quality of the Charles river and the Muddy river in the city of Boston and the town of Brookline, the Pines river in the city of Lynn and the town of Saugus, Alewife brook in the cities of Medford, Somerville, Cambridge, and Mother brook and Long Ditch in the towns of Dedham and the city of Boston; to provide recreational facilities for the metropolitan parks district including the redevelopment of the Franklin Park Zoo and the restoration of Fort Independence, Castle Island and Pleasure Bay to provide for beautification, prevent pollution and make land acquisition where necessary, along the banks of the Neponset river in Dorchester district of the cities of Boston and Quincy and in the town of Milton, and provided further that a swimming pool be constructed on the land owned by the commission at the Lower Mills playground in the Dorchester district of the city of Boston; and to provide for recreational and open space acquisition in the metropolitan parks district, provided that no more than ten per cent of the amounts appropriated may be used for the planning of these projects.

SECTION 8. To meet the expenditures necessary in carrying out the provisions of section seven of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time but not exceeding, in the aggregate, the sum of twenty-four million dollars. Such bonds shall be designated on their face, Metropolitan Recreation and Environmental Loan, Act of 1972, and shall be on the serial payment plan for such maximum terms of years, not exceeding twenty years, as the governor may recommend to the General Court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in

the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and ninety-seven. All interest payments and payments on account of principal of such bonds shall be paid from the Metropolitan District Park Fund to be assessed by methods fixed by law.

SECTION 9. The commission for the purposes of section seven of this act, may, on behalf of the commonwealth, take by eminent domain under chapter seventy-nine of the General Laws, or acquire by purchase or otherwise, any lands, waters, water rights, watercourses, rights of way, easements, or other property or interest in property, and shall have all the rights, powers, and duties, and be subject to the limitations of section thirty-two of chapter ninety-two of the General Laws; provided, however, that cities and towns in the area or areas within which construction may occur shall grant to the commission the right to enter upon any public land and to construct such facilities as may be necessary without recourse to damages therefor. The commission, however, shall as provided in said section thirty-two, heed all reasonable requests of officials of said cities and towns to restore such public property to its present condition as far as is practicable.

SECTION 10. The metropolitan district commission is hereby authorized and directed to expend a sum not exceeding one million dollars to make studies of and prepare comprehensive plans and programs for the further development of its water supply system, so-called, for the purpose of providing the cities and towns which are members of the Metropolitan Water District, the cities and towns which are eligible to become members of said district, and other municipalities of the commonwealth which are obtaining, or in the future may obtain, all or a portion of their water supply from the facilities of the commission, with an adequate, continuing, and safe water supply. Engineering and administrative expenses, including, but not limited to, personnel, materials, supplies, and transportation costs, incurred under this act shall be considered part of the direct cost of carrying out said act.

SECTION 11. To meet the expenditures necessary in carrying out the provisions of section ten of this act, the state treasurer shall, upon request of the governor, issue and sell at public or private sale bonds of the commonwealth, registered or with interest coupons attached, as he may deem best, to an amount to be specified by the governor from time to time, but not exceeding in the aggregate, the sum of one million dollars. Such bonds shall be designated on their face, Metropolitan Water District Loan, Act of 1972, and shall be on the serial payment plan for such maximum term of years not exceeding twenty years, as the governor may recommend to the General Court pursuant to section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be so arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually, at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the

entire issue not later than June thirtieth, nineteen hundred and ninety-seven. 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 to be assessed by methods fixed by law.

SECTION 12. The division of fisheries and game is hereby authorized and directed to expend a sum not exceeding two hundred and fifty thousand dollars to provide for the construction of pollution abatement facilities, fish-rearing facilities, and fish screens at the McLaughlin and Palmer state hatcheries and the Quabbin reservoir, provided that not more than ten percent of the amount may be used for planning.

SECTION 13. To meet a portion of the expenditures authorized by section twelve 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 hundred and fifty thousand dollars. All bonds issued by the commonwealth, as aforesaid, shall be designated on their face, Fisheries and Game Capital Outlay Loan, Act of 1972, and shall be on the serial payment for such maximum term of years, not exceeding ten years, as the governor may recommend to the General Court pursuant to Section 3 of Article LXII of the Amendments to the Constitution of the Commonwealth, the maturities thereof to be arranged that the amounts payable in the several years of the period of amortization other than the final year shall be as nearly equal as in the opinion of the state treasurer it is practicable to make them. Said bonds shall bear interest semi-annually at such rate as the state treasurer, with the approval of the governor, shall fix. The initial maturities of such bonds shall be payable not later than one year from the date of issue thereof and the entire issue not later than June thirtieth, nineteen hundred and eighty-seven. All interest payments and payments on account of principal on the bonds authorized by this section shall be paid from the Inland Fisheries and Game Fund.

SECTION 14. The metropolitan district commission, the department of natural resources, and the division of fisheries and game are hereby authorized to accept funds from public and private sources and may make application for federal and state assistance in carrying out any of the projects authorized by this act. Any such funds or assistance made available to the commonwealth for the projects and works authorized by this act shall, if the bonds have not been sold, be used to reduce the amount of the bonds so authorized, and if the bonds have been sold, said funds or assistance when received shall be used to meet the payment of maturities and interest on the bonds issued under this act.

SECTION 15. No expenditure shall be made from funds authorized by this act for consultant services, so-called, or services coded in accordance with the expenditure code manual under the subsidiary title "03 Services — Non-Employees" unless the rate of compensation for such services shall have been approved by the commissioner of administration. Said commissioner shall, immediately upon the approval of any such rate or rates, file copies of the schedule or schedules of approved rates with the comptroller and with the house and senate committees on ways and means. Before engaging such consultant services under said subsidiary title "03", as so coded, as "Professional," the department shall certify to the budget director that funds are avail-

able 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 16. Section 1 of chapter 550 of the acts of 1962 is hereby amended by adding the following two sentences: — The commission may, on behalf of the commonwealth and subject to the approval of the governor, enter into an agreement to cooperate with the United States of America for the construction of said dam and other works and appurtenances, or any part thereof, under the supervision of the Chief of Engineers of the United States Army, as authorized by section 203 of the Federal Rivers and Harbors Act of 1968. Pursuant to such agreement the commission is hereby authorized to pay to the United States of America, from sums made available by this act, together with sums made available to the commission by chapter six hundred and sixteen of the acts of nineteen hundred and sixty-seven and any acts in supplementation of amendment thereof, such sums as may be required to pay for the non-federal share of the cost of the project; to transfer to the United States of America such land and interests in land and other property under the control of the commission as may be required for the project, and to comply with all other requirements of non-federal cooperation imposed by or pursuant to said Federal Rivers and Harbors Act of 1968, sections 210 and 305 of the Federal Uniform Relocation Assistance and Land Acquisition Policies Act of 1970, and such other federal laws as may be applicable.

SECTION 17. Section 5 of said chapter 550 is hereby amended by striking out, in lines 6 and 7, the words "five million" and inserting in place thereof the words: — six million five hundred thousand.

SECTION 18. Section 2 of chapter 646 of the acts of 1957 is hereby amended by striking out, in line 8, the words "six million five" and inserting in place thereof the words: — three million seven.

SECTION 19. The metropolitan district commission is hereby authorized and directed to expend a sum not exceeding two million dollars to provide for flood control along the Furnace brook in that part of Quincy known as West Quincy, Braintree Dam in Braintree, and Town Brook located partly in said Quincy and partly in said Braintree, by constructing any necessary new facilities, and by reconstructing and rehabilitating existing facilities to control the flooding in the areas of these waterways.

SECTION 20. To meet the expenditures necessary in carrying out section nineteen 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. Such bonds shall be designated on their face, Metropolitan Flood Control Loan, Act of 1972, and shall be on the serial payment plan for such maximum terms 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 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.

Approved July 19, 1972.

Chap. 804. AN ACT RELATIVE TO THE ISSUANCE OF LIFE INSURANCE POLICIES FOR CERTAIN MENTALLY RETARDED PERSONS.

Be it enacted, etc., as follows:

SECTION 1. Chapter 175 of the General Laws is hereby amended by inserting after section 120 the following section: —

Section 120A. No insurer authorized to issue policies upon the lives of persons in the Commonwealth may refuse, for the sole reason of mental retardation, to issue a policy of individual life insurance on the life of any minor person residing in the Commonwealth who has reached the age of three years, if the amount of insurance applied for is exactly one thousand five hundred dollars and there is no other insurance in force or pending consideration on the life of such person. "Insurer" as used in this section shall include every life insurance company as defined in section one hundred and eighteen of chapter one hundred and seventy-five, every fraternal benefit society as defined in section one of chapter one hundred and seventy-six, and every insurance department of a savings bank as defined in section one of chapter one hundred and seventy-eight.

SECTION 2. This act shall take effect December 31, 1972.

Approved July 19, 1972.

Chap. 805. AN ACT PROVIDING FOR THE ESTABLISHMENT AND ADMINISTRATION OF A CRIMINAL OFFENDER RECORD INFORMATION SYSTEM.

Be it enacted, etc., as follows:

SECTION 1. Chapter 6 of the General Laws is hereby amended by adding after section 166 the following twelve sections: —

Section 167. The following words shall, whenever used in this section or in sections one hundred and sixty-eight to one hundred seventy-eight, inclusive, have the following meanings unless the context otherwise requires: "Criminal justice agencies", those agencies at all levels of government which perform as their principal function, activities relating to (*a*) crime prevention, including research or the sponsorship of research; (*b*) the apprehension, prosecution, adjudication, incarceration, or rehabilitation of criminal offenders; or (*c*) the collection, storage, dissemination or usage of criminal offender record information.

"Criminal offender record information", records and data compiled by criminal justice agencies for purposes of identifying criminal offenders and of maintaining as to each such offender a summary of arrests,

pretrial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation and release. Such information shall be restricted to that recorded as the result of the initiation of criminal proceedings or of any consequent proceedings related thereto. It shall not include intelligence, analytical and investigative reports and files, nor statistical records and reports in which individuals are not identified and from which their identities are not ascertainable.

"Interstate systems", all agreements, arrangements and systems for the interstate transmission and exchange of criminal offender record information. Such systems shall not include recordkeeping systems in the commonwealth maintained or controlled by any state or local agency, or group of such agencies, even if such agencies receive or have received information through, or otherwise participated or have participated in, systems for the interstate exchange of criminal record information.

"Purge", remove from the criminal offender record information system such that there is no trace of information removed and no indication that said information was removed.

Section 168. There shall be a criminal history systems board, hereinafter called the board, consisting of the following persons: the attorney general, the chairman of the Massachusetts defenders committee, the chairman of the parole board, the chief justice of the district courts, the chief justice of the superior court, the chief justice of the supreme judicial court, the commissioner of the department of correction, the commissioner of the department of public safety, the commissioner of the department of youth services, the commissioner of probation, the executive director of the governor's public safety committee, and the police commissioner of the city of Boston, or their designees, all of whom shall serve ex officio, and three other persons to be appointed by the governor for a term of three years one of whom shall represent the Massachusetts district attorneys association, one of whom shall represent the Massachusetts chiefs of police association, and one of whom shall represent the county commissioners and sheriffs association. Upon the expiration of the term of any appointive member his successor shall be appointed in a like manner for a term of three years.

The governor shall designate annually the chairman of the board from among its members. No chairman may be appointed to serve more than two consecutive terms. The chairman shall hold regular meetings, one of which shall be an annual meeting and shall notify all board members of the time and place of all meetings. Special meetings may be called at any time by a majority of the board members and shall be called by the chairman upon written application of eight or more members. Members of the board shall receive no compensation, but shall receive their expenses actually and necessarily incurred in the discharge of their duties.

The board, after receiving the advice and recommendations of its advisory committee, shall, with the approval of two-thirds of the board members or their designees present and voting, promulgate regulations regarding the collection, storage, dissemination and usage of criminal offender record information.

The board shall provide for and exercise control over the installation, operation and maintenance of data processing and data communication systems, hereinafter called the criminal offender record information

system. Said system shall be designed to insure the prompt collection, exchange, dissemination and distribution of such criminal offender record information as may be necessary for the efficient administration and operation of criminal justice agencies, and to connect such systems directly or indirectly with similar systems in this or other states. The board shall appoint, subject to section one hundred and sixty-nine, and fix the salary of a director of teleprocessing who shall not be subject to the provisions of chapter thirty-one or of section nine A of chapter thirty. The board may appoint such other employees, including experts and consultants, as it deems necessary to carry out its responsibilities, none of whom shall be subject to the provisions of chapter thirty-one or of section nine A of chapter thirty.

The board shall make an annual report to the governor and file a copy thereof with the state secretary, the clerk of the house of representatives and the clerk of the senate.

The board is authorized to enter into contracts and agreements with, and accept gifts, grants, contributions, and bequests of funds from, any department, agency, or subdivision of federal, state, county, or municipal government and any individual, foundation, corporation, association, or public authority for the purpose of providing or receiving services, facilities, or staff assistance in connection with its work. Such funds shall be deposited with the state treasurer and may be expended by the board in accordance with the conditions of the gift, grant, contribution, or bequest, without specific appropriation.

Section 169. There shall be a criminal history system advisory committee of the board, hereinafter called the advisory committee, consisting of the following persons and their designees: the commissioner of the Boston police department, the attorney general, the commissioner of correction, the commissioner of public safety, the commissioner of youth services, the director of teleprocessing of the criminal offender record system, the executive director of the governor's public safety committee, the president of the Massachusetts district attorneys association, the commissioner of probation, the chairman of the parole board, and the chief justices of the district and superior courts. Each agency represented shall be limited to one vote regardless of the number of designees present at the time any votes are taken.

The advisory committee shall elect its own chairman from its membership to serve a term of one year. No chairman may be elected to serve more than two consecutive terms. The advisory committee may appoint an executive secretary, legal counsel and such other employees as it may from time to time deem appropriate to serve, provided, however, that such employees shall not be subject to chapter thirty-one or section nine A of chapter thirty.

The chairman shall hold regular meetings, one of which shall be an annual meeting and shall notify all advisory committee members of the time and place of all meetings. Special meetings shall be called at any time by a majority of the advisory committee members, and shall be called by the chairman upon written application of seven or more members.

The advisory committee shall recommend to the board regulations relating to the collection, storage, dissemination and use of criminal offender record information. The advisory committee shall ensure that

communication is maintained among the several prime users. The advisory committee shall also recommend to the board the director of teleprocessing of the criminal offender record information system.

The advisory committee may coordinate its activities with those of any interstate systems for the exchange of criminal offender record information, may nominate one or more of its members to serve upon the council or committee of any such system and may participate when and as it deems appropriate in any such system's activities and programs.

The advisory committee may conduct such inquiries and investigations as it deems necessary and consistent with its authority. It may request any agency that maintains, receives, or that is eligible to maintain or receive criminal offender records to produce for inspection statistical data, reports and other information concerning the collection, storage, dissemination and usage of criminal offender record information. Each such agency is authorized and directed to provide such data, reports, and other information.

The advisory committee, shall report annually to the board concerning the collection, storage, dissemination and usage of criminal offender record information in the commonwealth. The board may require additional reports as it deems advisable.

Section 170. There shall be a security and privacy council, hereinafter called the council, consisting of the chairman and one other member of the advisory committee, chosen by the advisory committee, and seven other members to be appointed by the governor, to include representatives of the general public, state and local government, and one representative of the criminal justice community. Of the seven members initially appointed by the governor, two shall be appointed for a period of one year, two shall be appointed for a period of two years, two shall be appointed for a period of three years, one shall be appointed for a period of four years. Thereafter, each of the appointments shall be for a period of four years. Each member appointed by the governor shall serve until his successor is appointed and has qualified. The chairman of the council shall be elected by and from within the council to serve for a term of two years. The advisory committee shall provide such clerical and other assistance as the council may require. The council shall meet at the call of the governor, its chairman, or any three of its members and shall conduct a continuing study and review and to make recommendations concerning questions of individual privacy and system security in connection with the collection, storage, dissemination, and usage of criminal offender record information. Council members shall receive no compensation for their services on the council but shall receive their expenses necessarily incurred in the performance of official duties.

The council may conduct such inquiries and investigations as it deems necessary and consistent with its authority. The board, each criminal justice agency in the commonwealth, and each state and local agency having authorized access to criminal offender record information, is authorized and may furnish to the council, upon request made by its chairman, such statistical data, reports, and other information directly related to criminal offender record information as is necessary to carry out the council's functions.

The council shall make an annual report to the governor and file a copy thereof with the state secretary and the clerk of the house of representatives and the clerk of the senate. It may make such ad-

ditional reports and recommendations as it deems appropriate to carry out its duties.

The council shall appoint one or more of its members to serve upon any similar council or committee connected with any interstate system for the exchange of criminal offender record information, and may participate as it deems appropriate in the activities of any such system.

Section 171. The board shall promulgate regulations (*a*) creating a continuing program of data auditing and verification to assure the accuracy and completeness of criminal offender record information; (*b*) assuring the prompt and complete purging of criminal record information, insofar as such purging is required by any statute or administrative regulation, by the order of any court of competent jurisdiction, or to correct any errors shown to exist in such information; and (*c*) assuring the security of criminal offender record information from unauthorized disclosures at all levels of operation.

The board shall cause to be initiated for employees of all agencies that maintain, receive, or are eligible to maintain or receive criminal offender record information a continuing educational program in the proper use and control of such information.

Section 172. Criminal offender record information shall be disseminated, whether directly or through any intermediary, only to (*a*) criminal justice agencies and (*b*) such other individuals and agencies as are authorized access to such records by statute.

The board shall certify which agencies and individuals requesting access to criminal offender record information are authorized such access. The board shall, regarding such agency or individual, make a finding in writing of eligibility or non-eligibility for such access. No such information shall be disseminated to any agency or individual prior to the board's determination of eligibility or, in cases in which the board's decision is appealed, prior to the final judgment of a court of competent jurisdiction that the agency or individual is so eligible.

Each agency holding or receiving criminal offender record information shall maintain, for such period as is found by the board to be appropriate, a listing of the agencies of individuals to which it has released or communicated such information. Such listings, or reasonable samples thereof, may from time to time be reviewed by the board, advisory committee, or council to determine whether any statutory provisions or regulations have been violated.

Dissemination from any agency in this commonwealth of criminal offender record information shall, except for purposes of research programs approved under section one hundred and seventy-three, be permitted only if the inquiry is based upon name, fingerprints or other personal identifying characteristics. The board shall promulgate regulations to prevent dissemination of such information, except in the above situations, where inquiries are based upon categories of offense or data elements other than said characteristics.

Notwithstanding the provisions of this section, access to criminal offender record information on the basis of data elements other than personal identifying characteristics shall be permissible if the criminal justice agency seeking such access has first obtained authorization from the commissioner of probation, or in his absence, a deputy commissioner of probation. Such authorization may be given as a matter of discretion in cases in which it has been shown that such access is imperative

for purposes of the criminal justice agency's investigational or other responsibilities and the information sought to be obtained is not reasonably available from any other source or through any other method.

Section 173. The board shall promulgate regulations to govern the use of criminal offender record information for purposes of program research. Such regulations shall require preservation of the anonymity of the individuals to whom such information relates, shall require the completion of nondisclosure agreements by all participants in such programs, and shall impose such additional requirements and conditions as the board finds to be necessary to assure the protection of privacy and security interests..

The board may monitor any such programs to assure their effectiveness. The board may, if it determines that a program's continuance threatens privacy or security interests, prohibit access on behalf of any such program to criminal offender record information.

Section 174. The board shall supervise the participation by all state and local agencies in any interstate system for the exchange of criminal offender record information, and shall be responsible to assure the consistency of such participation with the terms and purposes of sections one hundred and sixty-eight to section one hundred and seventy-eight, inclusive..

Direct access to any such system shall be limited to such criminal justice agencies as are expressly designated for that purpose by the board. Where any such system employs telecommunications access terminals, the board shall limit the number and placement of such terminals to those for which adequate security measures may be taken and as to which the board may impose appropriate supervisory regulations.

Section 175. Each individual shall have the right to inspect, and if practicable, copy, criminal offender record information which refers to him. If an individual believes such information to be inaccurate or incomplete, he shall request the agency having custody or control of the records to purge, modify or supplement them. If the agency declines to so act, or if the individual believes the agency's decision to be otherwise unsatisfactory, the individual may in writing request review by the council. The council shall, in each case in which it finds prima facie basis for complaint, conduct a hearing at which the individual may appear with counsel, present evidence, and examine and cross-examine witnesses. Written findings shall be issued within sixty days of receipt by the council of the request for review. Failure to issue findings shall be deemed a decision of the council. If the record in question is found to be inaccurate, incomplete or misleading, the council shall recommend to the board that the record be appropriately purged, modified or supplemented by explanatory notation. Notification of the council's recommendation and subsequent orders by the board to delete, amend or supplement the records, shall be disseminated by the board to any individuals or agencies to which the records in question have been communicated, as well as to the individual whose records have been ordered so altered within ten days of receipt of the council's recommendation. Failure of the board to act shall be deemed a decision of the board.

Agencies at which criminal offender records are sought to be inspected shall prescribe reasonable hours and places of inspection, and shall im-

pose such additional restrictions as may be approved by the board, including fingerprinting, as are reasonably necessary both to assure the record's security and to verify the identities of those who seek to inspect them.

Section 176. Any individual or agency aggrieved by any order or decision of the board or adverse recommendation of the council or failure of the council to issue findings may appeal such order, recommendation or decision to the superior court in the county in which he is resident or in which the board issued the order or decision from which the individual or agency appeals. The court shall in each such case conduct a de novo hearing, and may order such relief as it finds to be required by equity.

Section 177. Any aggrieved person may institute a civil action in superior court for damages or to restrain any violation of sections one hundred and sixty-eight to one hundred and seventy-five, inclusive. If it is found in any such action that there has occurred a willful violation, the violator shall not be entitled to claim any privilege absolute or qualified, and he shall in addition to any liability for such actual damages as may be shown, be liable for exemplary damages of not less than one hundred and not more than one thousand dollars for each violation, together with costs and reasonable attorneys' fees and disbursements incurred by the person bringing the action.

Section 178. Any person who willfully requests, obtains or seeks to obtain criminal offender record information under false pretenses, or who willfully communicates or seeks to communicate criminal offender record information to any agency or person except in accordance with the provisions of sections one hundred and sixty-eight to one hundred and seventy-five, inclusive, or any member, officer, employee or agency of the board, the advisory committee, the council or any participating agency, or any person connected with any authorized research program, who willfully falsifies criminal offender record information, or any records relating thereto, shall for each offense be fined not more than five thousand dollars, or imprisoned in a jail or house of correction for not more than one year, or both.

SECTION 2. Section 4G of chapter 7 of the General Laws, inserted by section 8 of chapter 704 of the acts of 1969, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph: —

The following agencies are hereby declared to be within the executive office for administration and finance: the department of corporations and taxation and all other agencies within said department, including the appellate tax board established by section one of chapter fifty-eight A; the division of civil service, and all other agencies within said division; the Massachusetts Commission Against Discrimination; the finance advisory board; the retirement law commission; the teachers' retirement board established by section sixteen of chapter fifteen; the commissioners to invest and manage the Massachusetts School Fund as provided in section three of chapter seventy; the board of economic advisors; the personnel appeals board; the group insurance commission; the criminal history system advisory committee; the criminal history systems board; and the security and privacy council.

SECTION 3. Section 2 of chapter 127 of the General Laws, as appearing in section 7 of chapter 777 of the acts of 1957, is hereby amended by

adding the following sentence: — Systems operated by the criminal history systems board, pursuant to sections one hundred and sixty-seven to one hundred and seventy-eight, inclusive, of chapter six, may be used for such record-keeping purposes provided that such records remain subject to the regulations of said board.

SECTION 4. Section 28 of said chapter 127, as appearing in section 10 of said chapter 777, is hereby amended by adding the following sentence: — Systems operated by the criminal history systems board, pursuant to sections one hundred and sixty-six through one hundred and seventy-seven, inclusive, of chapter six, may be used for such record-keeping purposes provided that such records remain subject to the regulations of said board.

SECTION 5. Section 29 of said chapter 127, as appearing in the Tercentenary Edition, is hereby amended by adding the following sentence: — However, publication of any records required by section twenty-eight which are kept on systems operated by the criminal history systems board shall be in accordance with the regulations of said board.

SECTION 6. Section 4A of chapter 147 of the General Laws, as so appearing, is hereby amended by adding the following sentence: — Systems operated by the criminal history systems board, pursuant to sections one hundred and sixty-seven to one hundred and seventy-eight, inclusive, of chapter six, may be used for such recordkeeping purposes provided that such records remain subject to the regulations of said board.

SECTION 7. Subdivision (*b*) of section 4C of said chapter 147, as appearing in section 2 of chapter 771 of the acts of 1955, is hereby amended by adding the following sentence: — Systems operated by the criminal history systems board, pursuant to sections one hundred and sixty-seven to one hundred and seventy-eight, inclusive, of chapter six, may be used for such recordkeeping purposes provided that such records remain subject to the regulations of said board.

SECTION 8. Section 100 of chapter 276 of the General Laws, as most recently amended by section 63 of chapter 838 of the acts of 1969, is hereby further amended by adding the following sentence: — The commissioner may use systems operated by the criminal history systems board, pursuant to sections one hundred sixty-seven to one hundred seventy-eight, inclusive, of chapter six, for any record-keeping lawfully required by him provided that such records remain subject to the regulations of said board.

SECTION 9. This act shall take effect conformably to law, except that any agency, department, institution, or individual which is authorized by statute to receive criminal offender record information or which receives the same at the discretion of the commissioner of probation, on the effective date of this act, shall continue to receive the same, notwithstanding any provision of this act to the contrary, until January first, nineteen hundred and seventy-three. *Approved July 19, 1972.*

Chap. 806. AN ACT RELATIVE TO THE LAW PROVIDING FOR THE REGULATION OF DRUGS AND CONTROLLED SUBSTANCES.

Be it enacted, etc., as follows:

SECTION 1. The definition of "Class" in section 1 of chapter 94C of the General Laws, as appearing in section 1 of chapter 1071 of the acts

of 1971, is hereby amended by striking out, in line 1, the word "list" and inserting in place thereof the word: — lists.

SECTION 2. Said section 1 of said chapter 94C, as so appearing, is hereby further amended by striking out the definition of "Clinical research".

SECTION 3. The definition of "Dispense" in said section 1 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 3, the words "or pursuant to the lawful" and inserting in place thereof the words: — a practitioner or pursuant to the.

SECTION 4. The definition of "Marihuana" in said section 1 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 8, the word "of" and inserting in place thereof the word: — or.

SECTION 5. Said section 1 of said chapter 94C, as so appearing, is hereby further amended by inserting after the definition of "Registration" the following definition: —

"Registration number", such registration number or numbers, either federal or state, that are required with respect to practitioners by appropriate administrative agencies.

SECTION 6. The definition of "Schedule" in said section 1 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 1, the word "a" and inserting in place thereof the word: — the.

SECTION 7. Section 2 of said chapter 94C, as so appearing, is hereby amended by inserting after paragraph (*a*) the following paragraph: —

(*a*½) The commissioner may, pursuant to the provisions of chapter thirty-A, delete or reschedule all substances enumerated in the schedules established pursuant to the provisions of subsection (*a*), except that if any substance which has not been schedules pursuant to the provisions of this section is designated a controlled substance under the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970 or any amendment thereof, or if any substance which has been scheduled pursuant to the provisions of this section is designated a controlled substance of greater abuse liability under the Federal Comprehensive Drug Abuse Prevention and Control Act of 1970 or any amendment thereof, the commissioner, pursuant to the provisions of chapter thirty A, shall, not more than thirty days after publication of final notice in the federal register or not more than thirty days after the effective date of any federal statute affecting the scheduling of controlled substances under said federal act or any amendment thereof, issue a regulation controlling the substance in a schedule corresponding to the federal schedules.

SECTION 8. Section 3 of said chapter 94C, as so appearing, is hereby amended by inserting after the word "unless", in line 2, the words: — such drug or substance has been scheduled pursuant to the provisions of the Federal Comprehensive Drug Abuse, Prevention and Control Act of 1970, or any amendment thereof, or unless.

SECTION 9. Section 4 of said chapter 94C, as so appearing, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph: —

The commissioner shall by regulation modify, rescind or revoke an exception whenever it has been modified, rescinded or revoked under the provisions of the Federal Comprehensive Drug Abuse, Prevention and Control Act of 1970 or any amendment thereof.

SECTION 10. Section 8 of said chapter 94C, as so appearing, is hereby amended by striking out paragraph (*a*) and inserting in place thereof the following paragraph: —

(*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 new drug as defined in section two hundred and one (*p*) of the Federal Food, Drug and Cosmetic Act, as amended, unless he supplies the commissioner and the commissioner of mental health with satisfactory evidence of compliance with any applicable federal law, and, if the commissioner so requires, with a protocol describing the research project or study to be undertaken.

SECTION 11. Said section 8 of said chapter 94C, as so appearing, is hereby further amended by inserting after subsection (*g*) the following paragraph: —

(*h*) Notwithstanding the provisions of paragraphs (*a*) to (*g*), inclusive, this section shall not apply to any drug recognized as safe and which has been exempted by section one hundred and seven of the Federal Drug Amendments Act of 1962 from the operation of sections two hundred and one (*p*) and five hundred and five of the Federal Food, Drug and Cosmetic Act, as amended.

SECTION 12. Clause (2) of paragraph (*a*) of section 13 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 1, the words "of any criminal violation" and inserting after the word "law", in line 2, the words: — of any criminal violation.

SECTION 13. Paragraph (*e*) of said section 13 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 6, the word "seal" and inserting in place thereof the words: — embargo pursuant to the procedures prescribed in sections one hundred and eighty-nine and one hundred and eighty-nine A of chapter ninety-four, — and by striking out, in line 7, the word "seal" and inserting in place thereof the words: — such embargo.

SECTION 14. Paragraph (*b*) of section 18 of said chapter 94C, as so appearing, is hereby amended by inserting after the word "an", in line 2, the words: — expressly authorized.

SECTION 15. Section 19 of said chapter 94C, as so appearing, is hereby amended by striking out paragraph (*c*) and inserting in place thereof the following paragraph: —

(*c*) Unless permitted by federal law, a prescription shall not be issued for the dispensing of drugs or controlled substances as defined in section thirty-eight of chapter one hundred and twenty-three, listed in any schedule to a drug dependent person for the purpose of continuing his dependence upon such drugs, in the course of conducting an authorized clinical investigation pursuant to an addict rehabilitation program.

SECTION 16. Paragraph (*b*) of section 22 of said chapter 94C, as so appearing, is hereby amended by inserting after the word "name", in line 6, the words: — , dosage and strength per dosage unit,.

SECTION 17. Paragraph (*d*) of section 23 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 2, the words "written or filled which calls" and inserting in place thereof the word: — filled.

SECTION 18. Paragraph (*e*) of section 24 of said chapter 94C, as so appearing, is hereby amended by inserting after the letter "A", in

line 4, the words: — , after consultation with the commissioner of public health,.

SECTION 19. Said section 24 of said chapter 94C, as so appearing, is hereby further amended by adding after paragraph (*e*) the following paragraph: —

(*f*) Every physician attending or treating a case of acute poisoning caused by any controlled substance shall report the circumstances of such poisoning to the commissioner, provided, however, that such physician shall not report the identity of any person who has been so poisoned to the commissioner or to any law enforcement officer or agency for any purpose without the written consent of such person, nor shall the identity of such person be admissible in evidence against said person in any criminal proceeding. The commissioner may then require or conduct further investigation into the circumstances of such poisoning.

SECTION 20. Paragraph (*c*) of section 27 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 6, the word "fact", and inserting in place thereof the word: — face.

SECTION 21. Paragraph (*b*) of section 30 of said chapter 94C, as so appearing, is hereby amended by inserting after the word "affirmation", in line 2, the words: — by the commissioner or his designee except in the case of a pharmacy, by the commissioner or his designee or by the designee of the board of registration in pharmacy, or by a police officer.

SECTION 22. Clause (1) of paragraph (*c*) of Class C of the first paragraph of section 31 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 1, the word "of", the second time it appears, and inserting in place thereof the word: — or.

SECTION 23. Section 34 of said chapter 94C, as so appearing, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph: —

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 paragraph two of section one hundred A of chapter two hundred and seventy-six, dismiss the proceedings against him and may order sealed 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 sealed; 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 sealed pursuant to the provisions of this section. Any conviction, the record of which has been

sealed 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 sealing 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, sealing, or any other related court proceeding, in response to any inquiry made of him for any purpose.

SECTION 24. The third paragraph of said section 34 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 10, the word "expunged" and inserting in place thereof the word: — sealed.

SECTION 25. Section 35 of said chapter 94C, as so appearing, is hereby amended by striking out, in lines 7 and 8, the words "section thirty-four relative to probation" and inserting in place thereof the words: — the third paragraph of section thirty-four relative to probation sealing of the records.

SECTION 26. Section 36 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 1, the word "If" and inserting in place thereof the words: — Notwithstanding the provisions of section thirty-five, if.

SECTION 27. Section 38 of said chapter 94C, as so appearing, is hereby amended by inserting after the word "who", in line 1, the word: — knowingly.

SECTION 28. Section 39 of said chapter 94C, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: — Any person who knowingly violates any provision of sections 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.

SECTION 29. Clause (*c*) of the first paragraph of section 41 of said chapter 94C, as so appearing, is hereby amended by striking out, in line 4, the word "forty-one" and inserting in place thereof the word: — forty.

SECTION 30. Clause (4) of paragraph (*c*) of section 47 of said chapter 94C, as so appearing, is hereby amended by inserting after the word "distribute", in line 3 the words: — marihuana or.

SECTION 31. Subsection (*e*) of said section 47 of said chapter 94C, as so appearing, is hereby amended by striking out, in lines 1 and 2, the words "said property" and inserting in place thereof the words: — any property subject to forfeiture under this chapter.

SECTION 32. The first sentence of section 21 of chapter 90 of the General Laws is hereby amended by striking out, in lines 20 to 22, inclusive, as appearing in chapter 332 of the acts of 1963, the words "or narcotic drugs, as defined in section one hundred and ninety-seven of chapter ninety-four, or under the influence of barbituates, amphetamines, or other hypnotic or somnifacient drugs" and inserting in place thereof the words: — marihuana or narcotic drugs, or depressant or stimulant substances, all as defined in section one of chapter ninety-four C.

SECTION 33. Section 9 of chapter 111 of the General Laws is hereby amended by striking out the third and fourth sentences, inserted by chapter 593 of the acts of 1957, and inserting in place thereof the follow-

ing two sentences: — Such inspectors shall, in the enforcement of laws relative to controlled substances as defined in section one of chapter ninety-four C, have all the powers and authority of police officers and constables except the power to serve civil process. Inspectors assigned to investigate violations of laws relative to controlled substances as defined in section one of chapter ninety-four C may at the request of the commissioner carry revolvers, billies, clubs, handcuffs and any other paraphernalia necessary for their protection and the enforcement of such laws.

SECTION 34. Section 38 of chapter 123 of the General Laws, as most recently amended by section 6 of chapter 1071 of the acts of 1971, is hereby further amended by striking out the definition of "Dependency related drug" and inserting in place thereof the following definition: —

"Dependency related drug", a controlled substance as defined in section one of chapter ninety-four C.

SECTION 35. Chapter 1071 of the acts of 1971 is hereby amended by inserting after section 8 the following section: —

Section 8A. Any person convicted under the provisions of section two hundred and thirteen A of chapter ninety-four of the General Laws, repealed by section two of this act, for being in the presence of heroin, who does not have any other convictions for offenses constituting felonies under the provisions of the General Laws shall, notwithstanding the provisions of section one hundred and thirty-one of chapter one hundred and forty, not be discriminated against solely on the basis of such conviction in matters of employment under the provisions of section six A of chapter twenty-two, section seventeen of chapter thirty-one, section ninety-six of chapter forty-one and section nine of chapter one hundred and twenty-five of the General Laws.

Approved July 19, 1972.

THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE DEPARTMENT, STATE HOUSE
BOSTON, July 20, 1972

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 1972, entitled "AN ACT RELATIVE TO THE LAW PROVIDING FOR THE REGULATION OF DRUGS AND CONTROLLED SUBSTANCES." and the enactment of which received my approval on July 19, 1972, 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 corrective changes provided by this act may immediately be implemented in the law providing for the regulation of drugs and controlled substances.

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

OFFICE OF THE SECRETARY, BOSTON, July 20, 1972.

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 fifteen minutes, A.M., on the above date, and in accordance with Article Forty-eight of the Amendments to the Constitution said chapter takes effect forthwith, being chapter eight hundred and six of the acts of nineteen hundred and seventy-two.

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

Chap. 807. AN ACT AUTHORIZING DEFERRED COMPENSATION CONTRACTS WITH CERTAIN INSURANCE COMPANIES FOR THE PURPOSE OF FUNDING DEFERRED COMPENSATION PROGRAMS FOR STATE, COUNTY AND MUNICIPAL EMPLOYEES.

Be it enacted, etc., as follows:

SECTION 1. Section 31 of chapter 29 of the General Laws is hereby amended by adding the following sentence: — The provisions of this section shall not be construed so as to prohibit the payment of premiums for the purchase of a life insurance contract, annuity contract or other deferred compensation program for state employees under section sixty-four.

SECTION 2. Section 38 of said chapter 29 is hereby amended by striking out the first paragraph, as amended by section 7 of chapter 658 of the acts of 1945, and inserting in place thereof the following paragraph: —

Funds over which the commonwealth has exclusive control, except funds of the state employees' retirement system, teachers' retirement system or funds used in connection with a deferred compensation program for state employees, shall be invested by the state treasurer with the approval of the governor and council as follows: — .

SECTION 3. Said chapter 29 is hereby further amended by adding the following section: —

Section 64. The state treasurer may contract with an employee to defer a portion of that employee's income and may subsequently with the consent of the employee, purchase a life insurance or annuity contract, for the purpose of funding a deferred compensation program for the employee, from any life underwriter duly licensed by the commonwealth who represents an insurance company licensed to contract business in the commonwealth. As used in this section, the word "employee" shall have the same meaning as "employee", "employee of the general court", and "head of his department", as defined in section one of chapter thirty-two. In no event shall the total of the premiums paid for the purchase of said life insurance contract or annuity contract and the employee's non-deferred income for any year exceed the total annual salary or compensation under the existing salary schedule or classificatoin plan applicable to such employee in such year. Such a deferred compensation program shall exist and serve in addition to, and shall not be a part of any retirement or pension system as provided in chapter thirty-two and any other benefit program provided by law for employees of the commonwealth. Any income deferred under such

a plan shall continue to be included as regular compensation, as defined in section one of chapter thirty-two, for the purpose of computing the retirement and pension benefits earned by any employee, but any sum so deducted shall not be included in the computation of any taxes withheld on behalf of any such employee.

SECTION 4. Chapter 35 of the General Laws is hereby amended by adding the following section: —

Section 56. The treasurer of any county may contract with an employee to defer a portion of that employee's income and may subsequently with the consent of the employee, purchase a life insurance or annuity contract, for the purpose of funding a deferred compensation program for the employee, from any life underwriter duly licensed by the Commonwealth who represents an insurance company licensed to contract business in the commonwealth. As used in this section, the word "employee" shall have the same meaning as "employee", "employee of the general court", and "head of his department", as defined in section one of chapter thirty-two. In no event shall the total of the premiums paid for the purchase of said life insurance contract or annuity contract and the employee's non-deferred income for any year exceed the total annual salary or compensation under the existing salary schedule or classification plan applicable to such employee in such year.

Such a deferred compensation program shall exist and serve in addition to, and shall not be a part of any retirement or pension system as provided in chapter thirty-two and any other benefit program provided by law for employees of the county. Any income deferred under such a plan shall continue to be included as regular compensation, as defined in section one of chapter thirty-two, for the purpose of computing the retirement and pension benefits earned by any employee but any sum so deducted shall not be included in the computation of any taxes withheld for any such employee.

SECTION 5. Chapter 44 of the General Laws is hereby amended by adding the following section: —

Section 67. The treasurer of any city or town may contract with an employee to defer a portion of that employee's income and may subsequently with the consent of the employee, purchase a life insurance or annuity contract, for the purpose of funding a deferred compensation program for the employee, from any life underwriter duly licensed by the Commonwealth who represents an insurance company licensed to contract business in the commonwealth. As used in this section, the word "employee" shall have the same meaning as "employee", "employee of the general court", and "head of his department", as defined in section one of chapter thirty-two. In no event shall the total of the premiums paid for the purchase of said life insurance contract or annuity contract and the employee's non-deferred income for any year exceed the total annual salary or compensation under the existing salary schedule or classification plan applicable to such employee in such year.

Such a deferred compensation program shall exist and serve in addition to, and shall not be a part of any retirement or pension system as provided in chapter thirty-two and any other benefit program provided by law for employees of a city, town or district. Any income deferred under such a plan shall continue to be included as regular compensation, as defined in section one of chapter thirty-two, for the purpose of

computing the retirement and pension benefits earned by any employee, but any sums so deducted shall not be included in the computation of any taxes withheld on behalf of any such employee.

Approved July 19, 1972.

Chap. 808. AN ACT ESTABLISHING THE OLDTOWN WATER DISTRICT IN THE TOWN OF NEWBURY.

Be it enacted, etc., as follows:

SECTION 1. The inhabitants of the town of Newbury, liable to taxation in said town and residing within the territory, bounded and described as follows: —

Beginning at a point where the town boundary of Newbury, West Newbury and Newburyport meet at the southeast corner of West Newbury; thence southeasterly in a straight line to a point in the westerly line of Newbury Street (state highway) at the center line of Parker River; thence easterly and southerly along the center line of Parker River to its intersection of Mill Creek to a point; thence southeasterly in a straight line to the boundary between Newbury and Rowley at the west property line of the Boston & Maine Railroad main line to a point; thence easterly to an unmarked point situated at low water line on the easterly shore of Plum Island to a point; on the boundary between Newbury and Rowley thence northerly along the shore of Plum Island to a point where Newbury and Newburyport boundaries meet; thence westerly by the Newbury and Newburyport boundary to the point of beginning; shall constitute a water district and are hereby made a body corporate by the name of the Oldtown Water District, hereinafter called the district, for the purpose of supplying themselves with water for the extinguishment of fires and for domestic and other purposes, with power to establish fountains and hydrants and to relocate and discontinue the same, to regulate the use of such water and to fix and collect rates to be paid therefor, and for the purposes of assessing and raising taxes as provided herein for the payment of such services, and for defraying the necessary expenses of carrying on the business of said district, subject to all general laws now or hereafter in force relating to such districts, except as otherwise provided herein. The district shall have power to prosecute and defend all actions relating to its property and affairs.

SECTION 2. 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 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 Newbury not already appropriated for the purposes of a public supply, and the water and flowage rights connected with any such water sources; and for said purposes may take as aforesaid, or acquire by purchase or otherwise, and hold, all lands, rights of way and other easements necessary for collecting, storing, holding,

purifying and preserving the purity of the water and for conveying the same to any part of said district; provided, that no source of water supply or lands necessary for preserving the quality of the water shall be so taken or used without first obtaining the advice and approval of the department of public health, and that the location and arrangement of all dams, reservoirs, springs, wells, pumping, purification and filtration plants and such other works as may be necessary in carrying out the provisions of this act shall be subject to the approval of said department. The district may construct and maintain on the lands acquired and held under this act proper dams, wells, springs, reservoirs, standpipes, tanks, pumping plants, buildings, fixtures and other structures including also the establishment and maintenance of filter beds and purification works or systems, and may make excavations, procure and operate machinery and provide such other means and appliances, and do such other things as may be necessary for the establishment and maintenance of complete and effective water works; and for that purpose may construct pipe lines, wells and reservoirs and establish pumping works, and may construct, lay, acquire and maintain aqueducts, conduits, pipes and other works 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 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 Newbury. The district shall not enter upon, or construct or lay any conduit, pipe or other works within, the location of any railroad corporation except at such time and in such manner as it may agree upon with such corporation, or, in case of failure so to agree, as may be approved by the department of public utilities. The district may enter upon any lands for the purpose of making surveys, test wells or pits and borings, and may take or otherwise acquire the right to occupy temporarily any lands necessary for the construction of any work or for any other purpose authorized by this act.

The district is empowered and authorized to sell and distribute water to any adjacent town, district or any part thereof on such terms and conditions and for such consideration as the commissioners may determine.

SECTION 3. Any person sustaining damages in his property by any taking under this act or any other thing done under authority thereof may recover such damages from the district under said chapter seventy-nine; but the right to damages for the taking of any water, water right or water source, or for any injury thereto, shall not vest until water is actually withdrawn or diverted under authority of this act.

SECTION 4. For the purpose of paying the necessary expenses and liabilities incurred under this act, other than expenses of maintenance and operation, the district may borrow from time to time such sums as may be necessary, not exceeding, in the aggregate, one million dollars, and may issue bonds or notes therefor, which shall bear on their face the words, Oldtown Water District Loan, Act of 1972. Each authorized issue shall constitute a separate loan, and such loans shall be payable in

not more than thirty years from their dates. Indebtedness incurred under this act shall be subject to the provisions of chapter forty-four of the General Laws pertaining to such districts.

SECTION 5. The district shall, at the time of authorizing said loan or loans, provide for the payment thereof in accordance with section four of this act; and, when a vote to that effect has been passed, a sum which, with the income derived from water rates, will be sufficient to pay the annual expense of operating its water works and the interest as it accrues on the bonds or notes issued as aforesaid by the district, and to make such payments on the principal as may be required under this act, shall without further vote be assessed upon the district by the assessors of said town of Newbury 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 can receive no aid in the extinguishment of fire from the said system of water supply, or if such estate is so situated that the buildings thereon, or the buildings that might be constructed thereon, could not be supplied with water from said system in any ordinary or reasonable manner; but all other estates in the district shall be deemed to be benefited and shall be subject to such tax. A certified list of the estates exempt from taxation under the provisions of this section shall annually be sent by said board of water commissioners to said assessors, at the same time at which the clerk shall send a certified copy of the vote as aforesaid. The assessment shall be committed to the town collector, who shall collect said tax in the manner provided by law for the collection of town taxes, and shall deposit the proceeds thereof with the district treasurer for the use and benefit of the district. The district may collect interest on overdue taxes in the manner in which interest is authorized to be collected on town taxes.

SECTION 8. Any meeting of the voters of the territory included within the boundaries set forth in section one to be held prior to the acceptance of this act, and any meeting of the voters of the district to be held prior to the qualification of a majority of the water commissioners, shall be called, on petition of ten or more legal voters therein, by a warrant from the selectmen of said town, or from a justice of the peace, directed to one of the petitioners, requiring him to give notice of the meeting by posting copies of the warrant in two or more public places in the district seven days at least before the time of the meeting. Such justice of the peace, or one of the selectmen, shall preside at such meeting until a clerk is chosen and sworn, and the clerk shall preside until a moderator is chosen. At any meeting held hereunder prior to the acceptance of

this act, after the choice of a moderator for the meeting the question of the acceptance of this act shall be submitted to the voters, and if it is accepted by a majority of the voters present and voting thereon it shall thereupon take effect, and the meeting may then proceed to act on the other articles in the warrant. After the qualification of a majority of the water commissioners, meetings of the district shall be called by warrant under their hands, unless some other method be provided by by-law or vote of the district.

SECTION 9. The district shall, after the acceptance of this act as aforesaid, elect by ballot, either at the same meeting at which this act shall have been accepted, or thereafter, at an annual meeting or at a special meeting called for the purpose, three persons, inhabitants of and voters in said district, to hold office, one until the expiration of three years, one until the expiration of two years, and one until the expiration of one year, from the day of the next succeeding annual district meeting, to constitute a board of water commissioners; and at every annual district meeting following such next succeeding annual district meeting one such commissioner shall be elected by ballot for the term of three years. The date of the next annual meeting shall be fixed by by-law or by vote of the board of water commissioners, but in no event shall it be later than fifteen months subsequent to the date on which the water commissioners were first elected. All the authority granted to said district by this act, except sections four and five, and not otherwise specifically provided for, shall be vested in said board of water commissioners, who shall be subject, however, to such instructions, rules and regulations as the district may by vote impose. At the meeting at which said water commissioners are first elected and at each annual district meeting held thereafter, the district shall elect by ballot, each for a term of one year, a clerk and a treasurer of the district. The treasurer shall not be a water commissioner, and shall give bond to the district in such an amount as may be approved by said water commissioners and with a surety company authorized to transact business in the commonwealth as surety. A majority of said water commissioners shall constitute a quorum for the transaction of business. Any vacancy occurring in said board from any cause may be filled for the remainder of the unexpired term by said district at any legal meeting called for the purpose. No money shall be drawn from the treasury of the district on account of its water works except upon a written order of said water commissioners or a majority of them.

SECTION 10. Said board of water commissioners shall fix just and equitable prices and rates for the use of water, and shall prescribe the time and manner of payment. The income of the water works shall be appropriated to defray all operating expenses, interest charges and payments on the principal as they shall accrue upon any bonds or notes issued under authority of this act. If there should be a net surplus remaining after providing for the aforesaid charges, it may be appropriated for such new construction as said water commissioners may recommend, and in case a surplus should remain after payment for such new construction the water rates shall be reduced proportionately. Said water commissioners shall annually, and as often as the district may require, render a report upon the condition of the works under their charge, and an account of their doings, including an account of receipts and expenditures.

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

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

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

SECTION 14. This act shall take full effect upon its acceptance by a majority vote of the voters of the territory included within said district by section one of this act present and voting thereon, by the use of a check list, at a district meeting called, in accordance with section eight, within four years after its passage. *Approved July 19, 1972.*

Chap. 809. AN ACT PLACING CERTAIN EMPLOYEES IN GROUP 2 AND 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 284 of the acts of 1972, and inserting in place thereof the following definition: —

Group 2. Capitol police, public works building police, permanent watershed guards and permanent park police, university of Massachusetts 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 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 elevator maintenance men employed by a county and employees of the commonwealth or 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 persons who are mentally ill or mentally defective or defective delinquents or wayward children; 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 18 of chapter 1012 of the acts of 1971 and inserting in place thereof the following definition: —

Group 4. Division of law enforcement, department of natural resources; officials and employees of the registry of motor vehicles appointed by the registrar under section twenty-nine of chapter ninety, 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 Airport, comprising permanent crash crewmen, fire control men, assistant fire control men, members of police and fire departments not classified in *Group 1*, any police officer of the Massachusetts Bay Transportation Authority, 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 July 19, 1972.*

Chap. 810. AN ACT LIMITING THE AMOUNT OF MONEY WHICH CANDIDATES FOR CERTAIN OFFICES MAY EXPEND FOR TELEVISION, RADIO, NEWSPAPERS, BILLBOARDS AND POSTAGE EXPENSES.

Be it enacted, etc., as follows:

SECTION 1. Chapter 55 of the General Laws is hereby further amended by inserting after section 17 the following section: —

Section 17A. As used in this section "campaign expenses" shall mean any expenditure for television or radio time or for newspaper, billboard, magazine, or postage expenses and shall include expenditures by a candidate, a political committee or any person on behalf of a candidate.

Any candidate for elective office in the commonwealth shall not in a state election expend monies for campaign expense in excess of the following:

Governor, Lieutenant-Governor	$500,000
United States Senator subject to the provisions of the Federal Election Campaign Act of 1972.	
Attorney General	$250,000
Secretary	$100,000
Treasurer and Receiver General	$100,000
Auditor	$100,000
Governor's Councillor	$ 25,000
United States Congress subject to the provisions of the Federal Election Campaign Act of 1972.	
State Senator	$ 15,000
Representative to the General Court	$ 5,000

Any candidate for nomination to public office in the commonwealth shall not in a primary election expend monies for campaign expense in excess of the following:

Governor	$500,000
United States Senator subject to the provisions of the Federal Election Campaign Act of 1972.	
Lieutenant-Governor	$100,000
Attorney General	$250,000
Secretary	$100,000
Treasurer and Receiver General	$100,000
Auditor	$100,000
Governor's Councillor	$ 25,000
United States Congress subject to the provisions of the Federal Election Campaign Act of 1972.	
State Senator	$ 15,000
Representative to the General Court	$ 5,000

The state secretary shall furnish each candidate with a tally sheet on which each campaign expense, as hereinbefore defined, shall be recorded by the candidate.

The candidate shall file an account of his campaign expenses with the state secretary in an election year on the tenth day of March, June and September and on the fifteenth and fifth days before an election and thirty days following an election or primary. The election division shall check such account and if the election division finds that a candidate has exceeded the limits set by this act for campaign expenses, it

shall immediately turn over such information together with any and all proofs, to the attorney general. The candidate may be fined up to three times the amount of any excess spending.

SECTION 2. This act shall take effect on January first, nineteen hundred and seventy-four. *Approved July 20, 1972.*

Chap. 811. AN ACT GRANTING STATE EMPLOYEES ELECTED TO STATE OFFICE CREDIT FOR SALARY INCREMENTS DURING A LEAVE OF ABSENCE.

Be it enacted, etc., as follows:

Paragraph (2) of section 46 of chapter 30 of the General Laws, as most recently amended by section 65 of chapter 757 of the acts of 1962, is hereby further amended by adding the following sentence: —Notwithstanding the contrary provisions of any rule or law, the service of an employee of the commonwealth, who has been elected to a state office and who is on leave of absence while performing the duties of such elected office, shall be considered as service for salary increments in the job group from which he received a leave of absence.

Approved July 20, 1972.

Chap. 812. AN ACT AUTHORIZING THE COMMISSIONER OF PUBLIC HEALTH TO CONVEY CERTAIN LAND IN THE TOWN OF TEWKSBURY TO SAID TOWN FOR SCHOOL BUILDING PURPOSES.

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, to convey to the town of Tewksbury the following parcel of land located in said town, bounded and described as follows: —

Westerly by land of Patten & Co., Inc., Gerald Gross, Town of Tewksbury, John W. Strem and North Street; northerly by the Boston & Maine Railroad; easterly by land of Ark Sing Yee and the Tewksbury Rod & Gun Club; southerly by land of the Tewksbury Cemetery Corporation. Containing ninety (90) acres, plus or minus, as shown on a plan entitled "Study Plan of Proposed School Site in Tewksbury, Mass."; Scale 1″ = 100′, November, 1969, Emmons, Fleming & Bienvenu, Inc., Engineers and Surveyors, Billerica, Massachusetts; on file in the office of the Tewksbury Town Clerk.

Said land shall be used for school building purposes and title to said land shall revert to and revest in the commonwealth if said land shall cease to be used for such purposes. *Approved July 20, 1972.*

Chap. 813. AN ACT INCREASING THE MAXIMUM AGGREGATE NUMBER OF RACING DAYS FOR HARNESS HORSE RACE MEETINGS.

Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for an increase in the number of racing days for harness horse 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. The third paragraph of section 3 of chapter 128A of the General Laws is hereby amended by striking out clause (d), as most recently amended by section 1 of chapter 721 of the acts of 1971.

SECTION 2. Said third paragraph of said section 3 of said chapter 128A is hereby further amended by striking out clause (*j*), as most recently amended by chapter 986 of the acts of 1971 and inserting in place thereof the following clause: —

(*j*) No licenses shall be issued for more than an aggregate of one hundred and fifty 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 ninety racing days shall be held during the months of January, February, March and December in 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 July 20, 1972.*

Chap. 814. AN ACT AUTHORIZING THE DEPARTMENT OF PUBLIC WORKS TO DREDGE A HARBOR, ESTABLISH A HARBOR ANCHORAGE, CONSTRUCT DOCKAGE FACILITIES AND ALL APPURTENANCES AT TAYLOR'S POINT, BUZZARDS BAY IN THE TOWN OF BOURNE.

Be it enacted, etc., as follows:

SECTION 1. The department of public works, acting through its division of waterways, is hereby authorized to dredge a harbor, establish a harbor anchorage and construct dockage facilities which may include a marina with berths for approximately one hundred sixty boats and one hundred fifty parking spaces, also including a service dock, fueling station, service building, boat ramp and launching well and such other related facilities as said department may determine in Buzzards Bay at Taylor's point in the town of Bourne. No work shall be begun until the town of Bourne has assumed liability, in the manner provided by section twenty-nine of chapter ninety-one of the General Laws, for all damages that may be incurred hereunder, nor until said town has paid its share of the cost of the project, as determined by said department, into the state treasury.

SECTION 2. Said department is hereby further authorized to accept and spend any federal survey or planning advances or construction grants which may be available for the purposes of this act. Said department and said town are each authorized to do such acts and enter into such contracts as may be necessary or desirable to obtain such federal aid. *Approved July 20, 1972.*

RESOLVES

Chap. 1. RESOLVE REVIVING AND CONTINUING CERTAIN SPECIAL COMMISSIONS.

Resolved, That the special commission established under the provisions of chapters sixty-five and eighty-eight of the resolves of nineteen hundred and sixty-five, 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, seventy-seven and ninety-seven of the resolves of nineteen hundred and sixty-nine, nineteen, fifty-seven, sixty-three and seventy-one of the resolves of nineteen hundred and seventy, twelve, eighteen, twenty-three, twenty-seven, thirty-one, thirty-six, forty-one, forty-four, fifty-nine, sixty-one, sixty-three, sixty-four, sixty-nine, seventy-three and seventy-eight of the resolves of nineteen hundred and seventy-one are hereby revived and continued.

Chapters seventy-nine of the resolves of nineteen hundred and sixty-nine, seventy-two and seventy-nine of the resolves of nineteen hundred and seventy-one are hereby further continued until the fourth Wednesday of December in the current year.

Approved February 17, 1972.

Chap. 2. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR TRIAL BY JURY OF CERTAIN CIVIL CASES IN THE MUNICIPAL COURT OF THE CITY OF BOSTON WHICH HAVE BEEN TRANSFERRED FROM THE SUPERIOR COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 20, relative to providing for trial by jury of certain civil cases in the municipal court of the city of Boston which have been transferred from 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 March 9, 1972.

Chap. 3. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF ESTABLISHING A SCHOOL OF VETERINARY MEDICINE WITHIN THE UNIVERSITY OF MASSACHUSETTS.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives and three persons to be appointed by the governor, is hereby established for

the purpose of making an investigation and study of the feasibility of establishing a school of veterinary medicine within the University of Massachusetts, with the first two years of instruction to be given at the University of Massachusetts Medical School at Worcester and the second two years to be held at a suitable location in Berkshire County. Said commission shall recommend the location within said county for said school and shall determine the cost of the establishment thereof. *Approved March 15, 1972.*

Chap. 4. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES RELATIVE TO THE EFFECTS OF POLLUTION IN THE NORTH RIVER IN THE CITY OF SALEM.

Resolved, The department of natural resources is hereby authorized and directed to make an investigation and study relative to the effects of pollution in the North river in the city of Salem and possible solutions for cleaning up polluted matter from said river when the South Essex sewerage treatment plant has been put into operation. Said department shall also consider the feasibility of a half-tide dam or bulkhead at the mouth of said river for the purpose of providing a continuous high tide in the river basin. Said department 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 last Wednesday of December, nineteen hundred and seventy-two. *Approved March 15, 1972.*

Chap. 5. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE CONSTRUCTION OF A NEW STATE HIGHWAY IN THE SOUTHWEST PORTION OF WORCESTER COUNTY.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the advisability and feasibility of constructing a new southwest state highway, with particular reference to the extension of state highway route 49 in a southeasterly direction from the intersection of said state highway route 49 and United States highway route 20 in the town of Sturbridge, easterly through the towns of Southbridge, Charlton and Dudley to the boundary between the towns of Oxford and Webster, to the proposed state highway route 52 south. 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 third Wednesday of December, nineteen hundred and seventy-two.

Approved April 3, 1972.

Chap. 6. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO EVALUATING THE ADEQUACY OF EXISTING PROGRAMS IN THE COMMONWEALTH FOR THE CARE AND TREATMENT OF CHILDREN.

Resolved, That a special commission, to consist of five members of the senate, nine members of the house of representatives and seven persons to be appointed by the governor, one of whom shall be an expert in the field of child psychology, one of whom shall be a guidance counselor, one of whom shall be a teacher of special classes in the public schools, one of whom shall be a justice of a juvenile court or a justice of a district court, one of whom shall be a probation officer and one of whom shall be a social worker experienced in the field of child care, placement and counselling, is hereby established for the purpose of making an investigation and study relative to evaluating the adequacy of existing programs in the commonwealth for the care and treatment of children. In connection therewith said commission shall determine the feasibility of establishing an executive office for children's affairs, the adequacy of the quality of services to children provided by the division of child guardianship in the department of public welfare, foster care and adoption programs, the department of youth services, county training schools and the present system of parole and probation, the adequacy and quality of services rendered to children in institutions of the department of mental health or to children serviced by said department, the adequacy and quality of special education of children serviced by the division of special education in the department of education and the public schools and any other problems relative to the care and treatment of children which the commission deems necessary to investigate and study. Said commission may require by summons the attendance and testimony of witnesses and the production of books and records and the cooperation and assistance of any department of the commonwealth to assist it in its deliberations, including the use of expert personnel from any such department for advice and consultation whenever it may be deemed necessary.

Said commission may receive gifts and grants in aid and any sums so received shall be credited on the books of the commonwealth to a fund to be known as the Children's Welfare Fund and may be expended for the within stated purposes without further appropriation. Said commission may report from time to time but shall file an interim report with the clerk of the house of representatives on or before June the first, nineteen hundred and seventy-two.

Approved April 12, 1972.

Chap. 7. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF PROVIDING FOR CERTIFICATES OF TITLE FOR MOTORBOATS AND OTHER RECREATIONAL VEHICLES BASED ON THE CERTIFICATE OF TITLE LAW RELATIVE TO MOTOR VEHICLES.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, the director

of the division of marine and recreational vehicles in the registry of motor vehicles or his designee and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the feasibility of providing for certificates of title for motorboats and other recreational vehicles based on the certificate of title law relative to motor vehicles.

Approved April 13, 1972.

Chap. 8. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A JOINT BOARD CONSISTING OF THE DEPARTMENT OF NATURAL RESOURCES, THE DEPARTMENT OF PUBLIC WORKS AND THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE DEVELOPMENT OF A MASTER PLAN AND THE FINANCING OF A SYSTEM OF BICYCLE PATHS AND HIKING TRAILS WITHIN THE COMMONWEALTH.

Resolved, That the department of natural resources, the department of public works and the metropolitan district commission, acting as a joint board, are hereby authorized and directed to make an investigation and study relative to the development of a master plan and a method of financing a system of bicycle paths and hiking trails within the commonwealth. The plan shall include but not be restricted to the feasibility of utilization of ancient ways, so-called, utility rights-of-way, private and public lands and state and local highway layouts. Said board may apply for and use any federal funds that may be available therefor. Said board may expend such sums as are appropriated therefor. Said board shall report to the general court the results of their investigation and study and their recommendations, if any, together with drafts of legislation necessary to carry their recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December in the current year. *Approved April 20, 1972.*

Chap. 9. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR CIVIL FORFEITURES AND CRIMINAL FINES FOR AIR AND WATER POLLUTION.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2861 relative to providing for civil forfeitures and criminal fines for air and water pollution, 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 20, 1972.*

Chap. 10. RESOLVE INCREASING THE MEMBERSHIP OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE ADMINISTRATION OF CHILD CARE SERVICES IN THE COMMONWEALTH.

Resolved, That the membership of the special commission, established by chapter seventy-nine of the resolves of nineteen hundred and

seventy-one and revived and continued under the provisions of chapter one of the resolves of nineteen hundred and seventy-two, is hereby increased by one member of the senate and three members of the house of representatives. *Approved April 26, 1972.*

Chap. 11. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO AUTHORIZING THE COUNTY COMMISSIONERS OF HAMPDEN COUNTY TO BUILD A NEW HOUSE OF CORRECTION AND A JAIL.

Resolved, That a special commission, to consist of two members of the senate, five members of the house of representatives, the sheriff of Hampden county or his designee, and three persons to be appointed by the governor, one of whom shall be mayor of a city in said county, one of whom shall be a selectman of a town in said county and one of whom shall be a resident of said county, is hereby established for the purpose of making an investigation and study of the subject matter of current house document numbered 4068, authorizing the county commissioners of Hampden county to build a new house of correction and a jail. *Approved April 27, 1972.*

Chap. 12. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC WORKS RELATIVE TO THE CONSTRUCTION OF A NEW STATE HIGHWAY IN THE SOUTHEAST PORTION OF WORCESTER COUNTY.

Resolved, That the department of public works is hereby authorized and directed to make an investigation and study relative to the advisability and feasibility of constructing a new southeast state highway proceeding from a point near the boundary between the towns of Oxford and Webster, at an intersection with proposed state highway route 52 south, easterly through the towns of Oxford, Webster, Douglas, Uxbridge, Millville, Mendon, and Bellingham to state highway route 126 and interstate highway route 495. 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 third Wednesday of December, nineteen hundred and seventy-two. *Approved May 4, 1972.*

Chap. 13. RESOLVE CONTINUING THE 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, AND INCREASING THE SCOPE THEREOF.

Resolved, That the department of natural resources is hereby authorized and directed to revive and continue the investigation and study authorized by chapter fifty-six of the resolves of nineteen hundred and seventy-one, relative to the problem of public recreation on private, county and municipal lands as specifically relates to the problem of landowners' liability. Said department shall, in the course of its investigation and study, consider the subject matter of current senate

document numbered 458, relative to the liability of a landowner upon whose land recreation or snow vehicles are operated. Said department shall file its final report on or before the last Wednesday of December, nineteen hundred and seventy-two. *Approved May 4, 1972.*

Chap. 14. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADOPTION OF CANONS OF JUDICIAL ETHICS, CONSTITUTIONAL AND OTHER LAWS RELATING TO REMOVAL OF JUDGES AND THEIR NON-ASSIGNMENT, AND THE RIGHTS OF THE COURTS WITH RELATION TO ACTIONS AGAINST JUDGES AND RELATED MATTERS.

Resolved, That a special commission, to consist of two members of the senate, two members of the house of representatives, two justices of the supreme judicial court, to be appointed by the chief justice thereof, two justices of the superior court, to be appointed by the chief justice thereof, and four persons to be appointed by the governor, at least two of whom shall be members of the Massachusetts bar association, is hereby established for the purpose of making an investigation and study of (1) whether or not canons of judicial ethics should be adopted in the commonwealth, and if so, how specific the canons should be and what should be provided therein, and any matters related thereto, and (2) all constitutional provisions and general and special laws and matters related thereto, concerning the removal of judges or non-assignment of said judges. Said commission shall review all the power inherent in the supreme judicial court or other courts relative to the rights of said courts concerning the removal or non-assignment of judges, and any other matters related thereto. Said commission may employ a director of research and such other assistance as it may deem necessary.

Said commission may report to the general court from time to time the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the senate, but shall file its final report on or before the first Wednesday of September, nineteen hundred and seventy-three.

Approved May 11, 1972.

Chap. 15. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO ERECTION OF A PEDESTRIAN OVERPASS AT THE INTERSECTION OF MONSIGNOR MCGRATH HIGHWAY AND BROADWAY IN THE CITY OF SOMERVILLE.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study relative to the feasibility of erecting a pedestrian overpass at the intersection of Monsignor McGrath highway and Broadway in the city of Somerville. Said commission shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy-two. *Approved May 11, 1972.*

Chap. 16. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DIVISION OF WATER POLLUTION CONTROL RELATIVE TO THE POLLUTION OF ELL POND IN THE CITY OF MELROSE.

Resolved, That the division of water pollution control in the department of natural resources is hereby authorized and directed to make an investigation and study of the pollution of Ell Pond in the city of Melrose. Said division shall, in the course of its investigation and study, consider the most feasible way of eliminating said pollution. Said division shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the first Tuesday of December, nineteen hundred and seventy-two.

Approved May 11, 1972.

Chap. 17. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO ENLARGING THE RIGHT OF CERTAIN PERSONS TO PROTECT NATURAL RESOURCES AND ENVIRONMENT OF THE COMMONWEALTH THROUGH THE JUDICIAL PROCESS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 488, relative to enlarging the right of certain persons to protect natural resources and environment of the commonwealth through the judicial process, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 18, 1972.

Chap. 18. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO DEFENDANTS IN CERTAIN CRIMINAL CASES GIVING NOTICE PRIOR TO TRIAL TO THE PROSECUTING ATTORNEYS OF THEIR INTENTIONS TO CLAIM CERTAIN DEFENSES.

Resolved, That the judicial council be requested to investigate the subject matter of current senate documents numbered 554, relative to providing that a defendant in a criminal case who intends to rely upon the defense of insanity shall prior to trial give notice to the prosecuting attorney of his intention to claim such defense and for a psychiatric examination, there will be reciprocal discovery regarding witnesses; and 555, relative to providing that a defendant in a criminal case who intends to rely upon the defense of alibi shall prior to trial give notice to the prosecuting attorney of his intention to claim such defense and for reciprocal discovery in behalf of such defendants, 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 18, 1972.

Chap. 19. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO OBTAINING SEARCH WARRANTS AT NIGHT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2520, relative to obtaining search warrants at night, 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 18, 1972.*

Chap. 20. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE SUFFICIENCY OF NOTICES TO DETERMINE LEASES AND ESTATES AT WILL.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3178, relative to the sufficiency of notices to determine leases and estates at will, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 18, 1972.

Chap. 21. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR APPEALS OF MISDEMEANORS TO THE SUPERIOR COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4515, relative to providing for appeals of misdemeanors to 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 18, 1972.

Chap. 22. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MAKING CERTAIN AMENDMENTS TO THE VICTIMS OF VIOLENT CRIMES LAW.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2854, relative to making certain amendments to the victims of violent crimes law, 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 18, 1972.

Chap. 23. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PERMITTING THE DEPOSIT OF FUNDS OF AN UNSETTLED ESTATE IN CERTAIN BANKS AND OTHER INSTITUTIONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3369, relative to

permitting the deposit of funds of an unsettled estate in certain banks and other institutions, 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 18, 1972.*

Chap. 24. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING A MARRIED WOMAN TO USE HER MAIDEN NAME AFTER FILING A NOTICE OF INTENT TO DO SO.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3364, relative to authorizing a married woman to use her maiden name after filing a notice of intent to do so, 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 18, 1972.*

Chap. 25. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATING TO AN EMPLOYER'S INQUIRIES AS TO THE CRIMINAL CONVICTIONS OF AN APPLICANT FOR EMPLOYMENT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2244, relating to an employer's inquiries as to the criminal convictions of an applicant for employment, 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 18, 1972.*

Chap. 26. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AMENDING THE LAWS PERTAINING TO CERTAIN CHILDREN.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2310, relative to amending the laws pertaining to 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 18, 1972.

Chap. 27. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO EXTENDING THE JURISDICTION OF THE SIX MAN JURY SESSIONS IN THE DISTRICT COURT.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2972, relative to extending the jurisdiction of the six man jury sessions in the district

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 18, 1972.*

Chap. 28. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO MAKING CERTAIN CHANGES IN THE PROCEEDINGS IN CASES OF ALLEGED UNFAIR EDUCATIONAL, HOUSING AND EMPLOYMENT PRACTICES BY THE MASSACHUSETTS COMMISSION AGAINST DISCRIMINATION, AND FURTHER REGULATING THE POWERS OF SAID COMMISSION.

Resolved, That the judicial council be requested to investigate the subject matter of current house documents numbered 80, relative to defining the investigative powers of the Massachusetts Commission Against Discrimination and authorizing the commission to issue interrogatories and to reproduce evidence in connection with complaints of employment and housing discrimination; 81, relative to defining the investigative powers of the Massachusetts Commission Against Discrimination and authorizing the commission to issue interrogatories and to reproduce evidence in connection with complaints of education discrimination; 82, relative to making certain changes in the proceedings in cases of alleged unfair educational practices by the Massachusetts Commission Against Discrimination; and 2780, relative to defining the investigative powers of the Massachusetts Commission Against Discrimination and authorizing the commission to reproduce evidence in connection with complaints of employment and housing and of education discrimination, 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 25, 1972.*

Chap. 29. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FURTHER REGULATING THE RELEASE ON BAIL TO CERTAIN PERSONS HELD IN CUSTODY, AND OTHER RELATED MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 471, relative to providing for the compensation of persons setting conditions of pretrial release; and of current house documents numbered 359, relative to amending the law which admits a person to bail; 4319, relative to providing that personal bonds may be executed by defendants in criminal proceedings; 5060, Appendix A, relative to eliminating bail bondsmen and creating a court administered percentage deposit bail system; and 5470, relative to further regulating the release on bail of certain persons held in custody; 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 25, 1972.*

Chap. 30. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE METROPOLITAN DISTRICT COMMISSION RELATIVE TO THE SOURCES OF POLLUTION AT A CERTAIN BEACH IN THE CITY OF QUINCY.

Resolved, That the metropolitan district commission is hereby authorized and directed to make an investigation and study of the sources of pollution and the methods by which such pollution can be abated at the metropolitan district commission beach in the city of Quincy. 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 of December, nineteen hundred and seventy-two. *Approved May 25, 1972.*

Chap. 31. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITING UNFAIR OR DECEPTIVE TRADE PRACTICES EVEN WHEN THE CONSUMER FAILS TO SUSTAIN A PROPERTY OR MONETARY LOSS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 508, relative to prohibiting unfair or deceptive trade practices even when the consumer fails to sustain a property or monetary loss, 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 25, 1972.*

Chap. 32. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AUTHORIZING THE DISTRICT ATTORNEY FOR THE NORTHERN DISTRICT TO SUMMONS SPECIAL GRAND JURIES.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 2100, relative to authorizing the district attorney for the northern district to summons special grand juries, 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 25, 1972.*

Chap. 33. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO FURTHER REGULATING OIL POLLUTION IN THE WATERS OF THE COMMONWEALTH.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4884, relative to further regulating oil pollution in the waters of the commonwealth, and to include its conclusions and its recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved May 25, 1972.

Chap. 34. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE RETIREMENT LAW COMMISSION RELATIVE TO PROVIDING SURVIVORSHIP BENEFITS TO THE SPOUSE OR OTHER DEPENDENT OF CERTAIN RETIREES FROM PUBLIC SERVICE.

Resolved, That the retirement law commission is hereby authorized and directed to make an investigation and study relative to providing survivorship benefits to the spouse or other dependent of a member of the contributory retirement system for public employees who has retired under the provisions of sections six and seven of chapter thirty-two and other matters which may be relative thereto. Said commission shall report to the general court the results of its investigation and study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy-two.

Approved June 8, 1972.

Chap. 35. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE CONSUMERS' COUNCIL RELATIVE TO LEGAL RELIEF TO WHICH A CONSUMER IS ENTITLED FOR UNCONSCIONABLE CONDUCT BY A CREDITOR.

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 2524, relative to legal relief to which a consumer is entitled for unconscionable conduct by a creditor. 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 December, nineteen hundred and seventy-two.

Approved June 8, 1972.

Chap. 36. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO REPEALING THE LAW RELATIVE TO COMMON TRUST FUNDS AND OTHER MATTERS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 207, relative to repealing the law relative to common trust funds; and of current house documents numbered 1281, relative to certain payments under wills and trusts to minors; 2305, relative to providing for the creation of circuits for the assignment of district court judges; and 2441, relative to repealing the law relative to common trust funds; 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 8, 1972.

Chap. 37. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO "DE NOVO" TRIALS OF TEACHERS OR SUPERINTENDENTS WHO HAVE BEEN DISMISSED BY VOTE OF THE SCHOOL COMMITTEE.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 4875, relative to "de novo" trials of teachers or superintendents who have been dismissed by vote of the school committee, and to include its conclusions and recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved June 8, 1972.*

Chap. 38. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE APPOINTMENT, POWERS AND DUTIES OF GUARDIANS AND CONSERVATORS FOR THE MENTALLY RETARDED.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 5513, App. C, relative to the appointment, powers and duties of guardians and conservators for the mentally retarded, 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 8, 1972.*

Chap. 39. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO PROHIBITING ADMISSION OF EVIDENCE OF DISBELIEF IN THE EXISTENCE OF GOD TO AFFECT CREDIBILITY OF A WITNESS.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document numbered 1361, relative to prohibiting admission of evidence of disbelief in the existence of God to affect credibility of a witness, 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 15, 1972.*

Chap. 40. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE MANAGEMENT, OPERATION AND ACCESSIBILITY OF PUBLIC BEACHES ALONG THE SEA COAST AND ANY OTHER RELATED MATTERS.

Resolved, That a special commission, to consist of two members of the senate, five members of the house of representatives, the commissioner of natural resources or his designee, the commissioner of public works or his designee, and three persons to be appointed by the governor, one of whom shall be a member of the Massachusetts Beach Buggy Associates, Inc. and one of whom shall be a member of the Massachusetts Wildlife Federation, is hereby established for the purpose of making an investigation and study relative to the management, operation and accessibility of public beaches along the sea coast and any other related matters. *Approved June 15, 1972.*

Chap. 41. 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-two, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current senate document number 175, relative to the feasibility of a tax on interest on all types of loans; of current senate documents numbered 955, imposing an excise on sales at retail of certain cleaning products; 961, providing a deduction for household and dependent care expenses for gainful employment under the income tax law; 1010, exempting from the income tax all monies received for a military-service-connected disability; of current house documents numbered 453, providing for the exemption of four wheel tractors used exclusively in agricultural production; 454, removing farm tractors from the trade-in provisions of the sales and use tax; 1243, exempting from the income tax all monies received for a military-services-connected disability; 1245, providing a deduction in the computation of personal income tax of expenses for production of income; 1443, exempting sales of certain restaurant equipment from the sales tax; 2011, providing an income tax exemption for local real estate or personal property taxes; 2024, providing an income tax exemption for child care services necessary to allow a parent to be gainfully employed; 2029, providing 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; 2404, 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; 3077, providing that the committee on taxation of the general court be directed to expend certain funds for the purpose of providing an informational service to the voters of the commonwealth; 3641, 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; 3642, increasing the exemption of certain interest and dividends from taxation; 3845, providing graduated exemptions from taxation on incomes; 4617, providing tax deductions for certain household and dependent care expenses.

Approved June 15, 1972.

Chap. 42. 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-two, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 949, establishing an alternate estate valuation

date for inheritance tax purposes; 954, clarifying the status of leaseholds and leasehold improvements for the purposes of the property factor of the income apportionment formula under the corporation excise; 966, clarifying the definition of tangible property corporations and intangible property corporations; 967, bringing the Massachusetts corporation excise into conformity with the internal revenue code with respect to carry-overs and carry-backs of net operating losses; 978, relative to the exemption from real estate taxes of certain disabled persons; 981, granting real estate tax exemptions to paraplegics; 991, providing that real estate tax exemptions be made to a paraplegic who is a primary wage earner and a home owner; 996, increasing the amount of whole estate valuation for tax abatement eligibility for certain widows; 1002, eliminating the value limitation on classified forest land; 1003, requiring the use of mean per acre value in the certification of forest land; and 1006, providing real estate tax exemption for veterans who are in receipt of a total disability rating of one per cent for a wartime service connected disability from the veterans administration; of current house documents numbered 451, relative to the exemption from real estate taxes of certain totally and permanently disabled persons; 848, providing for the exemption of certain disabled and infirm persons from the payment of real estate taxes; 1066, providing real estate tax abatements for persons who are handicapped or totally disabled; 1251, restricting the real estate tax exemption of certain charitable organizations; 1448, relative to treating revocable trust for tax purposes the same way as partnerships; 1449, relative to treating common trust funds as partnerships for purposes of income taxation; 1639, exempting from taxation the proceeds of certain life insurance policies said policy or policies if a surviving spouse or minor child or children are the beneficiaries; 1640, relative to the taxation of the proceeds of life insurance policies; 1641, providing exemptions from real estate taxes for certain disabled persons; 1804, relative to the land tax on land used for forest products; 1820, imposing liability on the estates of certain persons; 2012, providing real estate tax abatements for paraplegics; 2030, relative to the determination of the eligibility of charitable organizations for property tax exemption; 2031, further restricting property tax exemptions for social and fraternal organizations; 2611, concerning remedies and appeals for the abatement of local taxes assessed to certain public service corporations; and 2612, providing for a total exemption from real estate taxes for certain veterans; of the investigation and study proposed by current house document numbered 3082, relative to the impact on the tax-base and development opportunities of communities by the ownership of land and properties by the commonwealth within said communities; and of current house documents numbered 3268, providing for the imposition of liens on the estates of certain persons relieved of taxation; 3840, relative to the exemption from real estate taxes of certain totally and permanently disabled persons; 4014, providing for a tax on licensees of community antenna television systems; 4421, increasing the excise upon certain cigarettes containing certain amounts of tars or nicotine; 4944, relative to taxation of forest lands; 4945, providing a certain exemption from real estate taxes for certain disabled veterans; and 5317, providing a remedy against cities and towns wherein property is not assessed at full and fair value.

Approved June 15, 1972.

Chap. 43. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE EFFICIENT USE OF IONIZING RADIATION.

Resolved, That a special commission, to consist of three members of the senate, three members of the house of representatives, the chairman of the board of registration in medicine or his designee, the chairman of the board of registration in podiatry or his designee, the chairman of the board of dental examiners or his designee, the chairman of the board of registration of chiropractors or his designee, the chairman of the board of registration in veterinary medicine or his designee, and three persons to be appointed by the governor, one of whom shall be a radiological physicist and one of whom shall be a radiologic technologist who is a member of the American Registry of Radiologic Technologists, is hereby established for the purpose of making an investigation and study relative to the present uses of ionizing radiation and the procedures, practices and safeguards necessary to insure the efficient use of said ionizing radiation while protecting persons from any harmful effects. 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, but shall file its final report with the clerk of the house of representatives on or before the first Wednesday in June, nineteen hundred and seventy-three. *Approved June 15, 1972.*

Chap. 44. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE HUMAN DEVELOPMENT OF THOSE CONFINED WITHIN THE CORRECTIONAL SYSTEM OF THE COMMONWEALTH.

Resolved, That the special commission, established by chapter seventy-three of the resolves of nineteen hundred and seventy-one and revived and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 4199, transferring the department of corrections from the executive office of human services to the executive office of public safety.

Approved June 15, 1972.

Chap. 45. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE HUMAN DEVELOPMENT OF THOSE CONFINED WITHIN THE CORRECTIONAL SYSTEM OF THE COMMONWEALTH.

Resolved, That the special commission, established by chapter seventy-three of the resolves of nineteen hundred and seventy-one and revived and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 157, authoriz-

ing and directing the department of correction to establish a youthful first offenders facility; of the investigation and study proposed by current house document numbered 828, relative to the feasibility of establishing correctional institutions solely for first offenders and any other related matters thereto; of current house document numbered 1029, relative to the segregating of certain first offenders; of the investigation and study proposed by current house document numbered 3422, relative to the feasibility of establishing a correctional institution solely for certain first offenders; and of current house document numbered 3439, authorizing the department of correction to establish a facility for first offenders. *Approved June 15, 1972.*

Chap. 46. 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-two, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 958, equalizing fiscal ability for support of schools and other municipal services; of the investigation and study proposed by current senate document numbered 960, relative to the effects of elimination of the local property tax as a source of funding for local education; of current senate document numbered 985, providing for corrective changes in the school aid formula and increases in school aid; and current house documents numbered 1444, eliminating distributions to cities and towns on the so-called machinery and valuation bases and increasing school aid; and 2762, altering the formula for distribution to cities and towns from the General Fund.

Approved June 15, 1972.

Chap. 47. 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 1013, providing for a discriminatory sales tax to assist the competitive situation for recycled material; and current house documents numbered 452, imposing an excise on certain nonreturnable bottles and cans and relative to the disposition of the proceeds thereof; 1440, 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; and 4016, imposing an excise on nonreturnable packaging or containers. *Approved June 15, 1972.*

Chap. 48. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FEASIBILITY OF PROVIDING SPECIAL TYPE HOUSING FOR THE ELDERLY.

Resolved, That the special commission, established by chapter sixty-four of the resolves of nineteen hundred and seventy-one and revived and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 5380, App. B, authorizing housing authorities of cities and towns to provide by construction or by rehabilitation multi-purpose living facilities for the elderly and the handicapped and authorizing the provision of state financial assistance therefor; 5380, App. C, authorizing the Massachusetts Housing Finance Agency to establish a program and provide financing for multi-purpose living facilities for the elderly and the handicapped; and 5380, App. D, authorizing the secretary of elder affairs to assist in providing multi-purpose living facilities for the elderly.

Approved June 15, 1972.

Chap. 49. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY 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 the special commission established by chapter thirty-one of the resolves of nineteen hundred and seventy-one, and most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 5793, exempting the county of Nantucket from the open burning regulations.

Approved June 15, 1972.

Chap. 50. 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-two, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 2911, providing for credit for sales tax collected on worthless accounts.

Approved June 15, 1972.

Chap. 51. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF NATURAL RESOURCES AND THE METROPOLITAN DISTRICT COMMISSION OF THE FEASIBILITY OF RECONSTRUCTING THE NEPONSET RIVER DAM AT DORCHESTER LOWER MILLS.

Resolved, That the department of natural resources and the metropolitan district commission are hereby authorized and directed to make a joint investigation and study relative to the feasibility of reconstructing the Neponset River Dam at Dorchester Lower Mills, as a conservation and environmental measure. Said department and commission shall report to the general court the results of their joint investigation and study, and their recommendations, if any, together with drafts of legislation necessary to carry their 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-two. *Approved June 19, 1972.*

Chap. 52. 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-two, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 4106, providing for certain changes in the motor vehicle insurance rating laws. *Approved June 19, 1972.*

Chap. 53. 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-two, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 433, protecting persons from the loss of benefits under wage continuation programs in cases involving motor vehicle accidents; and of current house documents numbered 1140, to allow recovery for damages for pain and suffering in certain injury cases; 1142, to preserve the right of privacy; 1145, providing for certain changes of the deductible

provisions of the property protection insurance law; 1146, making permissible the group marketing of property and liability insurance for automobiles; 1339, prohibiting the cancellation of motor vehicle insurance for nonpayment of premiums when the unearned premium exceeds the balance due; 1340, regulating the cancellation of certain motor vehicle insurance policies; 1535, providing that the commissioner of insurance may require insurers to file data relative to total profits from automobile insurance including profits from investment income in order to enable him to fix rates for compulsory motor vehicle insurance, so called; 2515, making permissible the group marketing of property and liability insurance; 3541, requiring all insurance companies to apply certain net profits to the credit of policyholders; 4104, providing for certain changes in the personal injury protection insurance law; 4309, requiring all insurance companies to apply certain net profits to the credit of policyholders; 4849, creating a state-funded automobile insurance program; and 5239, App. D, relative to permitting the group sale of property and liability insurance. *Approved June 19, 1972.*

Chap. 54. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF PUBLIC SAFETY RELATIVE TO THE REGISTRATION OF BICYCLES.

Resolved, That the department of public safety is hereby authorized and directed to make an investigation and study relative to the feasibility of requiring that all bicycles operated in the commonwealth be registered with the local police department or, in a town where there is no organized police department, with the selectmen of said town. Said department shall also investigate and study the feasibility of requiring the full implementation of section eleven A of chapter eighty-five of the General Laws, and any related matters. Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the senate on or before the first Wednesday of December, nineteen hundred and seventy-two. *Approved June 20, 1972.*

Chap. 55. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE CONSUMERS' COUNCIL RELATIVE TO PROVIDING A MANDATORY SYSTEM OF DATING FOOD PRODUCTS TO ENABLE A DETERMINATION OF THE FRESHNESS OF SUCH PRODUCTS.

Resolved, That the consumers' council is hereby authorized and directed to make an investigation and study relative to providing a mandatory system of dating food products to enable a determination of the freshness of such products. 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 senate on or before the third Wednesday of January, nineteen hundred and seventy-three. *Approved June 20, 1972.*

Chap. 56. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO PASSENGER FERRY SERVICE BETWEEN THE EAST BOSTON DISTRICT OF THE CITY OF BOSTON AND THE CITY OF BOSTON PROPER.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives and three persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of the feasibility of the division of tourism in the department of commerce and development providing passenger ferry service to be operated between the East Boston district of the city of Boston and the city of Boston proper.

Approved June 20, 1972.

Chap. 57. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO IMPROVING THE RECREATIONAL FACILITIES AND EXPANDING THE RECREATION, TRAVEL, VACATION AND TOURIST INDUSTRY OF THE COMMONWEALTH.

Resolved, That a special commission, to consist of two members of the senate, five members of the house of representatives, the commissioner of commerce and development, the commissioner of public works, the commissioner of natural resources, the commissioner of the metropolitan district commission, and four persons to be appointed by the governor, one of whom shall be a member of the board of economic advisors, is hereby established for the purpose of making an investigation and study of the recreation, travel, vacation and tourist facilities of the commonwealth, including interconnecting roads and other transportation facilities, and of the characteristics of our existing and potential visitor markets, and to formulate a coordinated plan for the development of our facilities and promotion of our recreation, travel, vacation and tourist industry. Said commission shall suggest methods for the integration of public and private promotion programs and visitor facilities, and means for the financing of programs and facility development. Said commission may accept and expend gifts and grants of money from the federal government or any other public or private source, and may enter into agreements or contracts for acceptance of said grants or gifts which provide for a contribution of money from appropriations made for the purposes of said commission. Said commission may cooperate with any agency of the commonwealth or its political subdivisions, including regional planning districts, in the conduct of its investigation and study; and may enter into cooperative agreements and contracts with said agencies and political subdivisions of the commonwealth 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 shall report to the general court from time to time.

Approved June 20, 1972.

Chap. 58. RESOLVE PROVIDING FOR A STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ERECTION OF A SUITABLE MONUMENT TO THE MEMORY OF THE LATE GOVERNOR, JAMES M. CURLEY.

Resolved, That a special commission, to consist of three members of the senate, ten members of the house of representatives, and five persons to be appointed by the governor, is hereby established for the purpose of making a study of the feasibility of erecting a suitable monument in the city of Boston to the memory of the late governor, James Michael Curley. *Approved June 20, 1972.*

Chap. 59. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE FEASIBILITY OF ESTABLISHING A PUBLIC AUTHORITY TO ALLEVIATE THE PROBLEMS OF SOLID WASTE DISPOSAL AND ALL MATTERS RELATIVE THERETO.

Resolved, That the special commission, established by chapter sixty-five of the resolves of nineteen hundred and sixty-five and most recently revived and continued by chapter one of the resolves of the current year, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 566, authorizing the city of Lynn and the towns of Nahant and Swampscott to form a regional solid waste disposal district which may also include any one or more other cities and towns located in Essex, Middlesex, and Suffolk Counties; and 603, establishing the northern Middlesex refuse disposal district; of the investigation and study proposed by current senate document numbered 608, relative to the feasibility of establishing regional public facilities to alleviate the problems of waste disposal and all matters relative thereto; and of current house documents numbered 179, changing the title of the bureau of solid waste disposal; 369, reducing the cost to municipalities of the construction and operation of regional solid waste disposal facilities operated by the department of public works; of the investigation and study proposed by current house document numbered 377, relative to the feasibility of constructing a refuse disposal facility on land owned by the county of Worcester in the town of West Boylston; of current house document numbered 574, reimbursing cities, towns and regional refuse disposal districts for one-half the cost of constructing incinerators; of the investigations and studies proposed by current house documents numbered 783, relative to giving financial aid to municipalities participating in regional solid waste disposal programs; and 967, relative to constructing regional incinerators throughout the commonwealth; of current house documents numbered 1366, relative to providing financial assistance to cities and towns for their acquisition and preparation of land for sanitary land fill purposes to alleviate a serious dumping problem; 1752, permitting the state department of public works to give financial assistance to municipalities forming regional waste disposal districts; 1926, requiring the commonwealth to reimburse certain political subdivisions thereof for a portion of the cost of constructing solid waste disposal and recycling facilities; 1929, increasing the penalty for the disposal of refuse or rubbish on or near

highways; 1932, permitting the department of public works to give financial assistance to municipalities forming regional refuse disposal districts; and 2120, providing financial assistance to cities and towns for their acquisition and preparation of land for sanitary land fill purposes to alleviate a serious dumping problem; of the investigation and study proposed by current house documents numbered 2313, relative to preparing legislation authorizing the department of communities and development to construct and expand regional and municipal water and sewage disposal plants and the extension of lines to be serviced thereby and to borrow money to fund costs of such construction, expansion, and extensions; and 2314, relative to constructing regional incinerators at state institutions; of current house document numbered 3006, clarifying the law establishing a bureau of solid waste disposal in the department of public works; of the investigation and study proposed by current house document numbered 3007, relative to the bureau of solid waste disposal within the department of public works and the methods and procedures of the bureau in selecting waste disposal sites and other matters relative thereto; of current house documents numbered 2008, transferring the bureau of solid waste disposal to the department of natural resources; 3579, establishing the metropolitan solid waste disposal district; 3581, relative to financial assistance for a city, town, or district in the remodeling, reconstructing, or making extraordinary repairs to incinerators when the city, town or district is compelled to make such changes under a law of the commonwealth; and 3776, providing for state financial assistance to local or regional incinerator projects and permitting applications for federal funds; of the investigation and study proposed by current house document numbered 3779, relative to the feasibility of constructing a regional incinerator in northern Middlesex county; of current house document numbered 4350, requiring the sorting of solid waste materials for recycling purposes; of the investigation and study proposed by current house document numbered 4722, relative to the feasibility of establishing a regional sewage treatment center at Otis air force base; of current House documents numbered 4726, relative to the construction and operation of refuse disposal facilities by cities, towns, and districts; and 4886, authorizing the county of Norfolk to provide for the collection and disposal of wastes and construction of said facilities. *Approved June 20, 1972.*

Chap. 60. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO MARINE BOUNDARIES AND RESOURCES OF THE COMMONWEALTH.

Resolved, That the special commission, established by chapter seventy-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-two, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 398, relative to the feasibility of establishing a coastal resources management council.

Approved June 20, 1972.

Chap. 61. 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 one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 906, restructuring the Massachusetts Commission Against Discrimination; 913, restricting certain contracts by political subdivisions of the commonwealth; 914, restricting certain contracts by agencies of the commonwealth; 916, 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; 917, providing for methods of payment on public consulting services performed by architects and engineers; and 932, establishing a bureau of comprehensive children's services in the executive office of human services; and of current house documents numbered 1046, requiring all public authorities and political subdivisions of the commonwealth to award certain contracts to the lowest responsible bidder; 1047, imposing a fine upon contractors who fail to pay subcontractors; 1051, relative to the manner of awarding certain contracts for public construction; 1232, relative to the manner of awarding certain contracts for public construction; 1626, amending certain provisions of the General Laws for payment security and for direct payment to laborers, subcontractors, materialmen and others engaged in public construction; 1631, providing greater competition in the award of contracts for public building projects; 1632, establishing parity between general contractors and subcontractors in the matter of filed sub-bids; 1798, granting payment protection to persons furnishing labor or labor and materials on construction work; 1799, regulating the suspension of work on certain public contracts; 1800, providing procedures for differing site conditions; 2401, making certain changes in the law regulating the payment of sums due to contractors after completion of certain public works and public building contracts; 2595, providing for methods of payment of public consulting services performed by architects and engineers; 2597, providing for prompt payment to persons furnishing labor or labor and materials on public construction work; 2749, requiring that all contracts for the construction of recreational facilities, environmental facilities and conservation facilities shall be awarded to the lowest responsible and eligible bidder on the basis of competitive bids; 2751, making the laws relative to competitive bidding and award of construction contracts to the lowest bidder applicable to all public authorities; 2752, requiring public authorities to award construction contracts to the lowest responsible and eligible bidder after competitive bidding in accordance with the laws applicable to the commonwealth; 4411, relative to contracts for construction; and 4415, relative to the Boston Arena Authority. *Approved June 20, 1972.*

Chap. 62. 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 one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 696, relative to delays in payment of workmen's compensation insurance with particular reference to the advisability and feasibility of limiting the number of continuances in any case and the adoption of rules which will expedite the work of the commissioners; and current house document 2242, relative to workmen's compensation payments. *Approved June 20, 1972.*

Chap. 63. RESOLVE INCREASING THE SCOPE 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 special commission, established by chapter forty-one of the resolves of nineteen hundred and seventy-one and revived and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 1061, relative to creating local housing and development corporations; and of current house documents numbered 1843, establishing the Massachusetts community development corporation; 2430, authorizing the Massachusetts Housing Finance Agency to engage in community development; and 4796, authorizing cities and towns to establish a community housing finance agency. *Approved June 20, 1972.*

Chap. 64. 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 most recently revived and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current senate documents numbered 208, prohibiting the use of nonreturnable glass, plastic or metallic containers for carbonated beverages or beer; 242, providing for state reimbursement of thirty per cent of the cost of approved local recycling programs; 245, relative to the returning of containers; 246, banning nonrecyclable containers; and 247, providing for a special trademark for recycled goods; and of current house documents numbered 253, requiring a five cent deposit on glass bottles on which soft drinks or malt beverages are sold; 255, prohibiting the use of nonreturnable glass or metallic containers for carbonated beverages or beer; 909, prohibiting the use of nonreturnable glass containers; 1092, prohibiting the use of

nonreturnable glass containers; 1495, prohibiting the use of nonreturnable glass or metallic containers for carbonated beverages or beer; 1674, prohibiting the use of nonreturnable containers; 2245, establishing a label for recycled goods; 2931, prohibiting the sale of nonreturnable beverage containers; 3295, regulating the use of bottles and glass containers; 3484, establishing cash redemptions for certain beverage containers; 3489, prohibiting the sale of merchandise in certain disposable containers; 3880, prohibiting the sale of merchandise in certain disposable cans; 4053, prohibiting the use of nonredeemable or recyclable containers; 4054, prohibiting the use of nonreturnable containers; and 4814, prohibiting the sale of certain beverages in containers which do not have a refund value. *Approved June 20, 1972.*

Chap. 65. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE REGULATION OF THE LOCATION AND OPERATION OF ELECTRIC UTILITY GENERATION AND TRANSMISSION FACILITIES AND OTHER MATTERS.

Resolved, That the special commission, established by chapter seventy-eight of the resolves of nineteen hundred and seventy-one and revived and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of the current house documents numbered 535, requiring all electric and telephone companies to place all lines for new services underground; 1321, prohibiting public service corporations from expending money for the purpose of defeating legislation which would establish power projects outside the commonwealth; 1324, relative to protecting municipal park, forest and conservation lands; 1903, requiring all electric and telephone companies to place all lines for new services underground; 2510, relative to the location, construction and operation of electric generation and transmission facilities; 2832, regulating the selection of electric power plant sites; 3158, relative to creating standards for the placement of electric power transmission lines; 3527, requiring the installation of electric substations underground by electric companies; 3926, requiring underground power and telephone lines to new dwellings; 4090, relative to creating the Massachusetts state power agency; 4301, providing that certain utility companies provide financing for the installation of underground wiring; 4848, relative to the location, construction and operation of electric generation and transmission facilities; 5239, App. G, providing for the issuance by the department of public utilities of a certificate of public convenience and necessity for the construction of certain electric generating facilities. *Approved June 20, 1972.*

Chap. 66. RESOLVE CONTINUING THE INVESTIGATION AND STUDY BY THE WATER RESOURCES COMMISSION RELATIVE TO THE PUBLIC WATER SUPPLY RESOURCES OF THE PARKER RIVER.

Resolved, That the water resources commission is hereby authorized and directed to continue the investigation and study authorized by chapter thirty of the resolves of nineteen hundred and seventy-one.

Said commission shall file an interim report not later than the last Wednesday of January, nineteen hundred and seventy-three and its final report not later than the last Wednesday of June, nineteen hundred and seventy-three. *Approved June 20, 1972.*

Chap. 67. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE DEPARTMENT OF COMMUNITY AFFAIRS RELATIVE TO COMPENSATION FOR CERTAIN EMINENT DOMAIN TAKINGS AND RELOCATION EXPENSES.

Resolved, That the department of community affairs is hereby authorized and directed to make an investigation and study of the subject matter of current senate documents numbered 103, providing that persons displaced from any area taken by eminent domain under certain acts and certain plans shall be compensated for loss of business and loss of good will; and 545, reimbursing persons displaced by eminent domain proceedings for certain portions of increased interest paid in the purchase of new dwellings; and of current house document numbered 33, relative to improving relocation assistance; 1156, authorizing Theresa DeFelice, Antonio DeFelice, Nicholas DeFelice and Joseph DeFelice to file petitions against the commonwealth for the assessment of their damages on account of certain takings by eminent domain; 1731, reimbursing persons displaced by eminent domain proceedings for certain portions of increased interest paid in the purchase of new dwellings; 2236, relative to replenishing the housing supply; 2988, relative to eminent domain over railroads; 3177, limiting the eminent domain powers of the Salem and Beverly water supply board; 3184, providing that the taking of registered land by a public authority by exercise of the power of eminent domain shall cause the existing registration of the land to terminate; 3378, prohibiting the commonwealth from utilizing eminent domain privileges to take property for which court action against the commonwealth is pending; 3552, authorizing the department of public works in certain cases to refer the matter of payment of the award for damages to the attorney general of the commonwealth for judicial determination; 3556, authorizing the department of public works to deduct rent owed from relocation payments; 3557, authorizing the department of public works to pay assignees of relocation payment; 3558, providing for uniform provisions of law concerning persons displaced from their homes, businesses or farms; and 5280, the annual report of the judicial council (Public Document No. 144) as it relates to providing for uniform provisions of law concerning persons displaced from their homes, businesses or farms (pages 77 through 97). Said department shall report to the general court the results of its investigation and study, and its recommendations, if any, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of January, nineteen hundred and seventy-three. *Approved June 23, 1972.*

Chap. 68. 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-two, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 5817, further regulating the exemptions from taxation of certain retired persons; 5818, increasing the amount of the exemption from taxation of parsonages and residences of officials of certain religious faiths; and 5819, exempting income from certain non-contributory pensions from taxation.

Approved June 23, 1972.

Chap. 69. 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-two, shall, in the course of its investigation and study, consider the subject matter of the investigation and study proposed by current house document numbered 5810, relative to the various methods of dealing with the problem of heroin addiction. *Approved June 23, 1972.*

Chap. 70. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE JUDICIAL COUNCIL RELATIVE TO PROVIDING FOR THE DESIGNATION OF CERTAIN PERSONS AS EXPERT WITNESSES FOR THE APPELLATE TAX BOARD.

Resolved, That the judicial council be requested to investigate the subject matter of current senate document 995, relative to providing for the designation of certain persons as expert witnesses for the Appellate Tax Board, 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 23, 1972.*

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-two, shall, in the course of its investigation and study, consider the subject matter of current house document numbered 214, repealing certain transitional provisions in the life insurance tax law; and of the investigation and study proposed by current house document numbered 1058, relative to developing a master plan and program for taxation within the commonwealth. *Approved June 23, 1972.*

Chap. 72. 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-two, shall, in the course of its investigation and study, consider the subject matter of current house documents numbered 4318, relative to the penalty for certain violations of the drugs and controlled substances law by persons having 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; and 4871, providing additional punishment for certain persons giving controlled substances to prisoners. *Approved June 23, 1972.*

Chap. 73. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE PRESENT STATUTES OF THE COMMONWEALTH PERTAINING TO THE ADULTERATION AND MISBRANDING OF FOOD, DRUGS AND COSMETICS, AND CERTAIN RELATED MATTERS.

Resolved, That a special commission, to consist of two members of the senate, four members of the house of representatives, the attorney general or his designee, the secretary of human services or his designee, the secretary of consumer affairs or his designee, and four persons to be appointed by the governor, one of whom shall represent consumer affairs, one of whom shall represent medicine, one of whom shall represent food processing and nutrition, and one of whom shall represent pharmacology, is hereby established for the purpose of making an investigation and study of the effectiveness and enforcement of the present standards pertaining to the adulteration and misbranding of food, drugs, and cosmetics within the commonwealth, an evaluation of the feasibility of revising or modifying present laws pertaining to the inspection and sale of food, drugs, and other related articles, a review of the available literature and studies on adulteration and misbranding, and the clarification of any inconsistencies between the federal laws and the laws of the commonwealth, including administrative or regulatory orders relative to the foregoing. Said commission may travel without the commonwealth, and may require the attendance and testimony of witnesses under oath and the production of books, records and papers. *Approved June 23, 1972.*

Chap. 74. RESOLVE INCREASING THE SCOPE OF THE SPECIAL COMMISSION ESTABLISHED TO MAKE AN INVESTIGATION AND STUDY RELATIVE TO THE REGULATION OF THE LOCATION AND OPERATION OF ELECTRIC UTILITY GENERATION AND TRANSMISSION FACILITIES AND OTHER MATTERS.

Resolved, That the special commission established by chapter seventy-eight of the resolves of nineteen hundred and seventy-one, and revised and continued by chapter one of the resolves of nineteen hundred and seventy-two, shall, in the course of its investigation and study, consider the subject matter of current senate document numbered 1273, sixth report of the special commission on marine boundaries and resources of the commonwealth relative to power plant siting and the marine environment. *Approved June 23, 1972.*

Chap. 75. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE DRAFTING OF A SIMPLIFIED RECODIFICATION OF THE CONSTITUTION OF THE COMMONWEALTH OF MASSACHUSETTS FOR THE OCCASION OF ITS TWO HUNDREDTH ANNIVERSARY.

Resolved, That the judicial council be requested to investigate the feasibility of, and the procedure by which, a simplified version of the Constitution of the Commonwealth of Massachusetts, omitting repealed amendments, the amendments which repealed them, and any other superfluous material contained therein, could be drafted, adopted and distributed for general use by Massachusetts citizens, students, attorneys and legal scholars on the occasion of the two hundredth anniversary of the adoption of said Constitution, and to include its conclusions and its recommendations, if any, in relation thereto, together with, if appropriate, drafts of such a constitution, in its annual report for the current year. *Approved June 29, 1972.*

Chap. 76. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADEQUACY OF THE BRANCH BANKING LAWS OF THE COMMONWEALTH AND THE ESTABLISHMENT OF BRANCH BANKING WITHOUT RESTRICTION AS TO COUNTY LINES.

Resolved, That a special commission, to consist of three members of the senate, five members of the house of representatives, the commissioner of banks or his designee, and three persons to be appointed by the governor, one of whom shall be an officer of a trust company, one of whom shall be an officer of a savings bank, and one of whom shall be an officer of a cooperative bank, is hereby established for the purpose of conducting an investigation and study as to the adequacy of the branch banking laws of the commonwealth, the establishment of branch banking without restriction as to county lines, the effect on the Massachusetts banking industry by the branch banking policies of federal regulatory agencies as to federally chartered banks, the effects on the Massachusetts banking industry from the expansion of banking markets in general, and, any related matters.

Approved June 29, 1972.

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 AMENDING AND REPEALING LAWS 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-two, shall in the course of its investigation and study, consider the subject matter of current senate document numbered 497, permitting the recovery of damages for pain and suffering in tort actions arising out of the operation or use of a motor vehicle if the injury, sickness or disease sustained consists of permanent injury or permanent loss of bodily function.

Approved June 29, 1972.

Chap. 78. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE CONSUMER PROTECTION DIVISION OF THE DEPARTMENT OF THE ATTORNEY GENERAL RELATIVE TO THE CHARGES FOR APPLIANCE REPAIRS AND SERVICE.

Resolved, That the attorney general is hereby requested, through his consumer protection division, to make an investigation and study relative to the charges made for repairs to household appliances and for services performed by public utility companies in connection therewith. He shall report the results of his investigation and study, and his recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before the last Wednesday of December, nineteen hundred and seventy-two.

Approved June 29, 1972.

Chap. 79. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF MERGING THE LOWELL TECHNOLOGICAL INSTITUTE OF MASSACHUSETTS AND THE STATE COLLEGE AT LOWELL.

Resolved, That a special commission to consist of two members of the senate, two members of the house of representatives, the secretary of education or his designee, and six persons to be appointed by the governor, one of whom shall be a member of the board of higher education, one a member of the faculty or administration of the University of Massachusetts, one a member of the faculty or administration of the Lowell Technological Institute of Massachusetts, one a member of the faculty or administration of the state college at Lowell, one a student at the Lowell Technological Institute of Massachusetts, and one a student at the state college at Lowell, is hereby established for the purpose of making an investigation and study relative to the feasibility of merging the Lowell Technological Institute of Massachusetts and the state college at Lowell. Said commission shall report to the general court the results of its investigation and study, and its

recommendations, if any, together with drafts of legislation necessary to carry said recommendations into effect, by filing the same with the clerk of the house of representatives on or before January third, nineteen hundred and seventy-three. Sums necessary to carry out the purposes of this act shall be expended from item 0185–7104 of chapter one thousand and three of the acts of nineteen hundred and seventy-one. *Approved July 3, 1972.*

Chap. 80. RESOLVE IN FAVOR OF MADELINE M. DOLLIVER.

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 Madeline M. Dolliver of the town of Newbury the following sums: — Five thousand dollars in settlement of her claim for replacement housing, two hundred dollars for residential relocation, and one hundred dollars for a dislocation allowance. *Approved July 6, 1972.*

Chap. 81. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO THE APPOINTMENT, POWERS AND DUTIES OF GUARDIANS AND CONSERVATORS FOR MENTALLY RETARDED PERSONS.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 3366, relative to the appointment, powers and duties of guardians and conservators for mentally retarded persons, and to include its conclusions and recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year. *Approved July 6, 1972.*

Chap. 82. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE ADMINISTRATION OF PRIVATE PENSION FUNDS WITHIN THE COMMONWEALTH.

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, the chairman of the insurance commission or his designee and five persons to be appointed by the governor, one of whom shall be a member of a labor organization, and one of whom shall be a member of a business association, is hereby established for the purpose of making an investigation and study relative to the administration of private pension funds within the commonwealth and the feasibility of establishing minimum standards for said funds and retirement benefits consonant with the rights of the retired. Said commission shall specifically, but without limiting the generality of the foregoing, investigate and study the effects upon such plans and benefits of the following: inflation, minimum vesting requirements, specific actuarial standards, pension credit portability in the event an individual changes his employment, and a state created insurance fund to protect those individuals whose benefits may be lost

due to the cessation of an employer's business. Said commission may request the assistance of and may consult with any federal governmental agencies during the course of its investigation and study.

Approved July 7, 1972.

Chap. 83 RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO DIRECTING THE DEPARTMENT OF PUBLIC WORKS TO RECONSTRUCT A CERTAIN PEDESTRIAN PASSAGEWAY IN THE TOWN OF BRAINTREE FOR USE BY VEHICLES.

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, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study of current house document numbered 1453, relative to directing the department of public works to reconstruct a certain pedestrian passageway in the town of Braintree for use by vehicles.

Approved July 7, 1972.

Chap. 84. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE MANAGEMENT OF ENDOWMENT FUNDS OF NONPROFIT ORGANIZATIONS.

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, each of whom shall have had broad experience as a fiduciary or as an attorney for a fiduciary, is hereby established for the purpose of making an investigation and study of the subject matter of current senate document numbered 225, relative to the management of endowment funds of nonprofit organizations.

Approved July 7, 1972.

Chap. 85. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY THE JUDICIAL COUNCIL OF THE REGULATION OF TRIALS OF SMALL CLAIMS CASES.

Resolved, That the Judicial Council be requested to investigate the subject matter of current House document numbered 6096, providing for the further regulation of trials of small claims 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 July 9, 1972.

Chap. 86. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY RELATIVE TO THE NEEDS OF CERTAIN HANDICAPPED PERSONS IN THE AREA OF TRANSPORTATION, EDUCATION AND TRAINING AND RELATED MATTERS.

Resolved, That a special commission, to consist of two members of the senate, three members of the house of representatives, and two

persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the needs of the physically handicapped in the area of transportation, education on the secondary and college level, employment and rehabilitation. Said commission shall, in the course of its investigation and study, consider the occupational and physical therapy needs in the rehabilitation field and the number of opportunities available to meet these needs in proportion to the total number of physically handicapped citizens in the commonwealth and evaluate the adequacy of the occupational training programs for physically and mentally handicapped persons in state institutions. Said commission shall also study the subject matter of current senate document numbered 836, authorizing the Massachusetts rehabilitation commission to provide for the furnishing of extended sheltered employment to certain physically or mentally handicapped persons.

Approved July 9, 1972.

Chap. 87. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION AUTHORIZING CITIES AND TOWNS TO BORROW MONEY FOR ESTABLISHING OR ENLARGING MUNICIPAL GAS AND ELECTRIC PLANTS AND OTHER RELATED MATTERS.

Resolved, That a special commission, to consist of two members of the senate, seven members of the house of representatives, the commissioner of public utilities or his designee, the chairman of the consumers' council or his designee, and four persons to be appointed by the governor, one of whom shall be associated with a privately owned public utility, and one of whom shall be associated with a municipally owned public utility, is hereby established for the purpose of making an investigation and study of the subject matter of current house documents numbered 2501, authorizing cities and towns to borrow money for establishing, purchasing, extending or enlarging municipal gas and electric plants or municipal community antenna television systems and to issue revenue bonds in connection therewith; and 3160, authorizing the electric utilities to participate in the New England power pool.

Approved July 9, 1972.

Chap. 88. RESOLVE PROVIDING FOR AN INVESTIGATION AND STUDY BY A SPECIAL COMMISSION RELATIVE TO THE FEASIBILITY OF A UNIFIED THRIFT INDUSTRY AND OTHER MATTERS.

Resolved, That a special commission, to consist of two members of the senate, threemembers of the house of representatives, and two persons to be appointed by the governor, is hereby established for the purpose of making an investigation and study relative to the feasibility of a unified thrift industry and also to study the subject matter of current house documents numbered 2438, prohibiting investments by savings banks in common stocks of certain banks incorporated or doing business within the commonwealth; of the investigation and study proposed by current house document numbered 2439, relative to the concentration and control of economics and financial power within the commonwealth through corporate interlocking directorates among banks

and other financial institutions; and of current house document numbered 3102, relative to the conversion or combination of savings banks and cooperative banks. 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 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-two.

Approved July 9, 1972.

Chap. 89. RESOLVE IN FAVOR OF HAROLD THORN, HILDA CONLEY AND NATALIE MACDONALD.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth and after appropriation has been made therefor, there shall be allowed and paid out of the state treasury to Harold Thorn, Hilda Conley and Natalie MacDonald the total sum of three thousand nine hundred and fifty-one dollars and ninety-seven cents in full satisfaction of a judgment and execution obtained by them in the Dorchester district court (case number 1419 of 1960) against James J. McLaughlin, an employee of the metropolitan district commission for damages as a result of injuries received by them on August fifteenth, nineteen hundred and fifty-nine due to the negligence of said James J. McLaughlin in operating a drawbridge while acting within the scope of his employment with the metropolitan district commission.

Approved July 10, 1972.

Chap. 90. RESOLVE PROVIDING FOR AN INVESTIGATION BY THE JUDICIAL COUNCIL RELATIVE TO AMENDING THE SYSTEM OF JURY SELECTION IN THE COMMONWEALTH.

Resolved, That the judicial council be requested to investigate the subject matter of current house document numbered 5685, Appendix A, relative to amending the system of jury selection in the commonwealth, and to include its conclusions and recommendations, if any, in relation thereto, together with drafts of such legislation as may be necessary to give effect to the same, in its annual report for the current year.

Approved July 10, 1972.

Chap. 91. RESOLVE AUTHORIZING CERTAIN EXPENDITURES BY THE SPECIAL COMMISSION ESTABLISHED TO DEVISE PLANS AND PROGRAMS FOR THE OBSERVANCE BY THE COMMONWEALTH OF THE BICENTENNIAL OF THE HISTORIC EVENTS PRECEDING THE REVOLUTIONARY WAR.

Resolved, That the special commission, established by chapter seventy-one of the resolves of nineteen hundred and sixty-four, may, in the course of devising plans and programs for the observance by the commonwealth of the bicentennial of the historic events preceding the Revolutionary War, expend funds for any materials, decorations, commemoratory medals or other purposes apart from the devising of such plans and programs. Said commission may also expend such funds as are donated to it for such purposes. *Approved July 11, 1972.*

Chap. 92. RESOLVE IN FAVOR OF DONALD C. HAYES.

Resolved, That for the purpose of discharging a moral obligation of the commonwealth and subject to appropriation, there be allowed and paid out of the state treasury to Donald C. Hayes, the sum of three hundred and fifty dollars as reimbursement for legal fees incurred by said Donald C. Hayes for his defense as the result of a complaint of a motor vehicle violation made against him while said Donald C. Hayes was in the performance of his assigned duties as an employee of the department of public works. *Approved July 17, 1972.*

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 second session held in 1972 passed 814 Acts and 92 Resolves of which 600 Acts and 84 Resolves received executive approval at prorogation and 2 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 with his objections thereto in writing. Upon said 5 Acts his objections were sustained and upon 2 Acts his objections were not sustained.

Five (5) Acts entitled, respectively, "An Act providing for compulsory and binding arbitration of labor disputes in municipal fire departments."; "An Act authorizing the Leominster Licensing Board to issue a license for the sale of alcoholic beverages to the Gondola, Inc."; "An Act further regulating discrimination based on sex in certain public accommodations."; "An Act providing for a retrial of Staff Sergeant Raymond M. McGuire of the state police." and "An Act authorizing the posting of four-way stop signs at certain intersections in cities and towns." were passed and laid before the governor for his approval, were returned by him with his objections thereto, to the branch in which they respectively originated, were reconsidered and, the vote being taken on their passage, the objections of the governor thereto notwithstanding, they were rejected, and said Acts thereby became void.

Two (2) Acts entitled, respectively, "An Act to provide cost of living salary adjustments for certain employees of the commonwealth." (Chapter 300) and "An Act repealing the law providing for the election of certain city and town officers by proportional representation or preferential voting." (Chapter 596) 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.

Twenty-eight (28) Acts, Chapters 3, 14, 28, 52, 62, 65, 96, 114, 132, 143, 207, 290, 323, 342, 380, 382, 509, 636, 637, 646, 678, 680, 681, 703, 710, 713, 765 and 806, 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.

Fifty-five (55) 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 Sunday, July 9, 1972, at 7:14 P.M., the session having occupied 187 days.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PROVIDING FOR VOTING BY PAUPERS.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article III of the Amendments to the Constitution, as amended, is hereby further amended by striking out the words "pauper and".

IN JOINT SESSION, June 18, 1969.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 12, 1971.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PERMITTING THE GENERAL COURT TO AUTHORIZE THE COMMONWEALTH TO MAKE LOANS TO STUDENTS ATTENDING A COLLEGE, UNIVERSITY OR OTHER INSTITUTION OF HIGHER LEARNING.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . The general court shall have power to authorize the commonwealth to make loans, on such terms as it may deem reasonable, to any residents of the commonwealth for tuition and board at any college, university or other institution of higher learning.

IN JOINT SESSION, June 18, 1969.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 12, 1971.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION PERMITTING THE ASSESSMENT OF AGRICULTURAL OR HORTICULTURAL LAND AT A VALUE BASED UPON ITS AGRICULTURAL OR HORTICULTURAL USES.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Full power and authority are hereby given and granted to the general court to prescribe, for the purpose of developing and conserving agricultural or horticultural lands, that such lands shall be valued, for the purpose of taxation, according to their agricultural or horticultural uses; provided, however, that no parcel of land which is less than five acres in area or which has not been actively devoted to agricultural or horticultural uses for the two years preceding the tax year shall be valued at less than fair market value under this article.

IN JOINT SESSION, June 18, 1969.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 12, 1971.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION REDUCING THE VOTING AGE TO EIGHTEEN.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article III of the Amendments to the Constitution, as amended, is hereby further amended by striking out the word indicating the age at which a citizen shall have a right to vote in an election of Governor and other public officers and inserting in place thereof the following word: — eighteen.

IN JOINT SESSION, June 18, 1969.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 12, 1971.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION ESTABLISHING THE RIGHT OF THE PEOPLE TO CLEAN AIR AND WATER, FREEDOM FROM EXCESSIVE AND UNNECESSARY NOISE, AND THE NATURAL, SCENIC, HISTORIC, AND ESTHETIC QUALITIES OF THEIR ENVIRONMENT.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article XLIX of the Amendments to the Constitution is hereby annulled and the following is adopted in place thereof: — The people shall have the right to clean air and water, freedom from excessive and unnecessary noise, and the natural, scenic, historic, and esthetic qualities of their environment; and the protection of the people in their right to the conservation, development and utilization of the agricultural, mineral, forest, water, air and other natural resources is hereby declared to be a public purpose.

The general court shall have the power to enact legislation necessary or expedient to protect such rights.

In the furtherance of the foregoing powers, the general court shall have the power to provide for the taking, upon payment of just compensation therefor, or for the acquisition by purchase or otherwise, of lands and easements or such other interests therein as may be deemed necessary to accomplish these purposes.

Lands and easements taken or acquired for such purposes shall not be used for other purposes or otherwise disposed of except by laws enacted by a two thirds vote, taken by yeas and nays, of each branch of the general court.

IN JOINT SESSION, August 5, 1969.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 12, 1971.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION AUTHORIZING THE GENERAL COURT TO IMPOSE AND LEVY A GRADUATED INCOME TAX AND TO BASE SUCH TAX UPON THE FEDERAL INCOME TAX.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . The general court shall have full power and authority to impose and levy a tax on incomes at rates which are proportioned or graduated according to the total amount of income received and to grant reasonable exemptions, deductions and abatements, as an alternative to the exercise of the power and authority to impose and levy a tax on incomes in the manner provided in Article XLIV of the Amendments to the Constitution of the Commonwealth. Notwithstanding any other provision of this Constitution, and without limiting the generality of the foregoing, such tax may be imposed and levied by the application of a uniform rate to the individual income tax liability as determined under the laws of the United States or by the application of graduated rates to the total individual income taxable under the laws of the United States. In either case, the general court may define the tax liability or the total income upon which such tax is imposed or levied and the graduated rates at which it is taxed by reference to any provision of the laws of the United States as the same may be or become effective at any time or from time to time, and may prescribe reasonable exceptions to and modifications of such provision.

IN JOINT SESSION, July 2, 1969.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 12, 1971.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Seventy-One.

PROPOSAL FOR A LEGISLATIVE AMENDMENT TO THE CONSTITUTION REQUIRING THE RETIREMENT OF JUDGES AT AGE SEVENTY.

A majority of all the members elected to the Senate and House of Representatives, in joint session, hereby declares it to be expedient to alter the Constitution by the adoption of the following Article of Amendment, to the end that it may become a part of the Constitution [if similarly agreed to in a joint session of the next General Court and approved by the people at the state election next following]:

ARTICLE OF AMENDMENT.

ART. . Article I of Chapter III of Part the Second of the Constitution, as amended by Article LVIII of the Amendments to the Constitution, is hereby annulled and the following Article is adopted in place thereof: —

Article I. The tenure, that all commissioned officers shall by law have in their offices, shall be expressed in their respective commissions. All judicial officers, duly appointed, commissioned and sworn, shall hold their offices during good behavior, excepting such concerning whom there is different provision made in this Constitution; provided, nevertheless, the governor, with the consent of the council, may remove them upon the address of both houses of the legislature; and provided, also, that the governor, with the consent of the council, may after due notice and hearing retire them because of advanced age or mental or physical disability; and provided further, that upon attaining seventy years of age said judges shall be retired. Such retirement shall be subject to any provisions made by law as to pensions or allowances payable to such officers upon their voluntary retirement.

IN JOINT SESSION, June 18, 1969.

The foregoing legislative amendment of the Constitution is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and it is referred to the next General Court in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

IN JOINT SESSION, May 12, 1971.

The foregoing legislative amendment is agreed to in joint session of the two houses of the General Court, said amendment having received the affirmative votes of a majority of all the members elected; and this fact is hereby certified to the Secretary of the Commonwealth, in accordance with a provision of the Constitution.

NORMAN L. PIDGEON,
Clerk of the Joint Session.

APPENDIX

The following table and index have been prepared by JAMES R. MCINTYRE, ESQ., counsel to the Senate and JOHN F. DONOVAN, JR., 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-TWO.*†

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; first sentence revised, 1972, 148 §§ 1, 2; section revised, 1972, 674 § 1; second sentence revised, 1972, 679 § 1. (See 1948, 655 §§ 3, 4; 1949, 784 § 3, 801 § 2; 1950, 247 § 2; 1951, 803 § 2; 1956, 742 §§ 2, 3; 1960, 783 § 3; 1963, 506 §§ 4, 7.) 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; 1972, 148 §§ 3, 4, 674 § 2, 679 § 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. 31 revised, 1972, 349 § 1.

SECT. 32 amended, 1972, 349 § 2.

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).

SECT. 63, second paragraph revised, 1972, 243.

SECT. 65 added, 1972, 462 (establishing a senate art committee).

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); third paragraph amended, 1972, 120.

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; 1972, 16.

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; 1972, 124.

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. 12AA added, 1972, 19 (relative to the annual observance of Iwo Jima 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. 15V added, 1972, 15 (relative to the annual observance of White Cane Safety Day).

SECT. 15W added, 1972, 419 (relative to the annual observance of National Hunting and Fishing Day).

SECT. 15X added, 1972, 469 (relative to the annual observance of Child Nutrition Week).

SECT. 16 amended, 1941, 490 § 1.

SECT. 17 amended, 1932, 305 § 1; 1933, 120 § 1, 336 § 1; 1934, 374 § 1; 1935, 475 § 1; revised, 1939, 393 § 1; amended, 1945, 393 § 1; revised, 1945, 619 § 1; amended, 1946, 368 § 2; revised, 1946, 612 § 1; amended, 1947, 466 § 1; 513 § 1; 1948, 260 § 2; revised, 1948, 310 § 1; 476 § 1, 637 § 1; amended, 1950, 479 § 1; 1951, 511 § 1; 1952, 605 § 16; 1953, 409 § 4; revised, 1953, 608 § 1; amended, 1953, 612 § 1; 1954, 581 § 1; 537 § 1; 1955, 584 § 1; revised, 1956, 602 § 1; amended, 1956, 645 § 1; revised, 1956, 708 § 1; amended, 1956, 715 § 1; revised, 1957, 623 § 1; amended, 1957, 691 § 1; 1958, 577 § 1; revised, 1958, 623 § 1; amended, 1963, 668 § 1; 1962, 757 § 1; 1959, 418 § 1; 1958, 662 § 2; 1962, 487 § 1; 1963, 773 § 1; revised, 1964, 430 § 1; amended, 1964, 564 § 1, 622 § 1, 636 § 1A; 1965, 83 § 1; 1966, 353 § 1, 444 § 4; revised, 1966, 535 § 1; amended, 1966, 624 § 1; 1967, 739 § 1, 798 § 1; 1968, 681 § 1, 770 § 2; 1969, 252 § 3; 859 § 32A; 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; 1972, 300 § 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; 1972, 300 § 44.)

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; 1972, 300 § 4. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 5; last paragraph revised, 1941, 596 § 3. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECTS. 49–52 added, under caption "STATE PLANNING BOARD", 1935, 475 § 2.

SECT. 49 amended, 1936, 307; 1939, 451 § 1; revised, 1941, 466 § 5; sentence inserted after fourth sentence, 1951, 596. (See 1941, 466 §§ 1–4, 7A, 8.)

SECT. 50A added, 1941, 466 § 7 (relative to the powers and duties of the state planning board formerly exercised by the metropolitan planning division). (See 1941, 466 §§ 1–4, 7A, 8.)

SECTS. 49–52 repealed, 1953, 409 § 2.

SECTS. 53–55 added, 1945, 619 § 2 (establishing a Port of Boston Authority). (See 1945, 619 §§ 4–11.)

SECT. 53, caption and section revised, 1953, 608 § 2 (establishing the Port of Boston Commission). (See 1953, 608 §§ 13–16.)

SECT. 53A added, 1953, 608 § 2 (establishing an advisory council to the Port of Boston Commission).

SECT. 54 amended, 1953, 608 § 3.

SECT. 55 amended, 1953, 608 § 4.

SECT. 56 added, 1946, 368 § 3 (establishing the Massachusetts Fair Employment Practice Commission); first sentence of third paragraph revised, 1951, 588; caption revised and section amended, 1950, 479 § 2; last paragraph amended, 1948, 411; section revised, 1963, 719 § 1; second paragraph amended, 1967, 844 § 2; third paragraph, first sentence revised, 1969, 766 § 4; amended, 1971, 116 § 6; 1972, 300 § 6. (See 1950, 479 §§ 6, 7; 1963, 719 § 2; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 7; third sentence revised, 1963, 801 § 10. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 8. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; last sentence amended, 1972, 300 § 8A. (See 1972, 300 § 44.)

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).

SECT. 166 added, 1972, 776 § 1 (establishing a health facilities appeal board within the executive office of human services). (See 1972, 776 § 6.)

SECTS. 167–178 added, 1972, 805 § 1 (providing for the establishment and administration of a criminal offender record information system).

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. 16 amended, 1972, 776 § 2, 785 § 2. (See 1972, 776 § 6.)

SECT. 16A added, under caption, 1970, 862 § 4 (establishing an executive office of elder affairs). (See 1970, 862 § 6.)

SECT. 18 amended, 1972, 802 § 2. (See 1972, 802 § 76.)

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.)

SECT. 4A, first sentence amended, 1972, 300 § 9; paragraph inserted after first paragraph, 1972, 644. (See 1972, 300 § 44.)

SECT. 4G, first paragraph revised, 1972, 805 § 2.

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; 1972, 248 §§ 2, 3, 4, 5; clause (19) added, 1972, 248 § 1.

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, 1964, 581 § 1; 1972, 593.

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; 1972, 735 § 1.

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. 10A added, 1972, 694 § 4 (authorizing the state secretary to employ personnel for the administration and enforcement of the uniform securities act).

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).
SECT. 26 amended, 1972, 192.
SECT. 27 amended, 1972, 280, 474.

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. 11D added, 1972, 781 § 1 (establishing a division of environmental protection in the department of the attorney general).

SECT. 13 revised, 1948, 423 § 1; amended, 1972, 744 § 1. (See 1948, 423 § 7; 1972, 744 § 5.)

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; sixth paragraph amended, 1972, 696 § 3; eighth paragraph stricken out and two paragraphs inserted, 1972, 744 § 2. (See 1948, 423 § 7; 1972, 744 § 5.)

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; revised, 1972, 696 § 1; amended, 1972, 744 § 3. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 684 § 2; 1963, 743 § 4; 1972, 744 § 5.)

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; 1972, 696 § 2; amended, 1972, 744 § 4. (See 1947, 675 § 4; 1948, 423 § 7; 1951, 804 § 4; 1956, 686 § 3; 1963, 743 § 4; 1969, 769 § 4; 1972, 744 § 5.)

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.

SECT. 31 added, 1972, 735 § 2 (establishing a local elections districts review commission in the department of the attorney general).

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; amended, 1972, 300 § 10; 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; 1972, 300 § 44.)

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; 1972, 300 § 11. (See 1939, 238 §§ 52–55; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 12; 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; 1972, 300 § 44.)

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; subsection (*a*) amended, 1972, 693 § 9; subsection (*b*), first paragraph amended, 1972, 693 § 10; clause 2 amended, 1972, 693 § 11. (See 1963, 663 §§ 3, 4, 5.)

SECT. 34 revised, 1963, 663 § 1; amended, 1972, 693 § 12.

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; 1972, 300 § 13. (See 1938, 337 § 2; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 14. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 15. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 163.

SECT. 1B amended, 1969, 396 § 3; 684 § 1.

SECT. 1D, twentieth paragraph amended, 1967, 789 § 1; 1971, 1053; 1972, 611 § 1; twenty-first paragraph amended, 1967, 789 § 2; 1972, 611 § 2; paragraph added after twenty-first paragraph, 1967, 608; revised, 1969, 716; four paragraphs added, 1972, 354. (See 1965, 572 §§ 37–39, 41, 43–46, 53.)

SECT. 1E amended, 1966, 251 § 1; revised, 1971, 1009 § 1; amended, 1972, 227.

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; twelfth paragraph revised, 1972, 802 § 3; paragraph inserted after twelfth paragraph, 1970, 871 § 1; nineteenth paragraph amended, 1967, 759 § 2. (See 1972, 802 § 77.)

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).

SECTS. 1M–1Q added, 1972, 766 § 2 (relative to the powers and duties and administration of the division of special education). (See 1972, 766 § 23.)

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; 1972, 695 § 1.

SECT. 20A added, 1963, 642 § 3 (establishing a board of trustees of the state colleges); revised, 1964, 561 § 3; 1965, 572 § 3 first paragraph, first sentence amended, 1969, 286 § 1; second paragraph amended, 1969, 286 § 2; section revised, 1969, 846 § 2; 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. 20D added, 1972, 178 (establishing a faculty 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; two sentences added, 1972, 695 § 2. (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; two sentences added, 1972, 695 § 3.

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.

SECT. 39A added, 1972, 331 (authorizing the board of regional community colleges to regulate certain parking).

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; 1972, 300 § 16. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 17. (See 1969, 704 § 60; 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 11A added, 1972, 638 (directing the registrar of motor vehicles to pay the cost of maintenance of certain employees' uniforms).

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; amended, 1972, 300 § 18; third paragraph revised, 1971, 103 § 2. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 19. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1963, 801 § 38; 1972, 776 § 2A. (See 1939, 233 §§ 2, 3; 1972, 776 § 6.)

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; 1972, 300 § 20. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 4, fourth sentence revised, 1969, 766 § 24; section revised, 1969, 885 § 3; fourth sentence amended, 1971, 116 § 22; 1972, 300 § 21. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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. 1, fourth sentence amended, 1972, 300 § 19A. (See 1972, 300 § 44.)

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; amended, 1971, 116 § 23; 1972, 300 § 21A. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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. 14E added, 1972, 417 (requiring the weighing of farm produce received by any facility of the department of mental health).

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.)

SECT. 29, paragraph (*g*) added, 1972, 785 § 3. (See 1972, 785 § 20.)

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; 1972, 300 § 22. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 5 revised, 1963, 801 § 42; 1969, 766 § 27; amended, 1971, 116 § 25; revised, 1971, 988; amended, 1972, 300 § 23. (See 1969, 766 § 48; 1971, 116 § 45; 1971, 300 § 44.)

SECT. 6, first sentence revised, 1965, 678 § 1; 1967, 347 § 1.

SECT. 6A added, 1972, 91 (establishing an intern scholarship program in the department of agriculture).

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; 1972, 300 § 24. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 4B amended, 1956, 657 § 1.

SECT. 5A added, 1962, 715 § 1 (establishing a marine fisheries advisory commission).

SECT. 6 revised, 1964, 524 § 1. (See 1964, 524 § 31.)

SECT. 6A, first paragraph amended, 1965, 665 § 1; 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).

SECT. 17C added, 1972, 575 (limiting the liability of landowners who permit the public to use their land gratuitously for recreational purposes).

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; second paragraph revised, 1972, 601 § 1.

SECT. 30 amended, 1967, 873 § 4; revised, 1972, 601 § 2.

SECT. 30A added, 1967, 873 § 5 (authorizing governmental units to construct and operate water pollution abatement facilities).

SECT. 32 amended, 1967, 873 § 6; paragraph added, 1972, 601 § 3.

SECT. 33 revised, 1967, 873 § 7.

SECT. 37 amended, 1967, 873 § 8.

SECT. 38 revised, 1967, 873 § 9; first paragraph amended, 1970, 692 § 1; sentence added, 1972, 678.

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; 1972, 300 § 25. (See 1948, 517 § 2; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; revised, 1972, 802 § 4. (See 1948, 634 § 3; 1972, 802 § 77.)

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; section repealed, 1972, 802 § 5. (See 1943, 544 § 7; 1945, 645 §§ 5, 6; 722 § 4; 1955, 730 § 43; 1972, 802 § 76.)

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; 1972, 300 § 26. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 27. (See 1941, 685 § 6, 709 §§ 1–3; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 28. (See 1941, 611 §§ 2, 3, 685 § 6; 1951, 763 § 22; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 29; second sentence amended, 1950, 691 § 2. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 30; third paragraph revised, 1971, 907. (See 1955, 730 § 43; 1961, 611 § 9; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 15A added, 1971, 953 § 1 (authorizing recall of certain retired members of the industrial accident board for temporary service).

SECT. 15B added, 1972, 727 (authorizing the appointment of five temporary members to the industrial accident board).

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; 1972, 300 § 31. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 2, clause (*a*½) added, 1965, 790 § 1; paragraphs (*a*½), (*b*) and (*c*) stricken out and paragraph (*b*) inserted, 1968, 761 § 2.

SECT. 3 amended, 1968, 761 § 3.

SECT. 4 amended, 1968, 761 § 4; 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; 1972, 300 § 32. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 3, second paragraph, clause (*o*) amended, 1972, 802 § 6. (See 1972, 802 § 77.)

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).

SECTS. 16–23 added, 1972, 802 § 1 (establishing a state building code commission.)

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; 1972, 300 § 33. (See 1953, 296 § 2; 1955, 730 § 43; 1959, 606 § 3; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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); repealed, 1972, 694 § 2.

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; 1972, 694 § 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; 1972, 300 § 34. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 300 § 35. (See 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 421 § 1.

SECT. 10, sentence added at end, 1943, 346; section amended, 1947, 260 § 2; revised, 1972, 421 § 2.

SECTS. 11–12 repealed, 1972, 421 § 3.

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; 1972, 300 § 36; fourth sentence revised, 1967, 844 § 21. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 2, first paragraph, first sentence revised, 1963, 801 § 67; 1969, 766 § 41; amended, 1971, 116 § 39; revised, 1971, 1102 § 1; amended, 1972, 300 § 37; third sentence amended, 1956, 16 § 1; paragraph revised, 1972, 777 § 1; second paragraph revised, 1957, 482 § 3. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; fourth paragraph amended, 1972, 300 § 38. (See 1960, 765 §§ 8, 9; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

SECT. 5 revised, 1960, 765 § 2; first paragraph amended, 1972, 777 § 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; 1972, 300 § 39. (See 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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 28A. — Office for Children.

New chapter itserted, 1972, 785 § 1' (See 1972, 785 § 20.)

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, 754.

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; stricken out, 1972, 774 § 1. (See 1972, 774 § 12.)

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, 1963, 466 § 2; amended, 1967, 769 § 2; three paragraphs added, 1968, 545; sentence added, 1972, 807 § 1. (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; first sentence amended, 1972, 258; 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; revised, 1972, 807 § 2. (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).

SECT. 64 added, 1972, 807 § 3 (authorizing deferred compensation programs for state, county and municipal employees).

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; amended, 1972, 684 § 1. (See 1972, 684 § 136.)

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; section revised, 1972, 774 § 2. (See 1956, 677 § 2; 1972, 774 § 12.)

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; first paragraph amended, 1972, 461 § 1, 774 § 3; third paragraph amended, 1957, 360; fourth paragraph revised, 1972, 461 § 2. (See 1972, 774 § 12.)

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 contracts); paragraph (*a*) amended, 1967, 535 § 4; paragraph (*b*) amended, 1967, 535 § 5. (See 1963, 842 § 2.)

SECT. 39N added, 1972, 774 § 4 (authorizing adjustments in contract prices in relation to certain differences discovered in physical conditions during work progress). (See 1972, 774 § 12.)

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; 1972, 300 § 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; 1972, 811; 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; 1972, 300 § 43.)

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).

SECTS. 61–62 added, 1972, 781 § 2 (requiring environmental impact reports from certain subdivisions of the commonwealth engaged in certain works, projects and activities). (See 1972, 781 § 3.)

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. 1A added, 1972, 777 § 3 (relative to the applicability of this chapter to the department of correction).

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; paragraph (*e*) revised, 1965, 53; 1971, 221; paragraph (*f*) amended, 1970, 4;

1972, 612 § 1; 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; amended, 1972, 612 § 2. (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; 1972, 311 § 1. (See 1948, 387 § 1; 1963, 162 § 2; 1965, 471 § 2.)

SECT. 5A added, 1937, 414 § 2 (relative to the employment by certain municipal officers of persons to serve in a confidential capacity).

SECT. 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; amended, 1970, 155 § 1; 1972, 297; fourth paragraph revised, 1970, 155 § 2.

SECT. 6B added, 1967, 780 § 10 (providing for unassembled examinations for certain positions); revised, 1969, 298 § 2; first paragraph amended, 1972, 389; 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, 498 § 2; first paragraph amended, 1945, 703 § 4; 1969, 6 § 2; 1972, 76; four paragraphs added, 1967, 562; second paragraph revised, 1968, 756 § 2; fourth paragraph revised, 1968, 756 § 3.

SECT. 10A added, 1972, 619 (authorizing the appointment of paraplegics to certain positions in police and fire departments).

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; first paragraph, two sentences inserted after first sentence, 1965, 445; seventh sentence stricken out and two sentences inserted, 1972, 406 § 1; paragraph added, 1964, 241; amended, 1966, 70; paragraph added, 1969, 25. (See 1948, 121 § 2; 1954, 627 §§ 65, 67; 1972, 406 § 2.)

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; paragraph revised, 1972, 147; 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, 1952, 214; revised, 1971, 796; 1972, 382.

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; amended, 1972, 282; 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 underthe 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, 248, 249; 1972, 98. (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); revised, 1972, 380.

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 re-employment lists of persons separated from the official or labor service otherwise than by resignation or discharge); amended, 1946, 60; revised,

1947, 12; first two sentences revised, 1960, 231 § 1; first sentence revised, 1967, 88; paragraph added at end, 1951, 420. (See 1960, 231 § 2.)

SECT. 46J added, 1946, 288 (relative to the right of civil service employees to petition the general court and to appear before committees thereof).

SECT. 46K added, 1952, 138 (authorizing civil service employees to petition their municipal government and to appear before committees thereof).

SECT. 46L added, 1961, 150 § 1 (making permanent certain positions in the labor service in cities). (See 1961, 150 § 2.)

SECT. 46M added, 1961, 378 § 1 (relative to the removal of certain persons refusing appointment as permanent full time junior building custodians in any school system in the commonwealth).

SECT. 47 revised, 1945, 701 § 2; caption preceding section changed, 1957, 29.

SECT. 47A added, 1941, 195 (providing that certain employees in the classified public service shall not be subject to a probationary period); revised, 1945, 701 § 3; second paragraph amended, 1946, 59; first two paragraphs revised, 1948, 278; first paragraph amended, 1967, 74 § 4; second paragraph amended, 1967, 74 § 5; 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; 1972, 226.

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; 1972, 436 § 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; amended, 1972, 436 § 2; 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; 1972, 436 § 3; 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; 1972, 284 § 1, 809 § 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; 1972, 809 § 2; 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; 1972, 284 § 2.)

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; option revised, 1972, 793 § 1. (See 1952, 610 § 2; 1959, 515 § 3, 617 § 4; 1960, 713 § 3, 805 § 5; 1961, 547 § 2; 1972, 793 § 8.)

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; section revised, 1972, 793 § 2. (See 1959, 515 § 3, 617 § 4; 1960, 805 § 5; 1972, 793 § 8.)

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; clause (*i*) revised, 1972, 343 § 1; subdivision (2), paragraph (*a*), first sentence revised, 1967, 597 § 19; 1971, 1012 § 11; paragraph (*b*), clause (*i*) revised, 1956, 417; 1958, 407; 1972, 343 § 2; 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; paragraph (*h*) added, 1946, 603 § 3; subdivision (3), paragraph (*a*) revised, 1946, 166 § 3; last sentence amended, 1946, 403 § 9; subdivision (4), paragraph (*a*) amended, 1964, 532 § 3; 1953, 583 § 2; 1956, 306 § 4; paragraph added at end, 1968, 593; subdivision (5) added, 1948, 507 § 2; amended, 1957, 150 § 2, 415; paragraph (*a*) amended, 1969, 751 § 9; paragraph (*c*) added, 1967, 158; subdivision (6) added, 1967, 597 § 22; 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; 1972, 731 § 4; second paragraph revised, 1964, 551; sentence added at end, 1968, 702; paragraph revised, 1969, 513 § 1; third paragraph revised, 1968, 765; amended, 1972, 455 § 1. (See 1937, 409 §§ 5–7; 1950, 747 § 2; 1957, 668; 1958, 341 § 2; 1969, 513 § 2; 1972, 455 § 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, 556; 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 or 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; sentence added, 1972, 793 § 3. (See 1972, 793 § 8.)

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; amended, 1972, 793 § 4. (See 1955, 559 § 3; 1972, 793 § 8.)

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; amended, 1972, 793 § 5. (See 1967, 176 § 2; 1972, 793 § 8.)

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; section revised, 1972, 793 § 7. (See 1967, 408 § 4; 1971, 640 § 3, 743 § 2; 1972, 793 § 8.)

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; amended, 1972, 686 § 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; paragraph revised, 1972, 686 § 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. 12, first paragraph, first sentence revised, 1972, 763 § 4.

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); paragraph (*d*) revised, 1972, 641 § 1.

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; first paragraph revised, 1972, 763 § 1.

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); second sentence revised, 1972, 641 § 2.

SECT. 9F added, 1972, 763 § 2 (authorizing increases in certain insurance benefits for certain retired governmental employees).

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; 1972, 763 § 3.

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; second sentence revised, 1972, 641 § 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; 1972, 492 § 1; revised, 1972, 731 § 3. (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; paragraph (1), salary schedule revised, 1960, 250 § 1; 1961, 136 § 2; 1963, 833 § 1; 1966, 267 § 1; 1967, 186 § 1; 1969, 858 § 1; 1971, 755 § 1; 1972, 600 § 1; paragraph (4A) added, 1971, 1091; paragraph (4B) added, 1972, 441; 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; 1972, 600 § 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.

SECT. 56 added, 1972, 807 § 4 (authorizing county treasurers to implement certain deferred compensation programs for certain employees).

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. 12A added, 1972, 259 (further regulating the acceptance of certain documents for recording by the register of deeds).

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; 1972, 797 § 1. (See 1966, 463 § 5; 1970, 789 § 2; 1972, 797 § 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. 6A added, 1972, 180 (requiring medical examiners to take blood samples in certain motor vehicle accident death cases).

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; para-

graph 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; 1972, 25; 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; paragraph added, 1972, 61 § 1, 320 § 1.

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); revised, 1972, 753.

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; 1972, 236; 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); revised, 1972, 553; 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; clause (66) added, 1972, 220 § 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. 8G added, 1972, 220 § 2 (authorizing cities and towns to enter into police mutual aid programs).

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 paragraph, first sentence stricken out and two sentences inserted, 1958, 175; paragraph stricken out and two paragraphs inserted, 1960, 365; 1969, 706; second paragraph amended, 1970, 80; first sentence revised, 1972, 334.

SECT. 22, first paragraph amended, 1970, 678 § 1. (See 1970, 678 § 2.)

SECT. 5A added, 1964, 643 § 3 (authorizing district planning commissions to enter into agreements with the water resources commission for the purpose of conducting water favorability studies).

SECT. 7, 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).

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. 4A added, 1972, 379 (authorizing district planning commissions to establish executive committees for certain purposes).

SECT. 5, three sentences stricken out and eight sentences inserted, 1972, 361.

SECT. 5B added, 1972, 240 (authorizing district planning commissions to act as economic development regional commissions).

SECT. 12, sentence added, 1972, 755 § 1.

SECT. 13, fifth and sixth sentences revised, 1972, 755 § 2.

SECT. 14, sentence added, 1972, 755 § 3.

SECT. 15 revised, 1972, 755 § 4.

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 (o½) added, 1972, 775 § 1; clause (p½) added, 1971, 1017 § 1; two sentences added, 1972, 373 § 1.

SECT. 10, first paragraph, third sentence stricken out, 1972, 739 § 1; second paragraph revised, 1972, 739 § 2; fourth paragraph revised, 1972, 739 § 3.

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); revised, 1972, 373 § 2.

SECT. 22 added, 1972, 775 § 2 (providing for the financing of municipal pollution control facilities).

SECT. 23 added, 1972, 775 § 3 (authorizing municipalities to apply for and accept state and federal grants and loans for pollution control 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 temporary clerks of cities or towns, and granting authority to said secretary to authenticate attestations of any such officer); first sentence revised, 1964, 14; amended, 1967, 45 § 3. (See 1933, 70 § 2.)

SECTS. 19B–19E added, 1950, 388 (relative to the tenure of office of city and town clerks).

SECT. 19F added, 1962, 386 (providing that certain city clerks shall be paid additional compensation for serving as clerks of the city council).

SECT. 19G added, 1967, 346 (providing for additional compensation for city and town clerks serving on boards of registrars of voters); revised, 1968, 5; 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; second sentence amended, 1972, 766 § 3; third sentence revised, 1967, 255; sentence added, 1939, 109 § 1. (See 1972, 766 § 23.)

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; revised, 1972, 749 § 1; second paragraph revised, 1960, 153; first sentence revised, 1972, 749 § 2; 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; revised, 1972, 237.

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; section revised, 1972, 697. (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; section revised, 1972, 317. (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. 100H added, 1972, 495 § 1 (indemnifying law enforcement officers for expenses and damages arising from their care or maintenance of dogs in connection with their official duties).

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).

SECT. 125 added, 1972, 556 (directing cities and towns to formulate plans for temporary housing for victims of fire or other disasters).

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; 1972, 61 § 2, 320 § 2.

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.

SECTS. 39–40 revised, 1972, 38.

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.

SECT. 115 repealed, 1972, 596 § 1.

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; clause (19) added, 1972, 761. (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. 8B added, 1972, 565 (authorizing cities and towns to borrow sums necessary to replace funds lost by insolvency or liquidation of a bank depository).

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; first sentence revised, 1972, 766 § 4; second sentence revised, 1968, 598 § 2; amended, 1970, 525; revised, 1972, 88. (See 1972, 766 § 23.)

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).

SECT. 67 added, 1972, 807 § 5 (authorizing city and town treasurers to implement certain deferred compensation programs for certain employees).

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; first sentence revised, 1972, 260. (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; first sentence amended, 1972, 401; second sentence 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; section revised, 1972, 288. (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; revised, 1972, 234.

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); revised, 1972, 370.

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; first two paragraphs stricken out and paragraph inserted, 1972, 28 § 1; first sentence revised, 1972, 587 § 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; first paragraph amended, 1971, 382 § 2; first sentence revised, 1972, 637 § 1; second paragraph amended, 1971, 320 § 1.

SECT. 1B repealed, 1966, 367 § 2.

SECTS. 1E – 1F added, 1972, 637 § 2 (facilitating the rights of certain persons to vote for presidential electors).

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; first sentence revised, 1972, 549; 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; sentence added, 1972, 30.

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; 1972, 28 § 2.

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; 1972, 113.

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; second sentence stricken out, 1972, 51; sentence inserted after first sentence, 1972, 400 § 1; 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; 1972, 400 § 2. (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 first sentence, 1972, 400 § 3; 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; section revised, 1972, 115. (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; revised, 1972, 279. (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; 1972, 50; 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; 1972, 8; 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; second sentence (as so appearing) revised, 1972, 6 § 1; 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; first paragraph, first sentence amended, 1972, 6 § 2; second, third and fourth sentences revised, 1972, 7 § 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. 70I revised, 1972, 63.

SECT. 70J, first paragraph, first sentence amended, 1972, 7 § 2.

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; 1972, 735 § 3.

SECT. 2 amended, 1943, 411 § 1; 1971, 820 § 4; 1972, 735 § 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; revised, 1972, 735 § 5.

SECT. 7 revised, 1943, 411 § 3; amended, 1947, 267 § 1; amended, 1971, 820 § 8; revised, 1972, 735 § 6.

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; revised, 1972, 735 § 7.

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; second and fourth paragraphs stricken out, 1972, 735 § 8.

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; 1972, 735 § 9; 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); revised, 1972, 400 § 4.

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; 1972, 400 § 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; amended, 1972, 97; 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; amended, 1972, 400 § 6; third paragraph revised, 1970, 869 § 8; amended, 1972, 400 § 7.

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; 1972, 395 § 1; 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; stricken out, 1972, 395 § 2.

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); repealed, 1972, 400 § 8.

SECT. 78 revised, 1932, 135 § 2; amended, 1967, 564 § 12; sentence added at end, 1970, 424 § 2; sentence added, 1972, 400 § 9.

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; revised, 1972, 52 § 1.

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*) revised, 1966, 368 § 1; amended, 1969, 545 §§ 1, 2; 1971, 409 § 2; amended, 1972, 218 § 1; subsection (*c*) revised, 1936, 404 § 2; amended, 1937, 162 § 2; 1941, 279 § 2; 1944, 1 § 9; 1945, 231 §§ 1, 2, 466 § 3; 1960, 685 § 1; 1962, 267 § 1; 1961, 209; 1962, 267 § 2; 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; revised, 1972, 218 § 2.

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; 1972, 218 § 3.

SECT. 98 amended, 1945, 466 § 6; revised, 1961, 242 § 2; amended, 1965, 283 § 3; revised, 1972, 52 § 2.

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; amended, 1972, 42; 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; 1972, 587 § 2; 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 (*c*) amended, 1972, 587 § 3; 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; section repealed, 1972, 735 § 10. (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 repealed, 1972, 596 § 2.

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 paragraph, first sentence stricken out and three sentences inserted, 1954, 287; sentence inserted after first sentence, 1962, 444 § 4; two sentences added, 1972, 241 § 1.

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. 7, sentence inserted after first sentence, 1972, 458.

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; clause (*f*) added, 1972, 241 § 2; paragraph revised, 1972, 472.

SECT. 17 revised, 1962, 444 § 8.

SECT. 17A added, 1972, 810 § 1 (limiting the amounts of certain campaign expenditures). (See 1972, 810 § 2.)

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; 1972, 3 § 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; 1972, 3 § 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; 1972, 766 § 5. (See 1968, 566 § 3; 1969, 546 §§ 16, 34; 1969, 849 § 79; 1970, 601 § 11; 1972, 766 § 23.)

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; 1972, 300 § 40. (See 1937, 400 §§ 1, 2, 4, 5, 7; 1955, 730 § 43; 1969, 766 § 48; 1971, 116 § 45; 1972, 300 § 44.)

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; 1972, 684 § 2. (See 1933, 321 § 9; 1972, 684 § 136.)

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; amended, 1972, 684 § 3. (See 1933, 321 §§ 8, 9; 1972, 684 § 136.)

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); 1972, 186 § 1; 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); revised, 1972, 144 § 1 (see 1972, 144 § 2); 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*;

* See 1971, 1110 § 11.

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; stricken out, 1972, 707 § 1 (see 1972, 707 § 4); 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; revised, 1972, 707 § 2 (see 1972, 707 § 4).

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, 1956, 397; revised, 1957, 418; paragraph added, 1971, 286; 1972, 719 § 1. (See 1933, 254 § 66; 1972, 719 § 2.)

SECT. 16 amended, 1937, 114.

SECT. 18, opening paragraph and clauses First and Second amended, 1933, 254 § 30; clause Second revised, 1936, 362 § 2. (See 1933, 254 § 66; 1936, 362, § 8.)

SECT. 19 amended, 1933, 254 § 31; revised, 1945, 143. (See 1933, 254 § 66.)

SECT. 20 revised, 1933, 254 § 32; amended, 1936, 376 § 1; revised, 1946, 432 § 1. (See 1933, 254 § 66.)

SECT. 21 revised, 1933, 254, § 33; 1936, 376, § 2; second sentence amended, 1945, 624 § 7; first three sentences stricken out and five sentences inserted, 1946, 432 § 2; 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; 1972, 121; paragraph inserted after fifth paragraph, 1962, 644 § 1; sixth paragraph revised, 1955, 587 § 1; fifth and sixth paragraphs 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. 58A added, 1972, 453 (prohibiting disclosure of information by tax preparers).

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 repealed, 1972, 590.

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; definition of "Wages" revised, 1972, 591. (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 defininig "Bank" revised, 1943, 472; amended, 1966, 698 § 44A; paragraph defininig "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; section revised, 1972, 661 § 1. (See 1933, 327 § 7; 1935, 473 § 7; 1956, 550 § 13; 1970, 601 § 11; 1972, 661 § 2.)

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; 1972, 748 § 1. (See 1933, 342 § 6; 1961, 419 § 2; 1971, 555 § 67; 1972, 748 § 2.)

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; section revised, 1972, 707 § 3. (See 1972, 707 § 4.)

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. 76A added, 1972, 609 § 1 (establishing a fee for the issuance of certain documents relative to corporations).

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. 6A added, 1972, 523 § 1 (further regulating the liability for room occupancy and meal excises).

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).

SECT. 7B added, 1972, 523 § 2 (further regulating the liability for room occupancy and meal excises).

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. 25, paragraph added, 1972, 662 § 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. 26, paragraph added, 1972, 662 § 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; paragraph inserted after third paragraph, 1972, 712 § 1. (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; second paragraph stricken out and two paragraphs inserted, 1972, 712 § 2. (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); third sentence revised, 1972, 524 § 1; 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; revised, 1972, 186 § 2.
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; 1972, 186 § 3.
SECT. 6 revised, 1972, 186 § 4.
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. 20, subsection (11) revised, 1972, 393.
SECT. 21, subsection (*c*) amended, 1972, 613 § 1.
SECT. 24 amended, 1972, 613 § 2.
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; second and third sentences revised, 1972, 684 § 4. (See 1972, 684 § 136.)

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; second paragraph, third sentence amended, 1972, 766 § 6. (See 1972, 766 § 23.)

SECT. 7D added, 1963, 702 (establishing additional special education scholarships); first paragraph amended, 1967, 268 § 1; second paragraph amended, 1967, 502; third sentence amended, 1972, 766 § 7. (See 1972, 766 § 23.)

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. 7F added, 1972, 602 (establishing education scholarships for certain children of prisoners of war or servicemen missing in action in Southeast Asia).

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. 26–29E repealed, 1972, 766 § 8. (See 1972, 766 § 23.)

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; clause Second amended, 1972, 159 § 1; clause Thirteenth amended, 1972, 159 § 2.

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).

SECTS. 32–34 repealed, 1972, 766 § 8. (See 1972, 766 § 23.)

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; 1972, 766 § 9. (See 1972, 766 § 23.)

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; eighth and ninth sentences revised, 1972, 66.

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; second sentence amended, 1972, 100 § 1.

SECT. 4A added, 1963, 530 § 2 (providing penalties for failure to keep open certain schools for one hundred and eighty days during each school year); 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. 13 revised, 1972, 215 § 1.

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).

SECTS. 13A–C repealed, 1972, 215 § 2.

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); repealed, 1972, 215 § 2.

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 (*g*) revised, 1972, 134; clause (*m*) amended, 1969, 849 § 71; clause (*n*) added, 1968, 376 § 2; clause (*o*) added, 1971, 265; clause (*p*) added, 1971, 919; clause (*q*) added, 1972, 49. (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. 34D added, 1972, 213 (directing the board of education to regulate maintenance of student records).

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); revised, 1972, 86.

SECT. 37G added, 1972, 107 § 1 (prohibiting corporal punishment in the public schools and county training schools).*

SECT. 37G added, 1972, 467 (requiring publication of school rules and regulations relative to the conduct of students or teachers).*

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; amended, 1972, 684 § 5; second paragraph amended, 1965, 172; revised, 1970, 454 § 2; paragraph added, 1965, 345; revised, 1972, 64. (See 1951, 278 § 2; 1960, 20 § 2; 1972, 684 § 136.)

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).

*See 1973 corrective changes.

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. 38M added, 1972, 95 (establishing student advisory committees to school committees).

SECT. 38N added, 1972, 136 (requiring school committees to hold public hearings on their proposed annual budgets).

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; revised, 1972, 464 § 1. (See 1972, 464 § 8).

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; second sentence (as appearing in 1934, 123) revised, 1972, 464 § 2; sentence inserted after second sentence, 1953, 244; third sentence (as appearing in 1934, 123) amended, 1966, 185 § 1; sentence inserted after said sentence, 1946, 195; fourth sentence (as appearing in 1934, 123) amended, 1966, 185 § 2. (See 1972, 464 § 8.)

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); first paragraph amended, 1972, 464 § 3; last paragraph revised, 1968, 156. (See 1972, 464 § 8.)

SECT. 43, second sentence revised, 1972, 464 § 4; sentence added at end, 1963, 466 § 4. (See 1972, 464 § 8.)

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; 1972, 464 § 5. (See 1972, 464 § 8.)

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); revised, 1942, 464 § 6. (See 1972, 464 § 8.)

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. 46–46B repealed, 1972, 766 § 10. (See 1972, 766 § 23.)

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.

SECT. 46D repealed, 1972, 766 § 10. (See 1972, 766 § 23.)

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.)

SECTS. 46E–46F repealed, 1972, 766 § 10. (See 1972, 766 § 23.)

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).

SECTS. 46H–46M repealed, 1972, 766 § 10. (See 1972, 766 § 23.)

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. 54A added, 1972, 74 (requiring certain school physicians to attend interscholastic football games).

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 71B. — Children With Special Needs.

New chapter inserted, 1972, 766 § 11. (See 1972, 766 § 23.)

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); paragraph added, 1972, 100 § 2.

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, first sentence revised, 1972, 425; 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); revised, 1972, 550.

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. 2A added, 1972, 263 (providing guidelines for vocational school work activities).

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. 7B added, 1972, 760 (providing for the conduct of certain classes under the state apprenticeship program).

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. 32B added, 1972, 160 § 1 (establishing the David I. Walsh-Leverett Saltonstall visiting lectureship program).

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, first paragraph, first sentence amended and sentence added, 1960, 563; sentence added, 1955, 730 § 41A; amended, 1960, 563; revised, 1963, 801 § 76; 1965, 828; stricken out, 1968, 739 § 2; paragraph revised, 1972, 330 § 1; 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; revised, 1972, 100 § 3; amended, 1972, 766 § 12; sentence inserted after third sentence, 1941, 423; last sentence revised, 1950, 400; 1971, 437; second paragraph amended, 1971, 875. (See 1972, 766 § 12.)
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; sentence inserted after fifth sentence, 1972, 731 § 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.
SECT. 11 revised, 1972, 766 § 13. (See 1972, 76 § 23.)
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; first paragraph revised, 1972, 161; 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; 1972, 731 § 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; paragraph added, 1972, 29.

SECT. 5B added, 1950, 532 (restricting the taking by eminent domain of property used for agricultural purposes); revised, 1972, 143.

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, 1947, 116; 1953, 344; revised, 1972, 184.

SECT. 13 amended, 1933, 63 § 2, 254 § 63; revised, 1934, 315 § 1; first sentence amended, 1941, 595; revised, 1971, 270; 1972, 109 § 1; 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; 1972, 109 § 2.)

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).
SECT. 27A added, 1972, 228 (requiring the erection of barriers at excavation sites abutting public ways).

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. 9A added, 1976, 666 (authorizing the department of public works to order discontinuance of flashing lights on certain billboards, and other advertising devices).
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; revised, 1972, 82. (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; revised, 1972, 732 § 1; "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; first sentence revised, 1972, 69; 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, 180, 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, 1941, 282; 1972, 732 § 2. (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; revised, 1972, 112; 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 sen-

tence 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; sentence added, 1972, 149; 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; re-

vised, 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. 16A added, 1972, 598 (requiring operators of certain motor vehicles to turn off motors after a certain time period).

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; sentence added, 1972, 463. (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, 1951, 344; amended, 1965, 282; sentence inserted after first sentence, 1972, 126; paragraph added, 1951, 617; amended, 1956, 389 § 1; paragraph added, 1951, 782; revised, 1952, 408; first sentence amended, 1956, 389 § 2; 1961, 523 §§2; revised, 1962, 228; 1971, 127; last sentence 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 qedestrians); 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; 1972, 806 § 32; 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; subdivision (1) (*a*) amended, 1938, 145; first sentence revised, 1961, 347, 422 § 2; amended, 1962, 394 § 2; revised, 1963, 369 § 2; 1971, 1071 § 4; subdivision (1) (*b*) revised, 1964, 200 § 1; subdivision (1) (*c*) revised, 1939, 82; amended, 1955, 198 § 1; revised, 1964, 200 § 2; 1970, 253; subdivision (1) (*d*) amended, 1955, 198 § 2; subdivision (1) (*e*) added, 1961, 340; paragraph (*e*) stricken out and paragraphs (*e*), (*f*) and (*g*) added, 1967, 773; paragraph (*e*) amended, 1972, 376, 488 § 1; paragraph (*f*) amended, 1972, 488 § 2; subdivision (2) (*a*) amended, 1937, 230 § 1; 1964, 200 § 3; 1966, 316; 1968, 259; 1969, 7, 202; 1972, 111; subdivision (2) (*b*) amended, 1964, 200 § 4; subdivision (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; revised, 1972, 105 § 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; 1972, 105 § 2.)

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. 30A added, 1972, 239 (restricting the use of computer terminals under the control of the registrar of motor vehicles).

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; seventh and eighth paragraphs (as so appearing) stricken out and paragraph inserted, 1972, 684 § 6; ninth and tenth paragraphs (as so appearing) stricken out and paragraph inserted, 1967, 601 § 3; eleventh paragraph revised, 1960, 580; 1966, 522 § 2; twelfth paragraph (as appearing in 1959, 571 § 1) amended, 1972, 684 § 7; thirteenth paragraph (as so appearing) amended, 1972, 684 § 8; fourteenth paragraph (as so appearing) amended, 1972, 684 § 9; fifteenth paragraph (as so appearing) amended, 1972, 684 § 10; 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; 1972, 684 § 136.)

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); first two paragraphs revised, 1972, 87.

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. 34M, fourth paragraph, first sentence revised, 1972, 313; two sentences added, 1972, 319; sixth paragraph, first sentence amended, 1972, 339.

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; amended, 1972, 528.

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; section revised, 1972, 62; third paragraph amended, 1972, 296. (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.)

SECT. 1, definition of "Owner" inserted, 1972, 732 § 3.

SECT. 2, paragraph (*a*) amended, 1972, 117; paragraph (*b*) amended, 1972, 732 § 4.

SECT. 4 revised, 1972, 53.

SECT. 7, paragraph (*b*) amended, 1972, 537 § 1.

SECT. 9, paragraph (*a*) amended, 1972, 54.

SECT. 10, paragraph (*a*) amended, 1972, 537 § 2.

SECT. 28, first paragraph revised, 1972, 170.

SECT. 29, first paragraph amended, 1972, 55; second paragraph revised, 1972, 756.

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. 21, first sentence amended, 1972, 684 § 11. (See 1972, 684 § 136.)

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. 63A revised, 1972, 768.
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).

SECT. 70 added, 1972, 547 § 1 (further regulating the payment by mortgagor of legal fees of attorneys for mortgagee).

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; clause (b) revised, 1972, 123.

SECT. 3, paragraph (2) revised, 1969, 814 § 2.

SECTS. 4–7 revised, 1969, 814 § 3.

SECT. 4, second paragraph amended, 1971, 130; first two paragraphs revised, 1972, 544.

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.

SECT. 10 amended, 1972, 614 § 1.

SECT. 11 added, 1972, 614 § 2 (further regulating unfair trade practices).

Chapter 93B. — Regulation of Business Practices Between Motor Vehicle Manufacturers, Distributors and Dealers.

New chapter inserted, 1970, 814 § 1.

SECT. 4, subsection (3) amended, 1972, 193.

SECT. 8, paragraph added, 1972, 408.

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 93E. — Regulation of Dealers' Agreements For The Sale of Gasoline.

New chapter inserted, 1972, 772.

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; paragraph (defining "Commercial feeding stuff") stricken out, 1972, 365 § 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. 41 amended, 1972, 114.
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; following the words "In the case of a drug", clause First revised, 1972, 427; clause Ninth inserted, 1957, 284; last paragraph revised, 1954, 577 § 1; amended, 1957, 284; following the words "In the case of food", clauses First to Eighth stricken out and clauses First to Fourteenth inserted, 1970, 891 § 5; paragraph added, 1954, 577 § 2; words "In the case of a cosmetic" and clauses First to Third and paragraph added, 1961, 600 § 3.
SECT. 187A added, 1948, 598 § 3 (further regulating the sale of certain harmful drugs); revised, 1954, 577 § 3; first paragraph amended, 1955, 718 § 1; last sentence revised, 1967, 49; second paragraph amended, 1965, 229 § 1; 1956, 299 § 1; 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.

SECTS. 225–235 repealed, 1972, 365 § 2.

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; section revised, 1962, 206; 1963, 94; paragraph inserted after second paragraph, 1964, 253.

SECT. 283 amended, 1939, 261 § 17B; revised, 1968, 467 § 23.

SECT. 285 revised, 1950, 110 § 1.

SECT. 286 revised, 1950, 110 § 2; 1968, 467 § 24.

SECT. 287 revised, 1950, 110 § 3.

SECT. 288 revised, 1950, 110 § 4.

SECT. 295A added, under caption, 1933, 228 (relative to prevention of fraud and misrepresentation in the sale of gasoline, lubricating oils and other motor fuels, and to prevention of the adulteration thereof).

SECTS. 295B and 295C added, 1938, 411 (prohibiting and penalizing the use of misleading signs relating to the price of gasoline and other motor fuel).

SECT. 295C revised, 1939, 218.

SECTS. 295A–295C stricken out, and new sections 295A–295O inserted, 1939, 459 § 1 (further regulating the advertising and sale of motor fuel at retail). (See 1939, 459 § 3.)

SECT. 295A amended, 1950, 515 § 1; paragraph (1) amended, 1962, 531 § 1; paragraph (2A) inserted, 1960, 234 § 1; paragraphs (4) and (5) revised, 1968, 467 § 25; paragraph (4) revised, 1969, 704 § 42; paragraph (6) inserted, 1950, 515 § 1. (See 1960, 234 § 4; 1969, 704 § 60.)

SECT. 295B, first paragraph amended, 1950, 497; section revised, 1957, 443; first paragraph amended, 1962, 531 § 2; third sentence amended, 1972, 684 § 12; third paragraph stricken out, 1969, 622. (See 1972, 684 § 136.)

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; first sentence revised, 1972, 597.

SECTS. 303G–303M added, under caption, 1967, 481 (establishing minimum standards of quality for anti-freeze).

SECT. 303G, definition of "Division" revised, 1972, 323 § 1. (See 1972, 323 § 2.)

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. 14A added, 1972, 108 (requiring certain institutions to provide the milk control commission with certain bidding information).

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.)

SECTS. 1–9 revised, 1972, 506 § 1.

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; revised, 1972, 506 § 2.

SECTS. 21A–21C added, under caption, 1962, 521 § 7 (regulating the application of pesticides).

SECT. 21B, second paragraph, first sentence amended, 1972, 608 § 1.

SECT. 21C, second paragraph amended, 1970, 874 § 7; 1972, 608 § 2.

Chapter 94C. — Controlled Substances Act.

New chapter inserted, 1971, 1071 § 1. (See 1971, 1071 § 9.)

SECT. 1, definition of "Class" amended, 1972, 806 § 1; definition of "Clinical research" stricken out, 1972, 806 § 2; definition of "Dispense" amended, 1972, 806 § 3; definition of "Marihuana" amended, 1972, 806 § 4; definition of "Registration number" inserted, 1972, 806 § 5; definition of "Schedule" amended, 1972, 806 § 6.

SECT. 2, paragraph (*a*½) inserted, 1972, 806 § 7.

SECT. 3 amended, 1972, 806 § 8.

SECT. 4, third paragraph revised, 1972, 806 § 9.

SECT. 7, paragraph (*a*) amended, 1972, 684 § 13; paragraph (*b*) amended, 1972, 684 § 14; paragraph (*f*) amended, 1972, 684 § 15. (See 1972, 684 § 136.)

SECT. 8, paragraph (*a*) revised, 1972, 806 § 10; paragraph (*h*) added, 1972, 806 § 11.

SECT. 13, paragraph (*a*), clause (2) amended, 1972, 806 § 12; paragraph (*e*) amended, 1972, 806 § 13.

SECT. 18, paragraph (*b*) amended, 1972, 806 § 14.

SECT. 19, paragraph (*c*) revised, 1972, 806 § 15.

SECT. 22, paragraph (*b*) amended, 1972, 806 § 16.

SECT. 23, paragraph (*d*) amended, 1972, 806 § 17.

SECT. 24, paragraph (*e*) amended, 1972, 806 § 18; paragraph (*f*) added, 1972, 806 § 19.

SECT. 27, paragraph (*c*) amended, 1972, 806 § 20.

SECT. 30, paragraph (*b*) amended, 1972, 806 § 21.

SECT. 31, first paragraph, Class C, paragraph (*c*) amended, 1972, 806 § 22.

SECT. 34, second paragraph revised, 1972, 806 § 23; third paragraph amended, 1972, 806 § 24.

SECT. 35 amended, 1972, 806 § 25.

SECT. 36 amended, 1972, 806 § 26.

SECT. 38 amended, 1972, 806 § 27.

SECT. 39, first sentence revised, 1972, 806 § 28.

SECT. 41, first paragraph, clause (*c*) amended, 1972, 806 § 29.

SECT. 47, paragraph (*c*), clause (4) amended, 1972, 806 § 30; paragraph (*e*) amended, 1972, 806 § 31.

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; amended, 1972, 684 § 16. (See 1948, 493 § 5; 1972, 684 § 136.)

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; first paragraph, first sentence amended, 1972, 684 § 17; paragraph added, 1957, 765 § 5. (See 1957, 765 § 21; 1972, 684 § 136.)

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; amended, 1972, 684 § 124. (See 1972, 684 § 136.)
SECT. 9 — 404, subsection (1) amended, 1961, 131 § 2; 1972, 684 § 125; subsection (2) revised, 1958, 542 § 17; subsection (3) amended, 1961, 131 § 3; 1972, 684 § 126. (See 1972, 684 § 136.)
SECT. 9 — 405 revised, 1959, 580 § 12; subsection (1) amended, 1961, 131 § 4; 1972, 684 § 127; subsection (2) amended, 1961, 131 § 5; 1972, 684 § 128. (See 1972, 684 § 136.)
SECT. 9 — 406 amended, 1961, 131 § 6; 1972, 684 § 129. (See 1972, 684 § 136.)
SECT. 9 — 407, subsection (2) revised, 1958, 542 § 18; amended, 1964, 79; 1972, 684 § 130. (See 1972, 684 § 136.)
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; 1972, 684 § 18. (See 1972, 684 § 136.)

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; first sentence amended, 1972, 684 § 132; revised, 1967, 527; paragraph inserted before the last paragraph, 1938, 445 § 6; same paragraph amended, 1954, 558 § 3. (See 1963, 484 § 3; 1972, 684 § 136.)

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; revised, 1972, 684 § 133. (See 1963, 484 § 3; 1972, 684 § 136.)

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 stricken out and new chapter 110A inserted, 1972, 694 § 1. (See 1972, 694 § 9.)

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; revised, 1972, 806 § 33.

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; 1972, 777 § 4.

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. 25A added, 1972, 715 (requiring the department of public health to establish and maintain an inventory of health care resources within the commonwealth).

SECTS. 25B–25G added, 1972, 776 § 3 (regulating the procedures relative to determinations by the department of public health of the need for the construction or expansion of certain health care facilities). (See 1972, 776 § 6.)

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; amended, 1972, 802 § 7. (See 1962, 719 §§ 2–4; 1972, 802 § 77.)

SECTS. 60–62 revised, 1962, 719 § 1.

SECT. 61, paragraph added, 1967, 15.

SECTS. 58–62 repealed, 1972, 785 § 4. (See 1972, 785 § 20.)

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; eighth sentence revised, 1972, 522.

SECT. 127C, paragraph added at end, 1969, 242.

SECT. 127G, sentence added, 1971, 843 § 3. (See 1971, 843 § 27.)

SECT. 128H amended, 1971, 373; third sentence revised, 1972, 201.

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. 127L added, 1972, 799 (regulating rights of tenants to reimbursement from landlords for the costs of certain repairs).

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; fifth paragraph revised, 1972, 359 § 1; 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); second paragraph amended, 1972, 359 § 2.

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; fifth paragraph amended, 1972, 372. 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; section revised, 1972, 534.

SECT. 9B added, 1970, 325 (authorizing temporary registration as qualified physicians under designated circumstances); sentence added, 1972, 486.

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 ac-

cident 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; 1972, 684 § 19; second paragraph amended, 1970, 443 § 22; 1972, 684 § 20; 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; 1972, 684 § 136.)

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. 23B, last sentence revised, 1972, 487 § 1.

SECT. 23E revised, 1972, 487 § 2.

SECT. 23G, first sentence amended, 1972, 684 § 21. (See 1972, 684 § 136.)

SECT. 24 amended, 1932, 227; 1933, 126; 1937, 343 § 1; revised, 1941, 52 § 1; amended, 1945, 502 § 1; 1952, 585 § 23; revised, 1957, 463; amended, 1972, 684 § 22. (See 1941, 52 § 2; 1943, 165; 1945, 502 §§ 2, 4; 1972, 684 § 136.) 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; third sentence amended, 1972, 684 § 23. (See 1945, 502, § 4; 1972, 684 § 136.)

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; amended, 1972, 684 § 24. (See 1963, 450 § 2; 1972, 684 § 136.)

SECT. 38 revised, 1934, 236.

SECT. 39 amended, 1939, 138; 1951, 410; 1953, 281; revised, 1962, 695; last sentence revised, 1963, 488 § 1; amended, 1972, 684 § 25. (See 1963, 488 § 2; 1972, 684 § 136.)

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; 1972, 684 § 26. (See 1972, 684 § 136.)

SECT. 45, second sentence amended, 1932, 180 § 18; paragraph added at end, 1939, 415 § 2; section revised, 1949, 564 § 1; first paragraph amended, 1972, 684 § 27. (See 1939, 415 § 3; 1948, 221; 1972, 684 § 136.)

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; last paragraph amended, 1972, 684 § 28. (See 1972, 684 § 136.)

SECT. 52 revised, 1948, 123; 1952, 117.

SECTS. 52A and 52B added, 1934, 281 (relative to methods and practices of dentists and dental hygienists).

SECT. 52A revised, 1937, 253; 1954, 408 § 2; clause (5) amended, 1965, 583 § 8.

SECT. 52C added, 1954, 408 § 3 (restricting advertising by dental technicians).

SECT. 53 amended, 1949, 564 § 3.

SECT. 54 revised, 1958, 533 § 3; second sentence revised, 1969, 104.

SECT. 55 amended, 1937, 66; revised, 1939, 251 § 1; first paragraph amended, 1945, 724; 1952, 585 § 24; stricken out and two paragraphs

inserted, 1957, 492; same two paragraphs stricken out and one paragraph inserted, 1958, 533 § 4; first paragraph stricken out and two paragraphs inserted, 1965, 46; first paragraph, second and third sentences revised, 1967, 347 § 6; second sentence amended, 1968, 538 § 1; third sentence amended, 1968, 538 § 2; fifth sentence amended, 1968, 538 § 3; paragraph inserted, 1951, 433 § 1; amended, 1972, 684 § 29. (See 1939, 251 §§ 2, 3, 4; 1945, 711; 1951, 433 § 2; 1952, 585 §§ 25, 26; 1972, 684 § 136.)

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; amended, 1972, 684 § 30. (See 1972, 684 § 136.)

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; third sentence amended, 1972, 684 § 31; fourth sentence amended, 1972, 684 § 32; fifth sentence amended, 1972, 684 § 33. (See 1959, 415 § 5; 1969, 603 § 7; 1972, 684 § 136.)

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; third sentence amended, 1972, 684 § 34; fourth sentence amended, 1972, 684 § 35; fifth sentence amended, 1972, 684 § 36. Affected, 1956, 371; 1957, 539, 595 §§ 6, 7. (See 1953, 350 §§ 13, 14; 1959, 415 § 5; 1969, 603 § 7; 1972, 684 § 136.)

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; amended, 1972, 684 § 37. (See 1969, 603 § 7; 1972, 684 § 136.)

SECT. 76A added, 1966, 599 § 1 (providing for the temporary registration of certain nurses to practice nursing); third sentence revised, 1969, 603 § 4; amended, 1972, 684 § 38. (See 1969, 603 § 7; 1972, 684 § 136.)

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; 1972, 684 § 40. (See 1972, 684 § 136.)

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; 1972, 684 §§ 41, 42. (See 1960, 472 § 2; 1972, 684 § 136.)

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; second paragraph amended, 1972, 684 § 43; fourth paragraph amended, 1972, 684 § 44; fifth paragraph amended, 1972, 684 § 45; sixth paragraph amended, 1972, 684 § 46; eighth paragraph amended, 1972, 684 § 47; ninth paragraph amended, 1972, 684 § 48. (See 1972, 684 § 136.)

SECT. 84, second paragraph amended, 1972, 684 § 49. (See 1972, 684 § 136.)

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.)

SECT. 87A, paragraph (*c*) stricken out and paragraphs (*c*) and (*d*) inserted, 1972, 693 § 1.

SECT. 87B, paragraph (*b*) revised, 1972, 693 § 2.

SECT. 87C, paragraphs (*c*) and (*d*) revised, 1972, 693 § 3.

SECT. 87D, paragraph (6) revised, 1972, 693 § 4; paragraphs (9) and (10) revised, 1972, 693 § 5.

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; 1972, 684 § 50; fourth paragraph (as appearing in 1943, 565 § 8) amended, 1960, 716. (See 1966, 456 § 8; 1972, 684 § 136.)

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. 87UU, second paragraph amended, 1972, 684 § 51. (See 1972, 684 § 136.)

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; paragraph (*a*) amended, 1972, 684 § 52; paragraphs (*b*) and (*c*) revised, 1968, 483 § 2; paragraph (*b*) amended, 1972, 684 § 53; paragraph (*c*) amended, 1972, 684 § 54; paragraph (*d*) revised, 1959, 455. (See 1972, 684 § 136.)

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; first sentence amended, 1972, 684 § 55. (See 1972, 684 § 136.)

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. 89, definition of "License renewal certificate" added, 1972, 447 § 1.
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; 1972, 447 § 2.
SECT. 96 amended, 1968, 477; revised, 1972, 447 § 3.
SECTS. 98–107 added, under caption, 1968, 473 § 2 (providing for registration of landscape architects).
SECT. 103, paragraph (2) amended, 1972, 684 § 56. (See 1972, 684 § 136.)
SECT. 105 repealed, 1972, 283.
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.
SECT. 8 amended, 1972, 344 § 1.
SECT. 10, subsection (*b*) amended, 1972, 344 § 2.

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. 43D revised, 1972, 32.
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, first paragraph, first sentence revised, 1972, 122; 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; amended, 1972, 569. (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; ninth sentence amended, 1972, 788 § 1; 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; amended, 1972, 788 § 2; 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; third sentence amended, 1972, 788 § 3; last sentence revised, 1971, 698 § 2; amended, 1972, 788 § 4. (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. 10, paragraph (1) revised, 1972, 745; paragraph (7) added, 1972, 779.
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. 1, second paragraph amended, 1972, 785 § 5. (See 1972, 785 § 20.)
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.
SECTS. 2–20 repealed, 1972, 785 § 6. (See 1972, 785 § 20.)
SECT. 21 revised, 1972, 785 § 7. (See 1972, 785 § 20.)
SECT. 22 revised, 1972, 785 § 8. (See 1972, 785 § 20.)
SECT. 23, first sentence amended, 1962, 535; subsection C revised, 1960, 325; 1970, 888 § 5; subsection D revised, 1969, 859 § 7; 1972, 731 § 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; 1972, 731 § 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. 39D added, 1972, 631 (authorizing the probate court to grant visitation rights to certain grandparents of unmarried minor children).

SECT. 52, definition of "Court" revised, 1965, 659 § 2; 1969, 859 § 9; 1972, 731 § 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; 1972, 731 § 10. (See 1969, 838 § 74.)

SECT. 58A amended, 1941, 194 § 6; revised, 1941, 327; 1947, 616; repealed, 1948, 310 § 5.*

SECT. 58B added, 1957, 194 § 1 (providing for the imposition of noncriminal fines upon juveniles for violation of the motor vehicle laws); amended, 1969, 838 § 16. (See 1957, 194 § 2; 1969, 838 § 74.)

SECT. 59, second paragraph stricken out, 1941, 648 § 1.

SECT. 60 stricken out and new sections 60 and 60A inserted, 1938, 174 § 1 (relative to the use of information and records in cases of waywardness or delinquency).

SECT. 60 amended, 1948, 310 § 6.*

SECT. 61 amended, 1948, 310 § 7*; revised, 1964, 308 § 2. (See 1964 308 § 13.)

SECT. 63 revised, 1932, 95 § 1; amended, 1965, 348; last sentence revised, 1965, 659 § 3; two sentences added, 1969, 859 § 11; sentence added, 1972, 731 § 11. (See 1965, 659 § 7.)

SECT. 64 revised, 1956, 731 § 2.

SECT. 65 amended, 1932, 95 § 2.

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*See 1948, 310 §§ 30, 31.

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; 1972, 731 § 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.

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.)

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* See 1948, 310 §§ 30, 31.

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.)

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.)

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*See 1948, 310 §§ 30, 31.

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. 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. 26LL repealed, 1969, 751 § 2.

SECT. 26MM amended, 1953, 647 § 19; repealed, 1969, 751 § 2.

SECT. 26NN stricken out and sections 26NN–26QQ inserted, 1948, 200 § 3 (relative to state-aided projects).

SECT. 26NN, sentence inserted after first sentence, 1949, 742 § 1; last sentence of first paragraph revised, 1951, 456; amended, 1952, 550 § 4; revised, 1954, 507 § 1, 667 § 2; 1955, 641; 1963, 585 § 1; first paragraph amended, 1955, 489; 1966, 28; second sentence stricken out and four sentences inserted, 1969, 369 § 2; first sentence of third paragraph revised, 1954, 676; 1957, 537; last sentence of fourth paragraph revised, 1957, 372 § 2; last sentence of fifth paragraph revised, 1952, 550 § 2; stricken out, 1966, 705 § 5; subdivision (*a*), first paragraph revised, 1949, 742 § 2; amended, 1954, 507 § 2; subdivision (*a*), second paragraph amended, 1952, 550 § 1; subdivision (*a*), third paragraph amended, 1949, 742 § 3; 1954, 507 § 3; 1963, 585 § 2; subdivision (*b*), first sentence revised, 1952, 550 § 3; subdivision (*b*), first paragraph, sentence added at end, 1949, 713; subdivision (*b*), second paragraph amended, 1949, 742 § 4; 1950, 753; 1957, 372 § 3; two paragraphs inserted after second paragraph, 1966, 705 § 6; paragraph added, 1967, 635; subdivision (*d*) added, 1949, 682 § 1; subdivision (*e*) added, 1950, 386; revised, 1952, 550 § 5; subdivision (*f*) added, 1953, 508; subdivision (*g*) added, 1954, 116; subdivision (*h*) added, 1965, 899 § 1; section repealed, 1969, 751 § 2. (See 1949, 682 § 2; 1952, 550 §§ 6, 7; 1954, 507 § 4; 1957, 372 § 5.)

SECTS. 26OO–26PP repealed, 1969, 751 § 2.

SECT. 26QQ and caption preceding it stricken out and new section and caption inserted, 1952, 617 § 4 (relative to creating redevelopment authorities); first two paragraphs revised, 1957, 150 § 1; paragraph inserted after second paragraph, 1958, 199; three paragraphs added at end, 1958, 299; section repealed, 1969, 751 § 2.

SECT. 26RR added, 1952, 617 § 6 (relative to contracts for state financial assistance for housing); first paragraph amended, 1958, 572 § 1; second paragraph amended, 1955, 640 § 3; third paragraph amended, 1953, 647 § 20; 1958, 572 § 2; paragraph (*b*) (2) revised, 1955, 640 § 4; paragraph (*b*) (3) amended, 1955, 640 § 5; paragraph added at end, 1955, 640 § 6; section repealed, 1969, 751 § 2.

SECT. 26SS added, 1952, 617 § 7 (providing a severability clause in case of a finding of invalidity or unconstitutionality of any part of this act); stricken out and sections 26SS–26WW inserted, under caption, 1953, 668 § 1 (to provide for the housing of elderly persons).

SECTS. 26SS–26VV revised, 1954, 667 § 1.

SECTS. 26SS–26TT repealed, 1969, 751 § 2.

SECT. 26UU, subdivision (*c*) revised, 1968, 217; subdivision (*e*) revised, 1968, 500; subdivision (*f*) added, 1965, 899 § 2; section repealed, 1969, 751 § 2.

SECT. 26VV amended, 1956, 466; revised, 1957, 168; first sentence amended, 1957, 705 § 2; section revised, 1957, 767; 1958, 591; 1960, 542; 1961, 573; 1963, 551; 1966, 626, 732; 1967, 572; 1968, 524; 1969, 687; repealed, 1969, 751 § 2. (See 1957, 705 §§ 1, 3, 4.)

SECT. 26WW stricken out and sections 26WW–26CCC inserted, under captions, 1955, 654 § 4 (relative to urban renewal projects). (See 1955, 654 § 5.)

SECTS. 26WW–26XX repealed, 1969, 751 § 2.

SECT. 26YY, second sentence revised, 1966, 704 § 2; section repealed, 1969, 751 § 2.

SECT. 26ZZ, second paragraph amended, 1957, 613 § 5; section revised, 1960, 776 § 7; first paragraph, second sentence amended, 1968, 142 § 1; second paragraph, second sentence amended, 1968, 142 § 2; paragraph added, 1966, 704 § 3; amended, 1968, 153; section repealed, 1969, 751 § 2.

SECTS. 26AAA–26CCC repealed, 1969, 751 § 2.

SECTS. 26DDD–26FFF added, under caption, 1960, 776 § 8 (providing financial assistance for urban redevelopment and urban renewal projects). (See 1960, 776 § 10.)

SECT. 26DDD, sentence added, 1964, 636 § 8; section repealed, 1969, 751 § 2.

SECT. 26EEE, second paragraph, sentence inserted after first sentence, 1962, 643 § 1A; section repealed, 1969, 751 § 2.

SECT. 26FFF, clauses (*b*) and (*c*) stricken out and clauses (*b*), (*c*) and (*d*) inserted, 1962, 643 § 2; clause (*d*) revised, 1967, 825; section repealed, 1969, 751 § 2. (See 1962, 643 § 4.)

SECTS. 26GGG and 26HHH added, under caption, 1960, 776 § 9 (providing financial assistance for non-federally aided commercial or industrial redevelopment projects).

SECT. 26GGG repealed, 1969, 751 § 2.

SECT. 26GGG½ added, 1968, 766 § 1 (extending state financial assistance to certain urban renewal projects to be redeveloped for residential reuse); repealed, 1969, 751 § 2.

SECT. 26HHH revised, 1962, 643 § 3; third paragraph amended, 1968, 766 § 2; section repealed, 1969, 751 § 2.

SECTS. 26III and 26JJJ added, 1964, 721 (providing for the rehabilitation of dwelling accommodations).

SECT. 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.

SECTS. 23–26MMM repealed, 1972, 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; 1972, 318.

SECT. 32, first paragraph revised, 1971, 1114 § 1; second paragraph, clause (*e*), second sentence amended, 1972, 250; sentence added, 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; 1972, 802 § 8; third, fourth and fifth paragraphs stricken out and two paragraphs inserted, 1971, 1114 § 4. (See 1972, 802 § 77.)

SECT. 35 revised, 1970, 359 § 3.

SECT. 37 revised, 1970, 359 § 4; second paragraph, third sentence revised, 1972, 802 § 9. (See 1972, 802 § 77.)

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 121C. — Economic Development and Industrial Corporations.

New chapter inserted, 1972, 725.

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, first paragraph, sentence inserted after second sentence, 1972, 640; 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 (*b*) amended, 1972, 281; 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. 36A added, 1972, 398 (requiring privacy of certain court records except in the discretion of the court).

SECT. 38 revised, 1971, 1071 § 6; definition of "Dependency related drug" revised, 1972, 806 § 34.

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; section revised, 1972, 777 § 5. (See 1955, 770 §§ 144–123; 1956, 731 §§ 29–33.)

SECT. 2 revised, 1955, 770 § 8; third paragraph stricken out and two paragraphs inserted, 1972, 777 § 6. (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.)

SECT. 10 added, 1972, 777 § 7 (further defining the powers and duties of the department of correction).

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; revised, 1972, 777 § 8. (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; section revised, 1972, 777 § 9.

SECT. 13 amended, 1957, 777 § 4.

SECT. 14 amended, 1957, 777 § 5.

SECT. 15 amended, 1957, 777 § 6.

SECT. 16, first paragraph, first sentence revised, 1972, 777 § 10; 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.

SECTS. 1A–1B added, 1972, 777 § 11 (providing minimum standards for the care and custody of prisoners in county correctional facilities and for inspections of such facilities).

SECT. 2 amended, 1941, 344 § 10; revised, 1955, 770 § 13; amended, 1957, 777 § 7; sentence added, 1972, 805 § 3. (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; sentence added, 1972, 805 § 4. (See 1955, 770 §§ 117, 123.)

SECT. 29, sentence added, 1972, 805 § 5.

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; section and preceding caption revised, 1972, 777 § 12. (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.)

Section 49 stricken out and sections 49–49A inserted, 1972, 777 § 13 (relative to prisoner participation in education, training and employment programs).

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); repealed, 1972, 777 § 14. (See 1932, 252 § 2.)

SECT. 68 revised, 1955, 770 § 42; amended, 1972, 777 § 15. (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; section revised, 1972, 777 § 16. (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; first sentence revised, 1972, 172 § 1.

SECT. 83B amended, 1955, 770 § 47; 1971, 1076 § 7; first paragraph amended, 1972, 172 § 2. (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. 85–86 repealed, 1972, 777 § 17.

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.

SECTS. 86D–86E repealed, 1972, 777 § 17.

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; 1972, 777 § 18.

SECT. 91 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 92 revised, 1955, 770 § 54. (See 1955, 770 §§ 117, 123.)

SECT. 92A added, 1972, 780 (reducing the age requirement and eliminating fees for prisoners taking general educational development tests).

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; revised, 1972, 154 § 1. (See 1941, 690 §§ 8–10; 1946, 424 § 2.)

SECT. 149A added, 1965, 765 (providing that parole officers may issue warrants for the temporary custody of parolees); amended, 1969, 291.

SECT. 150 revised, 1969, 194.

SECT. 151, last sentence amended, 1932, 180 § 25; section revised, 1956, 731 § 11; amended, 1958, 613 § 8D.

SECTS. 151A–151G added, under caption, 1937, 307 § 1 (providing for the entry of this commonwealth into compacts with any of the United States for mutual helpfulness in relation to persons convicted of crimes or offences who are on probation or parole). (See 1937, 307 § 2.)

SECT. 151F revised, 1957, 229 § 2.

SECT. 151G revised, 1957, 229 § 3.

SECTS. 151H and 151I added, 1956, 229 (authorizing contracts with other states for the joint return of parole and probation violators).

SECT. 151J added, 1957, 229 § 1 (authorizing the retaking and temporary detention of parolees under the out-of-state probationer and parolee supervision law); second sentence revised, 1961, 99.

SECT. 151K added, 1958, 363 (extending the power of the commonwealth further to enter into interstate compacts for the supervision of probationers and parolees).

SECT. 152 revised, 1939, 479; sentence inserted after second sentence, 1948, 310 § 21; second paragraph revised, 1951, 42; 1952, 256; paragraph inserted after third paragraph, 1951, 773; sentence added at end of fourth paragraph, 1941, 297; same sentence stricken out, 1945, 38 § 8; section revised, 1954, 567 § 7; 1961, 467 § 1; second paragraph revised, 1969, 838 § 59. See 1945, 180. (See 1948, 310 §§ 30, 31; 1954, 567 § 10; 1969, 838 § 74.)

SECT. 153. See 1945, 180.

SECT. 154 amended, 1939, 451 § 52; revised, 1941, 690 § 4; 1954, 567 § 8; 1961, 467 § 2. See 1945, 180. (See 1941, 690 §§ 8–10; 1954, 567 § 10.)

SECT. 154A added, 1935, 225 (requiring consideration by the advisory board of pardons of the cases of certain life prisoners on the question of extending clemency); amended, 1939, 451 § 53; 1955, 770 § 72; repealed, 1965, 766 § 2. (See 1955, 770 §§ 117, 123.)

SECT. 155 revised, 1954, 567 § 9. (See 1954, 567 § 10.)

SECT. 158 revised, 1941, 344 § 24; 1955, 770 § 74. (See 1955, 770 §§ 117, 123.)

SECT. 159 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 160 revised, 1941, 344 § 25; 1943, 433; last sentence stricken out, 1945, 512; section revised, 1955, 770 § 75. (See 1955, 770 §§ 117, 123.)

SECT. 162 revised, 1951, 467; 1955, 770 § 76; amended, 1957, 777 § 32. (See 1955, 770 §§ 117, 123.)

SECT. 162A added, 1961, 101 § 1 (requiring notification to the state fire marshal of the date of release or discharge of persons convicted of arson).

SECT. 165 amended, 1968, 329.

SECTS. 166–169 added, 1939, 484 (regulating the payment or receipt of money or other rewards or gratuities for the purpose of obtaining the granting of any pardon, parole, or commutation of or respite from sentence).

SECTS. 166 and 167 revised, 1941, 690 § 5. (See 1941, 690 §§ 8–10.)

Chapter 128. — Agriculture.

SECT. 1 amended, 1941, 490 § 29; revised, 1967, 28; definition of "Riding school operator" inserted, 1972, 717 § 1.

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. 2A added, 1972, 527 (requiring licensing of riding instructors).

SECT. 2B added, 1972, 717 § 2 (regulating riding schools and stables where horses are kept for hire).

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. 24 revised, 1972, 67.

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.)

SECTS. 51–62 added, 1972, 365 § 3 (further reglating the sale of commercial feed).

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; third paragraph, 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; stricken out, 1972, 813 § 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; 1972, 813 § 2; clause (*l*) revised, 1965, 209 § 1; clause (*n*) added, 1935, 239 (forbidding the licensed racing of horses and dogs under the parimutuel 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; fourth paragraph amended, 1972, 383; 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; third paragraph amended, 1972, 208 § 1; fourth paragraph revised, 1972, 208 § 2; sixth paragraph stricken out, 1969, 546 § 31; last paragraph revised, 1971, 718 § 2; 1972, 208 § 3. 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. 11B added, 1972, 397 (further regulating certain licensees of the state racing commission.)

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 "Domestic 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; repealed, 1972, 789 § 1.

SECTS. 23–24 revised, 1972, 789 § 2.

SECT. 25, first sentence amended, 1972, 789 § 3; sentence added, 1972, 789 § 4.

SECT. 26, first sentence amended, 1972, 789 § 5.

SECT. 27 revised, 1972, 789 § 6.

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; section revised, 1972, 510; repealed, 1972, 784 § 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; 1972, 26.

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; fourth paragraph, two sentences inserted after first sentence, 1972, 33.

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; amended, 1972, 34.

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. 5, paragraph inserted after first paragraph, 1972, 422.

SECT. 11, second paragraph, last sentence stricken out and two sentences inserted, 1968, 530; next to last sentence revised, 1969, 652; section revised, 1972, 706 § 1.

SECT. 12 amended, 1972, 706 § 2.

SECT. 13, paragraph added at end, 1968, 550.

SECT. 14, fourth paragraph revised, 1971, 60.

SECT. 16 amended, 1972, 706 § 3.

SECT. 19 stricken out and sections 19–19A inserted, 1972, 223 § 1 (further regulating the importing of fish and wildlife into the commonwealth).

SECT. 20 amended, 1972, 706 § 4.

SECT. 21 amended, 1972, 706 § 5.

SECT. 23, two sentences added, 1972, 573 § 1; last paragraph revised, 1972, 573 § 2.

SECT. 26A added, 1971, 876 § 1 (providing protection for certain wild animals); first paragraph amended, 1972, 127 § 1. (See 1971, 876 § 2; 1972, 127 § 2.)

SECT. 27 amended, 1972, 706 § 6.

SECT. 28, first paragraph, clause 1 amended, 1972, 706 § 7; clause (2) amended, 1969, 17; 1972, 706 § 8.

SECT. 29 revised, 1972, 125; amended, 1972, 223 § 2.

SECT. 31 amended, 1972, 135; second paragraph, clause (3) amended, 1972, 706 § 9.

SECT. 33 revised, 1969, 280.

SECT. 40, sentence inserted before next to last sentence, 1968, 444 § 2; section revised, 1971, 1020; 1972, 784 § 1.

SECT. 40A added, 1968, 444 § 1 (protecting the inland wetlands of the commonwealth); revised, 1972, 782.

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. 75A added, 1972, 445 § 1 (regulating the hunting or possession of certain birds or their eggs).

SECT. 80 amended, 1972, 706 § 10.

SECT. 87, third sentence revised, 1972, 221.

SECT. 90, first paragraph amended, 1970, 224 § 1; second paragraph stricken out and two paragraphs inserted, 1970, 102; third paragraph stricken out, 1972, 223 § 3; fourth paragraph amended, 1972, 223 § 4; fifth and sixth paragraphs revised, 1971, 149; eighth paragraph, first sentence revised, 1970, 224 § 2; eleventh paragraph inserted, 1972, 445 § 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).

SECT. 16 added, 1972, 130 (establishing the North Shore Ocean 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; clause (47) added, 1972, 675.

SECT. 7, first paragraph revised, 1964, 384 § 1.

SECT. 13 revised, 1968, 24 § 4; 1972, 271 § 2. (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, definition of "Alcohol" added, 1935, 440 § 1; definition of "Club" revised, 1934, 385 § 1; definition of "Minor" inserted, 1972, 155 § 1; 368 § 1; definition of "Restaurant" amended, 1936, definition of "Tavern" amended, 1934, 121 § 1; 1935, 253 § 1; 1968, 45; definition of "Wines" revised, 1941, 637 § 1. (See 1941, 637 § 3; 1972, 155 § 5.)

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; sixth paragraph amended, 1955, 336; revised, 1965, 505; 1966, 275; 1968, 268; amended, 1968, 365; revised, 1972, 138; 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, sen-

tence 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; 1972, 286; 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; revised, 1972, 155 § 2. (See 1972, 155 § 5.)

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); first paragraph, first sentence amended, 1972, 155 § 3; third paragraph stricken out and two paragraphs inserted, 1967, 556. (See 1972, 155 § 5.)

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; 1972, 513.

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; first sentence amended, 1972, 470; 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.

SECT. 34 amended, 1972, 802 § 10. (See 1972, 802 § 77.)

SECT. 35 amended, 1972, 802 § 11. (See 1972, 802 § 77.)

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. 114B added, 1972, 783 § 1 (relative to maximum interest rates and billing periods for consumer credit). (See 1972, 783 § 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. 121A added, 1972, 268 (qualifying certain certifications by the department of public safety as certain prima facie evidence).

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; first paragraph amended, 1972, 312 § 1; fifth paragraph revised, 1972, 312 § 2; sixth paragraph revised, 1971, 225.

SECT. 129C revised, 1969, 799 § 8; third paragraph revised, 1972, 312 § 3; 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; section revised, 1972, 415. (See 1953, 319 §§ 39, 40.)

SECT. 131A revised, 1957, 688 § 16; 1959, 296 § 7; sentence inserted after first sentence, 1965, 95; amended, 1972, 312 § 4.

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. 131F 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. 155A added, 1972, 495 § 2 (providing for indemnification of police officers for certain damages).

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. 174A added, 1967, 313 (regulating killing of certain dogs by carbon monoxide fumes).

SECT. 174B added, 1972, 92 (requiring restraint of dogs in public highway rest areas).

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. 5, subsection (*i*) added, 1972, 229 § 1.

SECT. 6, subsection (*e*) revised, 1972, 229 § 2.

SECT. 6A added, 1971, 860 § 2 (regulating certain billing and finance charge procedures for consumer protection).

SECT. 6B added, 1972, 783 § 2 (relative to computation and imposition of finance charges).

SECT. 7, subsection (*d*), item (4) added, 1970, 824 § 2; subsection (*o*) revised, 1972, 229 § 3; subsection (*p*) added, 1972, 229 § 4.

SECT. 8, subsection (*b*) amended, 1972, 229 § 5; subsection (*c*) amended, 1972, 229 § 6; subsection (*g*) amended, 1972, 229 § 7.

SECT. 9, subsection (*e*) added, 1972, 229 § 8.

SECT. 10, subsection (*b*) amended, 1972, 229 § 9.

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; amended, 1972, 684 § 57; clause (5) amended, 1954, 190 § 2; revised, 1959, 312 § 2; amended, 1972, 684 § 58; clause (8) amended, 1948, 187. (See 1972, 684 § 136.)

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; stricken out and definition of "Day care center" inserted, 1972, 785 § 9; 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; section revised, 1972, 802 § 12. (See 1945, 722 § 2; 1970, 888 § 31; 1972, 785 § 20; 802 § 77.)

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; amended, 1972, 802 § 13. (See 1948, 582 § 3; 1954, 153; 1957, 487; 1972, 802 § 77.)

SECT. 2B added, 1949, 547 (providing for regulations relative to fire protection and prevention in the state house); amended, 1972, 802 § 14. (See 1972, 802 § 77.)

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; section revised, 1972, 802 § 15. (See 1945, 722 § 2; 1972, 802 § 77.)

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; 1972, 802 § 16. (See 1945, 722 § 2; 1972, 802 § 77.)

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; section repealed, 1972, 802 § 17. (See 1963, 691 § 2; 1972, 802 § 77.)

SECT. 3C repealed, 1945, 645 § 3.

SECT. 3D revised, 1945, 482 § 2; repealed, 1972, 802 § 17. (See 1945, 722 § 2; 1972, 802 § 77.)

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.

SECTS. 3G–3J repealed, 1972, 802 § 17. (See 1972, 802 § 77.)

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); first paragraph amended, 1972, 802 § 18; paragraph added, 1956, 403; revised, 1959, 355; paragraph added, 1961, 531 § 2. (See 1950, 617 § 2; 1972, 802 § 77.)

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. 3N amended, 1972, 802 § 19. (See 1972, 802 § 77.)

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; amended, 1972, 802 § 20; second sentence revised, 1968, 406. (See 1962, 630 § 2; 1972, 802 § 77.)

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; section revised, 1972, 802 § 21. (See 1965, 464 § 2; 1967, 735 § 2; 1972, 802 § 77.)

SECT. 3S added, 1967, 260 (requiring owners of multiple dwellings to post their names and addresses); revised, 1972, 493.

SECTS. 3T–3V added, 1971, 837 § 1 (requiring the use of safety glazing materials in the construction of certain buildings). (See 1971, 837 § 2; 1972, 131.)

SECTS. 4–5 repealed, 1972, 802 § 22. (See 1972, 802 § 77.)

SECT. 6 revised, 1946, 363 § 4; amended, 1949, 541 § 1; revised, 1957, 214 § 1; 1972, 802 § 23. (See 1972, 802 § 77.)

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; amended, 1972, 802 § 24. (See 1972, 802 § 77.)

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; section revised, 1972, 802 § 25. (See 1972, 802 § 77.)

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; 1972, 802 § 26. (See 1972, 802 § 77.)

SECT. 11 amended, 1949, 541 § 5.

SECT. 12 amended, 1945, 697 § 4; 1972, 802 § 27. (See 1972, 802 § 77.)

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; 1972, 785 § 10; sentence inserted after sixth sentence, 1972, 684 § 59. (See 1943, 544 § 7A; 1963, 687 § 3; 1972, 684 § 59, 785 § 20.)

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.)

SECTS. 15–16 repealed, 1972, 802 § 28. (See 1972, 802 § 77.)

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; 1972, 785 § 11. (See 1943, 544 § 7A, 546 § 5; 1945, 722 § 2; 1963, 687 § 3; 1972, 785 § 20.)

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. 17–21C repealed, 1972, 802 § 28. (See 1972, 802 § 77.)

SECT. 21D added, 1972, 391 § 1 (requiring certain auxiliary lighting and exit signs in certain dwellings). (See 1972, 391 § 2.)

SECTS. 24–33 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECTS. 24–31 repealed, 1972, 802 § 28. (See 1972, 802 § 77.)

SECT. 28 revised, 1945, 474 § 2; 1947, 648; sentence inserted after second sentence, 1972, 684 § 60; third sentence revised, 1955, 662 § 5. (See 1972, 684 § 136.)

SECT. 29 revised, 1950, 288 § 1. (See 1950, 288 §§ 2, 3.)

SECT. 32 revised, 1972, 802 § 29. (See 1972, 802 § 77.)

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.)

SECTS. 33–34 repealed, 1972, 802 § 30. (See 1972, 802 § 77.)

SECT. 35 revised, 1972, 802 § 31. (See 1972, 802 § 77.)

SECTS. 36–42 repealed, 1972, 802 § 32. (See 1972, 802 § 77.)

SECT. 43 amended, 1943, 544 § 3; 1972, 802 § 33. (See 1943, 544 § 7A; 1972, 802 § 77.)

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.)

SECTS. 44–49 repealed, 1972, 802 § 32. (See 1972, 802 § 77.)

SECT. 50, sentence added at end, 1945, 472; section revised, 1972, 802 § 34. (See 1945, 722 § 2; 1972, 802 § 77.)

SECTS. 51 and 52 amended, 1943, 544 § 3. (See 1943, 544 § 7A.)

SECT. 51 revised, 1945, 510; 1972, 802 § 35. (See 1972, 802 § 77.)

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.

SECTS. 52–54 repealed, 1972, 802 § 36. (See 1972, 802 § 77.)

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); amended, 1972, 802 § 37. (See 1972, 802 § 77.)

SECT. 55 amended, 1949, 541 § 7.

SECTS. 55–56 repealed, 1972, 802 § 38. (See 1972, 802 § 77.)

SECT. 57 revised, 1945, 533 § 2; 1948, 582 § 2; 1972, 802 § 39. (See 1945, 722 § 2; 1948, 582 § 3; 1954, 153; 1957, 487; 1972, 802 § 77.)

SECT. 59 revised, 1943, 544 § 6; 1945, 533 § 3; 1972, 802 § 40. (See 1943, 544 § 7A; 1945, 722 § 2; 1972, 802 § 77.)

SECT. 60 amended, 1945, 533 § 4; revised, 1972, 802 § 41. (See 1945, 722 § 2; 1972, 802 § 77.)

SECT. 61 revised, 1945, 674 § 2; 1972, 802 § 42. (See 1945, 722 § 2; 1972, 802 § 77.)

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; section revised, 1972, 802 § 43. (See 1972, 802 § 77.)

SECT. 62A added, 1963, 616 § 2 (relative to the inspection of elevators in certain cities and towns); amended, 1972, 802 § 44. (See 1972, 802 § 77.)

SECT. 63 amended, 1972, 802 § 45. (See 1972, 802 § 77.)

SECT. 64 revised, 1963, 616 § 3; last sentence revised, 1966, 157; section revised, 1972, 802 § 46. (See 1972, 802 § 77.)

SECT. 65 revised, 1972, 802 § 47. (See 1972, 802 § 77.)

SECT. 66, first sentence revised, 1970, 182; section revised, 1972, 802 § 48. (See 1972, 802 § 77.)

SECT. 67 repealed, 1956, 481.

SECT. 68 amended, 1972, 802 § 49. (See 1972, 802 § 77.)

SECT. 69 revised, 1945, 643 § 2; first paragraph amended, 1972, 802 § 50; second paragraph amended, 1948, 144 § 2. (See 1959, 373; 1962, 288; 1972, 802 § 77.)

SECT. 70 revised, 1957, 257; 1959, 439 § 2; amended, 1972, 802 § 51. (See 1972, 802 § 77.)

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; paragraph (1) amended, 1972, 684 § 61. (See 1972, 684 § 136.)

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).

SECTS. 91–92 added, 1972, 802 § 52 (regulating penalties and issued building permits under the new state building code). (See 1972, 802 § 77.)

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 "Boiler" inserted, 1972, 225 § 1; definition of "Inspector" revised, 1958, 486 § 3; definition of "Pressure vessel" inserted, 1972, 225 § 2.

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. 14, first sentence revised, 1972, 189.

SECT. 16 revised, 1932, 180 § 28.

SECT. 18 amended, 1953, 35 § 1.

SECT. 22 revised, 1952, 541 § 1; 1971, 667 § 1; amended, 1972, 684 § 62. (See 1972, 684 § 136.)

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; first sentence amended, 1972, 684 § 63. (See 1972, 684 § 136.)

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; amended, 1972, 684 § 64. (See 1972, 684 § 136.)

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).

SECTS. 50B–50C added, 1972, 295 § 1 (requiring nuclear power plants to employ certain nuclear power plant engineers with certain powers and duties). (See 1972, 295 § 2.)

SECT. 52 repealed, 1948, 140.

SECT. 53, sentence added, 1965, 113.

SECT. 57 revised, 1952, 541 § 3; amended, 1971, 364; second sentence amended, 1972, 684 § 65. (See 1972, 684 § 136.)

SECT. 59 amended, 1971, 342.

SECT. 60 amended, 1951, 398; 1972, 684 § 66. (See 1972, 684 § 136.)

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; second sentence amended, 1972, 684 § 67. (See 1972, 684 § 136.) (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. 4A, sentence added, 1972, 805 § 6.

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 (*b*) amended, 1972, 805 § 7; 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. 4F added, 1972, 252 (qualifying the certificate of a chemist of the department of public safety as prima facie evidence of an analysis as to presence of sperm cells).

SECT. 6 amended, 1972, 802 § 53. (See 1972, 802 § 77.)

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. 10J added, 1972, 360 (authorizing the appointment of employees of the division of employment security as special police officers).

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 sen-

tence, 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. 26 amended, 1972, 684 § 68. (See 1972, 684 § 136.)

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; amended, 1972, 377.

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).

SECT. 52, first paragraph revised, 1972, 616 § 1; fourth paragraph, first sentence stricken out, 1972, 616 § 2; seventh paragraph revised, 1972, 93.

SECT. 53, first paragraph, second sentence revised, 1972, 102.

SECT. 56 added, 1972, 429 § 1 (prohibiting the sale of power lawnmowers without certain safety devices). (See 1972, 429 § 2.)

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; 1972, 802 § 54. (See 1972, 802 § 77.)

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; second sentence revised, 1972, 684 § 69; fifth sentence stricken out and four sentences inserted, 1968, 373 § 3; fifth sentence amended, 1972, 684 § 70. (See 1972, 684 § 136.)

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); third sentence revised, 1972, 684 § 71; sixth sentence stricken out and four sentences inserted, 1968, 373 § 2; sixth sentence amended, 1972, 684 § 72. (See 1967, 532 § 2; 1972, 684 § 136.)

SECT. 20C added, 1972, 333 (establishing liability for damages caused by blasting without proof of negligence).

SECT. 21 amended, 1945, 710 § 9.

SECT. 22 amended, 1945, 710 § 10.

SECT. 23 amended, 1935, 123 § 2; first sentence revised, 1964, 155.

SECT. 23A added, 1948, 188 (prohibiting the use of inflammable anti-freeze solutions in fire hydrants).

SECT. 25 amended, 1945, 710 § 11.

SECT. 25A added, 1962, 688 § 1 (prohibiting the sale or installation of secondhand space heaters and secondhand portable stoves in buildings used for human habitation).

SECT. 25B added, 1962, 688 § 2 (prohibiting the use of space heaters in buildings used for human habitation).

SECT. 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 B amended, 1972, 802 § 55; paragraph I revised, 1949, 512; amended, 1970, 81; revised, 1972, 802 § 56; paragraph J revised, 1958, 333; paragraph L amended, 1943, 546 § 4; revised, 1946, 363 § 9; amended, 1963, 680 § 1; 1972, 802 § 57; paragraph N added, 1946, 363 § 9; amended, 1972, 802 § 58; paragraph O added, 1966, 390; paragraph P added, 1969, 55. (See 1943, 546 § 5; 1963, 680 § 2; 1972, 802 § 77.)

SECT. 28A added, 1963, 689 (requiring the head of the fire department to report to the proper authority violations of the building laws); amended, 1972, 802 § 59. (See 1972, 802 § 77.)

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.

SECT. 24K added, 1972, 532 (prohibiting discrimination in employment against rehabilitated handicapped persons).

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; second, third and fourth paragraphs stricken out and five paragraphs inserted, 1972, 774 § 5. (See 1955, 702 § 3; 1957, 682 § 3; 1972, 774 § 12.)

SECT. 29A added, 1949, 185 (relative to the enforcement of certain surety bonds by persons furnishing labor and materials on private building projects); amended, 1972, 399.

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.

SECTS. 69–73 revised, 1972, 47.

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. 105D added, 1972, 790 § 1 (requiring employers to grant maternity leave to certain employees).

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; amended, 1972, 802 § 60; second and third sentences revised, 1963, 38. (See 1972, 802 § 60.)

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; stricken out, 1972, 792; 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; subsection (10), first paragraph amended, 1972, 713 § 1; second paragraph revised, 1972, 713 § 2.

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, subsection (2) amended, 1971, 410; subsection (4A) inserted, 1972, 713 § 3; subsection (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. 178J, subsection (*b*) amended, 1972, 490.

SECT. 178K amended, 1970, 445; sentence added, 1972, 375.

SECT. 178L amended, 1970, 463 § 1; third paragraph, last sentence stricken out and paragraph inserted, 1972, 713 § 4.

SECT. 178O added, 1972, 353 (requiring employer to notify employee whose employment is being terminated of employee's group insurance coverage termination date).

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; amended, 1972, 752 § 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; 1972, 752 § 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; 1972, 752 § 2; paragraph added at end, 1956, 681. (See 1952, 558 § 5; 1955, 762 § 4; 1956, 185, 740 § 4; 1958, 616 § 2; 1959, 551 § 2; 1962, 134 §§ 7, 8, 9; 1963, 586 §§ 3, 4; 1964, 644 §§ 7–11; 1965, 334 §§ 3, 4; 1966, 679 §§ 9, 10; 1971, 892 § 3; 1972, 752 § 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; definition 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 (*a*) revised, 1972, 594 § 1; 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; paragraph (10) added, 1972, 594 § 2; subsections (*k*) and (*l*) revised, 1972, 796; subsection (*j*) revised, 1961, 614 § 5; 1970, 866 § 4; subsection (*n*), paragraph (1) revised, 1958, 643 § 1; 1959, 508; amended, 1972, 480 § 1; paragraph (4) revised, 1972, 480 § 2; 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; 1972, 594 § 3.)

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; 1972, 465 § 1; subsection (*b*) revised, 1948, 603 § 6; subsection (*c*) revised, 1943, 373; subsection (*e*) added, 1968, 533; amended, 1969, 174. (See 1972, 465 § 2.)

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); subsection (1), paragraph (*e*) amended, 1972, 483 § 1; 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. 30C added, 1972, 483 § 2 (regulating eligibility for emergency state supplementary unemployment benefits).

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; first paragraph revised, 1972, 321; 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; 1972, 586 § 1.

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; subsection 13 added, 1972, 786 § 1.

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 6 revised, 1972, 185; subsection 9 added, 1969, 314; revised, 1972, 428; subsection (10) added, 1971, 726; subsection (11) added, 1971, 874 § 3; subsection 11A inserted, 1972, 790 § 2; subsection 12 inserted, 1972, 542; subsection 13 inserted, 1972, 786 § 2; 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; ninth sentence amended, 1972, 212; 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 (*b*) amended, 1972, 101 § 1; paragraph (*c*) amended, 1956, 334 § 2; paragraph (*d*) added, 1972, 101 § 2.

SECT. 2, first paragraph, clause (*c*) amended, 1956, 334 § 3; clause (*d*) added, 1972, 175 § 1; clause (*e*) added, 1972, 369; second paragraph revised, 1972, 175 § 2.

SECT. 2A added, 1972, 101 § 3 (regulating unfair educational practices at vocational training institutions).

SECT. 3, paragraph (*a*) amended, 1956, 334 § 4; 1972, 101 § 4; paragraph (*b*) amended, 1956, 334 § 5; 1972, 101 § 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. 4 amended, 1972, 684 § 73. (See 1972, 684 § 136.)

SECT. 10 amended, 1964, 467; 1968, 326; paragraph added at end, 1970, 110.

SECT. 11 added, 1972, 187 (requiring bonding of trustees of certain funds under the jurisdiction of the Health, Welfare and Retirement Trust Fund Board).

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; revised, 1972, 374 § 1; 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; para-

graph (7B) added, 1947, 488 § 9; same paragraph repealed, 1950, 277 § 1; paragraph (8) revised, 1953, 314 § 3. (See 1943, 529 § 14; 1951, 109 § 2; 1972, 374 § 3.)

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; amended, 1972, 233.

SECT. 6 amended, 1945, 347; 1953, 314 § 6.

SECT. 7 amended, 1953, 314 § 6; 1971, 974; revised, 1972, 742 § 1. (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); amended, 1972, 188. (See 1968, 468 § 2.)

SECT. 8 amended, 1953, 314 § 6; revised, 1961, 611 § 8; fourth sentence revised, 1972, 742 § 2.

SECT. 8A amended, 1953, 314 § 6; 1957, 693 § 1; revised, 1972, 742 § 3.

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; first sentence revised, 1972, 742 § 4.

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; first paragraph revised, 1972, 742 § 5. (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); revised, 1972, 742 § 6.

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; amended, 1972, 764; 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; first sentence revised, 1972, 403; 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; section revised, 1972, 741 § 1. (See 1946, 386 § 2; 1947, 664 § 2; 1972, 741 § 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; second sentence stricken out, 1972, 374 § 2. (See 1972, 374 § 3.)

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; re-

vised, 1950, 204; 1951, 239; amended, 1955, 631; 1956, 244 § 3; revised, 1958, 52 § 1; amended, 1962, 162; paragraph added at end, 1970, 324; sentence added, 1972, 254. (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; section revised, 1972, 103 § 1. (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; 1972, 684 § 74. (See 1972, 684 § 136.)

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; 1972, 684 § 75. (See 1972, 684 § 136.)

SECT. 54 amended, 1932, 180 § 30; second paragraph amended, 1972, 684 § 76; third paragraph amended, 1972, 684 § 77; fourth paragraph amended, 1972, 684 § 78; paragraph added at end, 1951, 565 § 4; amended, 1972, 684 § 79. (See 1972, 684 § 136.)

SECT. 55 amended, 1952, 314; revised, 1955, 338; amended, 1957, 698 § 4; 1972, 684 § 80. (See 1972, 684 § 136.)

Chapter 156A. — Professional Corporations.

New chapter inserted, 1963, 654 § 1.

SECT. 1, paragraph (*b*) amended, 1970, 443 § 32; revised, 1971, 113; amended, 1972, 81; revised, 1972, 142.

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, 1970, 444 § 1; 1972, 316 § 1.

SECT. 9 revised, 1972, 693 § 6.

SECT. 14, second sentence revised, 1972, 316 § 2.

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, 658 § 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; 1972, 316 § 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. 84 amended, 1972, 684 § 81. (See 1972, 684 § 136.)
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 (*a*) amended, 1972, 684 § 82; subsection (*b*), paragraph (1) amended, 1972, 684 § 83; paragraph (2) amended, 1972, 684 § 84; paragraph (3) amended, 1972, 684 § 85; paragraph (4) amended, 1972, 684 § 86; paragraph (5) revised, 1965, 685 § 53; 1966, 347 § 2; amended, 1972, 684 § 87; subsection (*c*) amended, 1972, 684 § 88; subsection (*d*), paragraph (1) amended, 1972, 684 § 89; paragraph (2) amended, 1972, 684 § 90; paragraph (3) amended, 1972, 684 § 91; paragraph (4) amended, 1972, 684 § 92; paragraph (5) amended, 1972, 684 § 93; subsection (*e*) amended, 1972, 684 § 94; subsections (*f*), (*g*) and (*h*) inserted, 1965, 685 § 54; subsection (*f*) amended, 1972, 684 § 95; subsection (*g*) amended, 1972, 684 § 96. (See 1965, 685 § 57; 1972, 684 § 136.)

SECT. 115 added, 1969, 245 § 2 (relating to the authority of corporate officers with respect to real estate); revised, 1972, 103 § 2. (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; 1972, 684 § 97. (See 1972, 684 § 136.)

SECT. 8 amended, 1962, 750 § 32.

SECT. 9 amended, 1949, 378 § 6; 1957, 698 § 6; 1971, 317 § 3; 1972, 684 § 98. (See 1972, 684 § 136.)

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; amended, 1972, 684 § 99. (See 1972, 684 § 136.)

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; 1972, 197; 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. 11B added, 1972, 704 (authorizing cities and towns to enter contracts to provide public transportation).

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; amended, 1972, 684 § 100. (See 1972, 684 § 136.)

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; section revised, 1972, 798.

SECT. 10A added, 1939, 322 (relative to replacing lost or mutilated plates and lost or destroyed certificates, permits and licenses issued to carriers of property by motor vehicle); sentence added at end, 1945, 644 § 1; section revised, 1953, 309; sentence inserted before first sentence, 1954, 288; paragraph added, 1967, 43; paragraph added at end, 1968, 289 § 2.

SECT. 10B added, 1946, 376 § 3 (relative to the issuance of certain distinguishing plates to carriers of property by motor vehicle and to the use of such plates); revised, 1954, 440.

SECT. 11 amended, 1941, 483 § 3; first sentence of first paragraph revised, 1948, 616 § 1; amended, 1950, 186; first paragraph revised, 1969, 598; second sentence of last paragraph revised, 1945, 644 § 2; same sentence revised, 1948, 616 § 2; paragraph added at end, 1951, 158; sentence added at end, 1961, 266; last paragraph, first sentence stricken out and two sentences inserted, 1967, 42.

SECT. 11A added, 1956, 601 (to authorize a conditional transfer of a certificate, permit or license to a temporary vendee or lessee of interstate motor carriers duly approved by the interstate commerce commission).

SECT. 12, first paragraph revised, 1941, 653 § 4; second sentence amended, 1945, 400 § 4; second paragraph revised, 1954, 293.

SECT. 12A added, 1957, 165 (authorizing the director of the commercial motor vehicle division of the department of public utilities to destroy or dispose of certain obsolete records and plates).

SECT. 13 amended, 1941, 692; 1945, 400 § 5; first sentence revised, 1951, 262; 1959, 543 § 3.

SECT. 14 amended, 1941, 653 § 5; 1945, 400 § 6; 1949, 346 § 2.

SECT. 14 stricken out and sections 14–14B inserted, 1951, 664 § 5 (relative to the powers and duties of investigators and examiners of the commercial motor vehicle division of the department of public utilities).

SECT. 14B amended, 1952, 255.

SECT. 15A added, 1941, 704 § 3 (relative to agricultural carriers of property by motor vehicles). (See 1941, 704 § 4.)

SECT. 16A added, 1939, 307 (giving the department of public utilities authority to obtain certain information of persons engaged in leasing motor vehicles for the transportation of property for hire).

SECT. 17 revised, 1951, 664 § 6.

SECT. 19 amended, 1949, 187.

SECT. 19A added, 1967, 499 (prohibiting common carriers from engaging in transportation except on a cash basis under certain conditions).

SECT. 21, first paragraph amended, 1951, 664 § 7; second paragraph amended, 1950, 194; revised, 1967, 515.

Chapter 160. — Railroads.

SECT. 38 revised, 1946, 226.

SECT. 65A added, 1958, 562 (authorizing railroad corporations to hold stock in railroad car and equipment companies).

SECT. 65B added, 1959, 222 (authorizing railroad corporations to hold stock in certain companies).

SECT. 68 revised, 1943, 33.

SECT. 70 amended, 1932, 238.

SECT. 70A revised, 1932, 236; amended, 1934, 264 § 3.

SECT. 85 amended, 1941, 53.

For temporary act providing tax relief for certain railroads, notwithstanding the provisions of section 87 of this chapter, see 1961, 464.

SECT. 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. 9A revised, 1972, 502.

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.

SECT. 2, second paragraph, first sentence amended, 1972, 96 § 1.
SECT. 2A, third sentence amended, 1972, 96 § 2.
SECT. 8, first sentence revised, 1972, 402 § 1.
SECT. 14, first paragraph amended, 1972, 96 § 3.
SECT. 21 added, 1972, 402 § 2 (providing a penalty for certain tampering with a duly licensed community antenna television system).

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; fourth paragraph, last sentence revised, 1972, 24. (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. 26, two paragraphs added, 1972, 301.

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. 48B added, 1972, 711 (removing requirement of notice by executors or administrators of deceased depositors of special notice accounts).

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); second sentence amended, 1972, 378.

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; 1972, 110.

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. 4 amended, 1972, 684 § 101. (See 1972, 684 § 136.)

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; amended, 1972, 684 § 102. (See 1957, 1 § 7; 1972, 684 § 136.)

SECT. 10, first paragraph, provision 2 revised, 1962, 163 § 1; 1966, 225; provision 3 amended, 1965, 852; 1972, 520 § 1; second paragraph, first sentence revised, 1962, 163 § 2. (See 1962, 163 § 3.)

SECT. 11, fourth sentence revised, 1959, 61.

SECT. 12, first sentence revised, 1962, 74.

SECT. 15, first paragraph revised, 1958, 83.

SECT. 21, paragraph 1 revised, 1959, 177 § 1; 1963, 253 § 1; amended, 1969, 337 § 1; 1970, 305 § 1; revised, 1972, 84 § 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; revised, 1972, 84 § 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. 31, first paragraph, sentence added, 1972, 541.

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 6B inserted, 1972, 336; 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; 1972, 129 § 1; second sentence amended, 1972, 1929 § 2; 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. 37B added, under caption, 1972, 381 § 1 (authorizing savings banks to issue credit cards).

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; 1972, 129 § 3; second paragraph, first sentence amended, 1972, 129 § 4; 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, first paragraph amended, 1972, 381 § 2; paragraph 1 revised, 1962, 44; paragraph 2 revised, 1965, 42; paragraph 3 amended, 1972, 381 § 3.

SECT. 42, paragraph 5 revised, 1961, 174; 1972, 204; 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; clause (*a*) revised, 1972, 698 § 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, first sentence revised, 1972, 94; 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. 66, second sentence stricken out and two sentences inserted, 1972, 418.

SECT. 66A added, 1971, 92 § 2 (authorizing the issuance by savings and co-operative banks of certain mortgage-backed securities).

SECT. 66B added, 1972, 116 (authorizing savings banks to act as trustees under certain retirement plans).

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; 1972, 684 § 103. (See 1972, 684 § 136.)

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; 1972, 684 § 104. (See 1972, 684 § 136.)

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); revised, 1972, 520 § 2.

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; amended, 1972, 684 § 105; paragraph added, 1967, 157 § 2. (See 1972, 684 § 136.)

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; 1972, 41; 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; amended, 1972, 27.

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 3B inserted, 1972, 315; 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; paragraph (*e*) amended, 1972, 698 § 2; subsection 5 amended, 1961, 493 § 20; subsection 6 revised, 1963, 100; amended, 1968, 187; 1970, 311; subsection 7, first sentence revised, 1972, 206; 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; first two paragraphs revised, 1972, 345.

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. 32B added, 1972, 214 (authorizing cooperative banks to execute and deliver certain guarantees in the transfer of investment securities).

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 sentence amended, 1972, 684 § 106; second paragraph revised, 1936, 323; 1948, 527 § 4; 1957, 328; stricken out, 1958, 654 § 3. (See 1948, 527 § 5; 1958, 654 § 4; 1972, 684 § 136.)

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; 1972, 85; 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; revised, 1972, 314; 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, first sentence revised, 1972, 68; 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; first sentence revised, 1972, 205. (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 para-

graph 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 (A), paragraph 5 revised, 1972, 232; subdivision (B), subsection (*a*), paragraph 4 amended, 1972, 146; subsection (*b*), paragraph 8 amended, 1972, 356; paragraph 12 added, 1971, 522; paragraph 13 added, 1972, 156; 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; revised, 1972, 327 § 1; sixth paragraph revised, 1972, 327 § 2; 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; 1972, 684 § 107. (See 1972, 684 § 136.)

SECT. 11, paragraph (*a*) revised, 1966, 200 § 2; amended, 1972, 684 § 108. (See 1972, 684 § 136.)

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. 16, second sentence revised, 1972, 520, § 3.

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; paragraph 3 revised, 1972, 40.

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; revised, 1972, 526; clause 16 revised, 1972, 337; clause 18 added, 1963, 143; 1971, 313 § 2; clause 19 added, 1971, 386; clause 20 added, 1972, 238.

SECT. 48A added, 1972, 437 (authorizing trust companies to take second mortgages as collateral security for loans).

SECT. 50 revised, 1968, 350.

SECT. 51 revised, 1963, 376; first paragraph revised, 1969, 337 § 3; 1970, 305 § 3; amended, 1972, 84 § 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; 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 174B. — Regulation of Automobile Clubs.

New chapter inserted, 1972, 754.

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; sixth paragraph amended, 1972, 684 § 109. (See 1970, 876 § 28; 1972, 684 § 136.)

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 insurance companies); revised, 1945, 605 § 1; 1947, 504; first sentence revised, 1968, 133 § 1; fourth sentence revised, 1968, 561 § 1. (See 1943, 207 § 4; 1945, 605 § 3.)

SECT. 66B added, 1947, 269 § 1 (authorizing domestic life insurance companies to invest in certain land and buildings); first sentence revised, 1963, 128; fourth sentence amended, 1953, 94; 1967, 254 § 3; fifth sentence stricken out and two sentences inserted, 1954, 68; sixth sentence revised, 1957, 152; section revised, 1968, 133 § 2; 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 (2A) inserted, 1972, 714; 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; 1972, 366; paragraph inserted after first paragraph, 1972, 451; 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; paragraph inserted, 1972, 423; 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; 1972, 264.

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. 113N added, 1972, 299 (prohibiting insurance companies from requiring a physical examination of an applicant for motor vehicle liability insurance).

SECT. 114 amended, 1932, 180 § 34; 1939, 225.

SECT. 116A amended, 1932, 180 § 35.

SECT. 117, sentence added at end, 1955, 384 § 7.

SECT. 117A, first paragraph amended, 1938, 216 § 1; heading before section 117A stricken out and "MARINE AND AUTOMOBILE AND SPRINKLER LEAKAGE INSURANCE" inserted, 1938, 216 § 2.

SECT. 117B added, under caption, 1963, 259 § 1 (authorizing the issuance of combination policies of credit insurance).

SECT. 118, paragraph added at end, 1968, 391 § 16.

SECT. 120A added, 1972, 804 § 1 (relative to the issuance of life insurance policies for certain mentally retarded persons). (See 1972, 804 § 2.)

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 sur-

render 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); first paragraph revised, 1972, 162 § 1. (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); first paragraph revised, 1972, 162 § 2. (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. 174E added, 1972, 718 § 1 (further regulating the licensing of insurance brokers and agents).

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); first paragraph amended, 1972, 420 § 1; second paragraph amended, 1972, 420 § 2; repealed, 1972, 543 § 2.

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 (*l*) 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; second paragraph revised, 1972, 703; 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; first sentence revised, 1972, 309. (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; stricken out and paragraph inserted, 1972, 663 § 1.

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; second, third and fourth paragraphs stricken out and paragraph inserted, 1972, 663 § 2.

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 stricken out and new chapter 176D inserted, 1972, 543 § 1.

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; first sentence amended, 1972, 421 § 4. (See 1972, 421 § 8.)

SECT. 16 revised, 1947, 260 § 4; amended, 1972, 421 § 5. (See 1972, 421 § 8.

SECT. 17 revised, 1935, 330 § 5; 1939, 391 § 1; 1972, 421 § 6. (See 1939, 391 § 2; 1972, 421 § 8.)

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.
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).
SECTS. 9–11B stricken out and sections 9–11C inserted, 1971, 819 § 5. (See 1971, 819 § 12.)
SECT. 11C, paragraph (*a*) amended, 1972, 684 § 110; paragraph (*b*) amended, 1972, 684 § 111; paragraph (*c*) amended, 1972, 684 § 112; paragraph (*d*) revised, 1972, 316 § 4, 684 § 113; paragraph (*e*) amended, 1972, 684 § 114; paragraph (*f*) amended, 1972, 684 § 115; paragraph (*g*) amended, 1972, 684 § 116. (See 1972, 684 § 136.)

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; 1972, 684 § 117; last paragraph revised, 1964, 434. (See 1933, 236 § 2; 1971, 819 § 12; 1972, 684 § 136.)

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; amended, 1972, 684 § 118. (See 1972, 684 § 136.)

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; second sentence amended, 1972, 684 § 119. (See 1972, 684 § 136.)
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; amended, 1972, 684 § 120. (See 1972, 684 § 136.)
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.)
SECT. 59 added, 1972, 412 § 1 (regulating the imposition of late charges in mortgage transactions). (See 1972, 412 § 2.)

Chapter 183A. — Condominiums.

New chapter inserted, 1963, 493 § 1.

SECT. 1, definition of "Bank or insurance company" stricken out, 1927, 709 § 2; definition of "Building" revised, 1967, 868; 1969, 564; 1970, 139 § 1; 1972, 595, 709 § 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.

SECTS. 20–21 added, 1972, 709 § 3 (authorizing cities and towns to participate in the ownership of condominiums).

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; 1972, 547 § 2. (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; stricken out and three paragraphs inserted, 1972, 639 § 1. (See 1970, 666 § 2; 1972, 639 § 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. 15E added, 1972, 157 (precluding a certain defense in actions by lessees, tenants or occupants against property owners).
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); revised, 1972, 99 § 1.
SECT. 19 added, 1972, 665 (requiring landlords to correct an unsafe condition following receipt of notice thereof from a tenant).

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. 1D repealed, 1972, 574.
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; amended, 1972, 405; 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; 1972, 256. (See 1933, 221 § 8; 1971, 548 § 2.)
SECT. 9A added, 1972, 298 (further regulating the limitation of actions against executors and administrators).
SECT. 10 revised, 1954, 552 § 2.
SECT. 19 revised, 1954, 465 § 2; amended, 1972, 750 § 1. (See 1954, 465 §§ 3, 4; 1972, 750 § 2.)
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. 16A added, 1972, 269 (authorizing the appointment of conservators of property of persons declared missing in action or prisoners of war).

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; section revised, 1972, 442.

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. 20A added, 1972, 491 § 1 (limiting the time for taking or selling interests in real estate of a deceased person to pay expenses or charges of administration). (See 1972, 491 § 2.)

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; amended, 1972, 186 § 5.

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; section revised, 1972, 800 § 1.
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; section revised, 1972, 800 § 2. (See 1963, 71 § 2.)
SECT. 3A added, 1953, 593 § 1 (relative to consent to the adoption of children in certain cases); revised, 1964, 425; repealed, 1972, 800 § 3.
SECT. 4 revised, 1953, 593 § 2; 1972, 800 § 4.
SECT. 5A revised, 1950, 737 § 2; first paragraph, first sentence revised, 1970, 404 § 2; fifth sentence amended, 1972, 800 § 5; sixth sentence amended, 1972, 800 § 5A; 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; first sentence revised, 1972, 800 § 6; 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; 1972, 592.
SECT. 11 revised, 1972, 800 § 7.
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); revised, 1972, 740 § 2.
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 211A. Appeals Court.

New chapter inserted, 1972, 740 § 1.

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); paragraph inserted after first paragraph, 1972, 219.

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. 30 amended, 1972, 740 § 3.

SECT. 30A added, 1972, 740 § 4 (authorizing superior court justices to report certain questions to the appeals court).

SECT. 31 amended, 1972, 740 § 5.

SECT. 31A added, 1972, 740 § 6 (authorizing superior court justices to report evidence and questions of law therein to the appeals court).

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 4–6 revised, 1972, 489; 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; 1972, 642. (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; paragraph added under caption "*Bristol*", 1972, 731 § 13; first paragraph under caption "*Plymouth*" revised, 1972, 728 § 1; second paragraph under caption "*Plymouth*" amended, 1972, 728 § 2; fourth paragraph under caption "*Plymouth*" amended, 1972, 728 § 3; second paragraph under caption "*Worcester*" revised, 1972, 446 § 1. (See 1949, 590 §§ 2–4, 739; 1951, 758; 1965, 659 § 7; 1972, 446 § 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; 1972, 728 § 4; second paragraph amended, 1966, 699 § 6; second sentence revised, 1969, 845 § 6; fourth paragraph revised, 1971, 688; amended, 1972, 702. (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; first paragraph, second

sentence revised, 1971, 18; amended, 1971, 56, 883; 1972, 446 § 2; 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; 1972, 446 § 7.)

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; sentence added, 1972, 452. (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. 27A added, 1972, 620 § 1 (providing for trial by a jury of six of certain criminal cases in certain district courts). (See 1972, 620 § 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; 1972, 731 § 14; two sentences added at end, 1969, 859 § 15; third sentence revised, 1972, 572; sentence added, 1972, 731 § 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; section revised, 1972, 731 § 16. (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,

* Void for non-acceptance.

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; revised, 1972, 56; second sentence revised, 1971, 834; section revised and section 62A added, 1972, 211; clause (1) revised, 1972, 649 § 1; clause (5) amended, 1972, 443 § 1; clause (6) amended, 1972, 649 § 2; clause (7) amended, 1972, 443 § 2, 649 § 3; clause (8) amended, 1972, 649 § 4; second paragraph amended, 1972, 605 § 1. (See 1935, 71 § 2; 1946, 264 § 2; 1953, 138 § 2; 1955, 633 § 2; 1970, 93 § 2; 1971, 566 § 2; 1972, 605 § 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; revised, 1972, 731 § 17.

SECT. 74 revised, 1963, 810 § 11.

SECT. 75 revised, 1946, 609 § 1; 1951, 749 § 1; 1955, 748 § 1; 1962, 680 § 1; 1963, 810 § 12; 1966, 699 § 7; 1969, 845 § 7. (See 1946, 609 § 3; 1951, 749 § 2A; 1954, 347, 527; 1955, 748 §§ 1A, 1B, 2; 1962, 680 §§ 2, 3; 1963, 810 § 22; 1966, 699 § 11; 1969, 845 § 12.)

SECT. 75A added, 1946, 512 § 2 (relative to the compensation of clerks and assistant clerks of the municipal court of the city of Boston); revised, 1946, 609 § 2; 1949, 261; 1951, 749 § 2; 1963, 774 § 1; 1966, 539 § 1; 1969, 854 § 1; 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); revised, 1972, 731 § 18.

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; 1972, 446 § 3; 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; 1972, 446 § 7.)

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; paragraph (1) amended, 1972, 446 § 4, 731 § 19, 332 §§ 1, 2. (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; 1972, 332 § 3, 446 § 7.)

SECT. 80, sentence added at end, 1935, 366 § 2; section amended, 1936, 229 § 1; 1937, 378 § 2; revised, 1941, 447 § 3; amended, 1946, 498 § 2; revised, 1948, 667 § 5; 1949, 799; 1951, 768 § 3A; amended, 1957, 559 § 1; revised, 1959, 609 § 2; amended, 1960, 801 § 3; revised, 1963, 306 § 1; amended, 1963, 841 § 4A; 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; 1972, 308 § 1. (See 1935, 89 § 2; 1937, 158 § 2; 1943, 336 § 3; 1955, 354 § 2; 1961, 355 § 2.)

SECT. 5 amended, 1932, 51; 1943, 336 § 2; second paragraph revised, 1958, 327 § 1; 1963, 746 § 1; fourth paragraph revised, 1957, 585 § 1; fifth paragraph revised, 1951, 228; 1959, 557; paragraph inserted after fifth paragraph, 1956, 432 § 1; revised, 1963, 502 § 1; sixth paragraph revised, 1949, 379; 1950, 324; section revised, 1965, 535; second paragraph revised, 1971, 99; third paragraph revised, 1966, 532 § 1; 1970, 511 § 1; 1972, 308 § 2; fourth paragraph revised, 1971, 78; fifth paragraph revised, 1971, 293; sixth paragraph revised, 1969, 31; paragraoph 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. 6H added, 1972, 635 (providing for the designation of a certain assistant clerk of courts for Bristol county).

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; third sentence amended, 1972, 684 § 121; fourth sentence amended, 1972, 684 § 122. (See 1972, 684 § 136.)

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. 69, sentence added, 1972, 740 § 7.

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; amended, 1972, 518; fifth paragraph revised, 1958, 676; paragraph inserted after fifth paragraph, 1964, 570 § 2; revised, 1971, 830; section revised, 1972, 740 § 8. (See 1970, 752 § 2.)

SECT. 71, second sentence amended, 1957, 228 § 2; revised, 1964, 570 § 3; sentence inserted after first sentence, 1972, 740 § 9.

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; 1972, 152 § 1; sentence inserted after second sentence, 1972, 740 § 9A. (See 1971, 707 § 2; 1972, 152 § 2.)

SECT. 72, first sentence amended, 1957, 228 § 3; revised, 1964, 570 § 4; section revised, 1972, 740 § 10.

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; section amended, 1972, 740 § 11. (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. 75 revised, 1972, 740 § 12.

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; first two sentences revised, 1972, 466; two sentences inserted after second sentence, 1972, 740 § 13. (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; amended, 1972, 740 § 14.

SECT. 80 amended, 1935, 182 § 4; 1954, 172 § 3; revised, 1957, 228 § 5; 1964, 570 § 6; 1972, 740 § 15. (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; 1972, 492 § 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); repealed, 1972, 492 § 3. (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; section revised, 1972, 503 § 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; 1972, 503 § 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. 115A revised, 1972, 179 § 1. (See 1972, 179 § 3.)

SECT. 115B added, 1972, 179 § 2 (further regulating the dissolution of attachments). (See 1972, 179 § 3.)

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; fifth sentence amended, 1972, 255. (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; 1972, 440 § 1. (See 1971, 801 § 2; 1972, 440 § 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); revised, 1972, 552 § 1.

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. 85M added, 1972, 165 (providing that certain disclaimers of liability appearing on signs, tickets or receipts shall not constitute legal defenses in civil actions of contract or tort).

SECT. 85N added, 1972, 242 (granting immunity from damages to members of certain professional societies under certain circumstances).

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 ex-

perts 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. 24A–24B added, 1972, 367 (authorizing the use of certified mail as an alternative method of summonsing jurors).

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; 1972, 285; third sentence revised, 1963, 187. (See 1945, 428 § 3; 1955, 485 § 2.)

SECTS. 34A–34B added, 1972, 460 (further regulating the number of jurors required in civil actions).

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); revised, 1972, 99 § 2.

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; 1972, 235 § 1. (See 1967, 26 § 2; 1972, 235 § 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; 1972, 392.

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; 1972, 174 § 1. (See 1935, 410 §§ 2, 3; 1941, 338 § 2; 1947, 264 § 2; 1959, 187 § 3; 1969, 276 § 2; 1971, 475 § 2; 1972, 174 § 2.)

SECT. 28A added, 1972, 801 (exempting certain monies in certain bank accounts from trustee process).

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. 15 revised, 1972, 434.

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.)

SECT. 12, paragraph (*b*) revised, 1972, 200 § 1.

SECT. 13 amended, 1972, 200 § 2.

Chapter 252. — Improvement of Low Land and Swamps.

SECT. 1 revised, 1972, 36 § 1.

SECT. 2, first sentence revised, 1972, 36 § 2.

SECT. 4, first sentence revised, 1972, 36 § 3.

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. 2 amended, 1972, 774 § 6. (See 1972, 774 § 12.)

SECT. 3 revised, 1972, 774 § 7. (See 1972, 774 § 12.)

SECT. 4, first paragraph amended, 1972, 774 § 8; paragraph added at end, 1959, 594 § 2. (See 1972, 774 § 12.)

SECT. 5 amended, 1954, 461 § 2; first sentence revised, 1963, 493 § 3. (See 1954, 461 §§ 3, 4; 1972, 774 § 12.)

SECT. 12 revised, 1972, 774 § 9. (See 1972, 774 § 12.)

SECT. 14 revised, 1972, 774 § 10. (See 1972, 774 § 12.)

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).

SECT. 32 added, 1972, 774 § 11 (providing that certain agreements to bar the filing of certain notices of contract or enforcement of certain liens are void and unenforceable). (See 1972, 774 § 12.)

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. 25 revised, 1972, 767.

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; revised, 1972, 684 § 123. (See 1972, 684 § 136.)

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; 1972, 783 § 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; 1972, 229 § 10; subsection F added, 1969, 788; revised, 1972, 229 § 11. (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; amended, 1972, 684 § 131. (See 1972, 684 § 136.)

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; 1972, 684 § 134. (See 1971, 880 § 4; 1972, 684 § 136.)

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; 1972, 684 § 135. (See 1934, 324 § 2; 1954, 556 § 10; 1955, 418 § 3, 744 § 2; 1971, 880 § 4; 1972, 684 § 136.)

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); sentence added, 1972, 217.

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); first paragraph amended, 1972, 802 § 61. (See 1963, 690 § 5; 1972, 802 § 77.)
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; 1972, 78; 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. 120C added, 1972, 158 (permitting entry on certain land for the purpose of making surveys).

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).

SECT. 25 added, 1972, 257 (authorizing the temporary suspension of certain public employees indicted for misconduct in office).

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; fourth paragraph amended, 1972, 312 § 5; 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); revised, 1972, 261.

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; 1972, 191; 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); amended, 1972, 473.

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; amended, 1972, 802 § 62. (See 1972, 802 § 77.)

SECT. 32 amended, 1967, 364 § 2; last sentence revised, 1970, 348 § 2; amended, 1972, 802 § 63. (See 1972, 802 § 77.)

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; amended, 1972, 552 § 2.

SECT. 75 amended, 1971, 407.

SECT. 77 amended, 1968, 59; revised, 1972, 46.

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; 1972, 731 § 20. (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. 61B, eighth sentence revised, 1972, 294.

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; 1972, 731 § 21; 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; 1972, 731 § 22; 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, two sentences inserted before first sentence, 1972, 396 § 1; 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; revised, 1972, 731 § 23.

SECT. 88, paragraph added at end, 1956, 731 § 16; first sentence revised, 1969, 859 § 28; 1972, 731 § 24. (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; 1972, 731 § 25; 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; 1972, 731 § 26. (See 1939, 296 § 3.)

SECT. 95, first sentence revised, 1969, 859 § 31; 1972, 731 § 27.

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; first paragraph, sixth sentence revised, 1972, 396 § 2. (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; 1972, 600 § 1A. (See 1970, 875 § 8; 1971, 909 § 5; 1972, 600 § 3.)

SECT. 99C added, 1972, 680 (authorizing the appointment of three supervisors of court probation services and certain clerical assistants).

SECT. 100 amended, 1943, 64; 1953, 319 § 34; revised, 1956, 731 § 22; amended, 1966, 623; 1969, 838 § 63; sentence added, 1972, 805 § 8. (See 1953, 319 §§ 39, 40; 1956, 731 § 29–33; 1969, 838 § 74.)

SECT. 100A added, 1971, 686 § 1. (See 1971, 686 § 2.)

SECT. 100B added, 1972, 404 (providing for the sealing of certain delinquency records in the office of the commission of probation).

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); amended, 1972, 740 § 16.
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. 3, first sentence revised, 1972, 251.
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; 1972, 740 § 17; 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. 16 amended, 1972, 293 § 1. (See 1972, 293 § 6.)

SECT. 17 revised, 1972, 293 § 2. (See 1972, 293 § 6.)

SECT. 18 revised, 1947, 516; 1951, 134; amended, 1956, 715 § 24; 1971, 1076 § 12; revised, 1972, 293 § 3. (See 1971, 1076 § 22; 1972, 293 § 6.)

SECT. 19 amended, 1955, 770 § 95. (See 1955, 770 §§ 117, 123.)

SECT. 20 amended, 1955, 770 § 96. (See 1955, 770 §§ 117, 123.)

SECT. 22 repealed, 1955, 770 § 122. (See 1955, 770 §§ 117, 123.)

SECT. 26 revised, 1946, 276.

SECT. 27 amended, 1955, 770 § 97. (See 1955, 770 §§ 117, 123.)

SECT. 28 amended, 1946, 275; 1955, 770 § 98. (See 1955, 770 §§ 117, 123.)

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; 1972, 293 § 4. (See 1955, 770 §§ 117, 123; 1972, 293 § 6.)

SECT. 33 amended, 1952, 90; 1956, 715 § 25; revised, 1964, 308 § 12; 1972, 293 § 5. (See 1972, 293 § 6.)

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.)

SECT. 34, sentence added at end, 1955, 770 § 102. (See 1955, 770 §§ 117, 123.)

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.)

SECT. 39 amended, 1955, 770 § 105; revised, 1957, 777 § 38. (See 1955, 770 §§ 117, 123.)

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.)

SECT. 44 revised, 1935, 50 § 5, 437 § 5; amended, 1955, 770 § 108; revised, 1957, 777 § 41; 1971, 1055 § 1. (See 1935, 50 § 6, 437 § 8; 1955, 770 §§ 117, 123.)

SECT. 45 revised, 1935, 437 § 6; amended, 1955, 770 § 109; revised, 1957, 777 § 42. (See 1935, 437 § 8; 1955, 770 §§ 117, 123.)

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.)

SECT. 50 amended, 1955, 770 § 112; revised, 1956, 731 § 27; 1957, 777 § 45. (See 1955, 770 §§ 117, 123; 1956, 731 §§ 29–33.)

SECT. 51 revised, 1956, 731 § 28. (See 1956, 731 §§ 29–33.)

SECT. 52 amended, 1955, 770 § 113; revised, 1957, 777 § 46. (See 1955 770 §§ 117, 123.)

Chapter 280. — Fines and Forfeitures.

SECT. 2, last sentence stricken out, 1934, 364 § 2; sentence added at end, 1935, 303 § 1; section amended, 1953, 319 § 37. (See 1934, 364 § 3; 1935, 303 § 2; 1953, 319 §§ 39, 40.)

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, March, 22, 1973.

I hereby certify that the acts and resolves contained in this volume are true copies of the originals on file in this department.

I further certify that the table of changes in the General Laws and the index have been prepared 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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